

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) ADDENDUM 2

10.00AM, THURSDAY, 9 JUNE 2022

VIRTUAL

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ADDENDUM

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GOSIP.

SUSSEX WINES

WHITE

Ashdown Estate White / £22.99

A unique wine, made 100% with Chasselas, a variety most commonly associated with Switzerland! Delicate fruit-forward aromas of pear, apricot and nectarine are met on the palate with punchy lime, zesty grapefruit and citrus blossom. Perfect as an aperitif or with lightly spiced food.

Court Garden Ditchling White / £23.99

A subtle blend of oaked and unoaked Ortega. The resulting wine is light and aromatic with aromas of peach and tropical fruit with a subtle hint of vanilla in the background. Delicious on its own or with fish dishes, including lightly smoked salmon.

Stopham Estate Pinot Blanc / £23.99

Delicate pale lemon in colour with lifted aromas of honeydew melon and pear. White stoned fruits, and sweet fennel tempered by zesty acidity and subtle spice. The wine is very well balanced with a juicy core and a fruit driven finish.

Bolney Estate Bolney Pinot Gris / £30.99

Medium-bodied and smooth, plenty of fresh pear along with citrus and honeysuckle. Fresh finish with some grassy notes.

ROSE

Plumpton Estate Rock Lodge Dry Rose / £19.99

Award winning rose from Sussex. Red berries dominate the flavour profile of this dry wine.

Ashdown Estate Rosé / £22.99

Aromas of white peach, apricot, and ripe strawberry lead to flavours of cherry, nectarine, and blackcurrant on the palate, creating a wine that is well balanced with a lovely long finish. Vivid and bold in colour, it is both full bodied and bone dry making it excellent as a mouth-watering and refreshing summer wine. It is also perfect as an aperitif with salted almonds, smoked duck or cured meats, and summer fruit desserts.

Albourne Estate Sussex Rose / £24.99

With a lovely delicate pink hue Albourne Estate's Sussex Rosé is elegant, refreshing and very moreish. Crisp on the palate with subtle aromas of summer fruits and rose petals, this wine is perfect for sipping or food matching. This first release made from predominantly 2019 Pinot Noir grapes and with swallows depicted on the label is the perfect herald of Spring! Drink chilled at around 6 - 8°C

Court Garden Farm Ditchling Rose / £23.99

A blend of Pinot Noir and Rondo, this is light, fresh soft and fruity. Perfect for summer drinking.

RED

Plumpton Estate Rock Lodge Red Blend / £19.99

Youthful with soft plum and red fruit aromas. Dry on the palate with crisp acidity and soft tannins.

Bolney Estate Bolney Pinot Noir / £33.99

Cool-climate Pinot Noir has long been celebrated the world over. But have you tried it from West Sussex? This is made by the family-owned Bolney Estate in the quintessentially English town of Bolney. It's vibrant and bright, with flavours of ripe strawberries, plums, red cherry, toasted almonds and leather. Great with asparagus, pork and game birds.

Court Garden Farm Ditchling Red Pinot Noir / £23.99

This Ditchling Red is 100% Pinot Noir, aged in French barrels for 4 months. A soft and fruity red; smooth acidity and light tannic structure with warming red fruit aromas with lots of blackcurrants, cherry and spice on the palate. Enjoy on its own or with roast chicken, seared tuna and lightly spiced dishes.

GOSIP.

SUSSEX SPARKLING WINES

Stopham Estate Sparkling Brut / £34.99

Stopham Estate Brut Prestige is a wine with notes of honeyed brioche, grapefruit and citrus. A sparkling wine that has spent 30 months on the lees creating a deliciously creamy flavour.

Ridgeview Bloomsbury / £39.99

A light golden colour with a fine, persistent mousse. Citrus fruit aromas with hints of melon and honey. The Chardonnay dominance brings finesse, along with crisp freshness. The Pinots add depth and character leading to a beautifully balanced finish. A fresh, crisp style. This sparkling wine will age gracefully over time as the Chardonnay matures.

Court Garden Farm Classic Cuvée / £39.99

Pale silver lime-leaf green, continuous small bubbles; toasty, under-ripe pineapple and greengage fruit. Brut-style, balanced with creamy mousse a great freshness and a long finish. Brilliant as an aperitif on its own or wonderful paired with seafood.

Court Garden Farm Cuvée Rose / £39.99

Intoxicating aromas of fresh English strawberries. The palate is soft and creamy with more strawberry fruit leading to a dry refreshing finish. SILVER MEDAL (UKVA 2013)

Albourne Estate Albourne Blanc de Blancs / £39.99

Delicious patisserie-like aromas of brioche, baked apple and almond which perfectly complement the crisp fruit of the Chardonnay grape. Pale gold in colour with a fine, delicate and persistent mousse, the palate is soft yet vibrant and fresh.

Bolney Estate Bolney Bubbly / £39.99

Vintage traditional method quality sparkling wine with creamy, bready aromas and hints of elderflower fruitiness. Made from Muller Thurgau and Chardonnay grapes.

Tinwood Estate Sparkling Rose / £40.99

A stunning salmon colour with an abundance of bubbles and English raspberry and strawberry flavours. The Pinots hint at the classic red fruits whilst the Chardonnay brings freshness and finesse for which England is so acclaimed. Ideally suited to a romantic interlude or when enjoying a glorious summer evening.

Hindleap Classic Cuvée / £40.99

Fragrant, floral notes of elderflower, orange blossom and a hint of spice on the nose lead enticingly to zesty notes of mandarin, pink grapefruit and pear on the palate, creating a juicy, lingering finish. The toasty notes and richness of this wine make it perfect to match with food including smoked fish, chicken and game dishes.

Rathfinny Blanc de Blancs / £49.99

A luminous, flaxen-gold hue leads to a heady nose of ripe papaya and creamy lemon balm, a refined beading of white peach and fennel pollen with a silken, yuzu zest finish. This refined sparkling wine meshes sublimely with the sweet delicacy of butter-braised lobster, with the velvet-texture of a goats cheese and fig tartlet or pairs perfectly with oysters.

Wiston Estate Cuvée 2017 / £49.99

With enticing notes of fragrant English orchard fruits, nectarines, honey, toasted hazelnuts and brioche, this latest release of our Vintage Cuvée has impressive depth and complexity, retaining our cuvée's signature precision and elegance. Displaying a delightful creaminess on the finish, this wine is drinking beautifully now, yet also has superb ageing potential.

Ridgeview Blanc de Blancs / £71.99

Ridgeview Blanc de Blancs 2015 is a blend of 100% Chardonnay and is the only single estate wine solely from Ridgeview's home Chardonnay vineyard. This beautifully balanced wine expresses both youthful characteristics of fresh fruit, citrus and minerality combined with more mature honey and brioche notes.

GOSIP.

LOCAL BEERS

GUEST BREWERY (CHANGES WEEKLY)

BEAK BREWERY - LEWES

Bello IPA 7% / 440ml Can / £7.99

Parade IPA 6% / 440ml Can / £7.99

GUN BREWERY

330ml Can / £3.99

Gun Pale Ale 4.6%

Gun Extra Pale 3.9%

Gun Lager 4%

Gun Milk Stout 4.1%

Gun Vermont Pale 4.4%

Gun Numb Angel Lager 4%

BRIGHTON BIER BREWERY

330ml Can / £3.99

Brighton Bier Pale Ale 4%

Brighton Bier Pilsner 4.5%

Brighton Bier Freshman IPA 4.5%

360° BREWING COMPANY

360° IPA 4.3% / 330ml Can / £3.99

360° Czech Mate! Dry-Hopped Lager 5.3% / 330ml Can / £3.99

360° Fastback West Coast Pale Ale 5.2% / 440ml Can / £4.99

UNBARRED

Mango Pale Ale 5.8% / 440ml Can / £5.99

Morale IPA 3.9% / 440ml Can / £5.99

Cosmo Sour 4.3% / 440ml Can / £5.99

Casual Pale 4.5% / 330ml Can / £4.99

CLOAK & DAGGER BREWING

Petite Beast Little IPA 3% / 440ml Can / £5.99

Komodo Bozo Session IPA 4.2% / 440ml Can / £5.99

Constant Elevation Helles Lager 4.8% / 440ml Can / £5.99

We All Float Oatmeal Stout 4.8% / 440ml Can / £5.99

HAND BREW CO

Surround Sound Hopfenweisse 5.5% / 440ml Can / £6.99

Lobo Hazy Pale 5.2% / 440ml Can / £6.99

GOSIP.

LOCAL BEERS

ABYSS BREWERY

Voices IPA 6.2% / 440ml Can / £6.99
Twerk IPA 6.5% / 440ml Can / £6.99
Super Pale 4.4% / 440ml Can / £5.99
Gonzo Pilsner 4.6% / 440ml Can / £5.99

LOST PIER BREWERY

Paddleboarder Pale 3.4% / 330ml Can / £3.99
APA Actually 5% / 330ml Can £3.99
Deckchair Cruiser Lager 4.8% / 440ml Can / £4.99
Pharaoh Rocher Stout 6% / 440ml Can / £6.99

FIREBIRD BREWING CO

Two Horses Pale Ale 3.8% / 440ml Can / £4.99
Work Ethic New England IPA 5% / 440ml Can / £4.99
Coffee Porter 5.5% / 440ml Can / £4.99
Bohemia Lager 4.8% / 440ml Can / £4.99

BIG HUG BREWING

Juicy Pale 4% / 330ml Can / £3.99
White IPA 5.2% / 330ml Can / £3.99
Red Rye 5% / 330ml Can / £3.99
What The Helles?! Lager 4% / 330ml Can / £3.99
Pilsner 4.2% / 330ml Can / £3.99

ONLY WITH LOVE BREWERY

Dance Every Day Pale Ale 3.8% / 440ml Can / £4.99
Let's Go! IPA 5.7% / 440ml Can / £4.99
Reboot Juicy Pale 4.5% / 440ml Can / £4.99
High Fives American Pale Ale 4.2% / 440ml Can / £4.99

LAINÉ BREW CO

Source Pale Ale 4.1% / 330ml Can / £3.99
Rippa! Pale Ale 4.9% / 330ml Can / £3.99
Word Real Lager 4.5% / 330ml Can / £3.99
Burger Beer Lager 4.2% / 330ml Can / £3.99
Fast Lane Hazy IPA 5.5% / 440ml Can / £5.99

LOUD SHIRT BEER

Hazed & Confused NEIPA 4.5% / 440ml Can / £5.99
El Dorado APA 5.5% / 440ml Can / £5.99

GOSIP.

WINE

WHITE

Isla Negra Sauvignon Blanc / £11.99
The Shy Pig Crisp White / £12.50
Villa Maria Pinot Grigio Private Bin / £17.99
Cloudy Bay Sauvignon Blanc / £36.99

ROSÉ

Yellow Tail Rosé / £13.99
The Shy Pig Blush / £12.50
Calvet Sauvage Côtes de Provence / £19.99
Whispering Angel / £36.99

RED

Casillero del Diablo Cabernet Sauvignon / £14.99
Campo Viejo Tempranillo Rioja / £16.99
Chemin des Papes Chateauneuf du Pape / £37.99

SPARKLING & CHAMPAGNE

Canti Prosecco / £15.99
Freixenet Prosecco / £17.99
Moët & Chandon Champagne / £64.99
Bollinger Champagne / £67.99

BEER AND CIDER

Brewdog Hazy Jane 5% / 4x330ml Cans / £11.99
Brewdog Lost Planet Lager 4.5% / 4x440ml Cans / £10.99
Corona 4.5% / 4x330ml Bottles / £11.99
Birra Moretti Lager 4.6% / 4x440ml Cans / £12.99
Kopparberg Premium Cider Strawberry & Lime 4% / 500ml Bottle / £4.99
Kopparberg Premium Cider Mixed Fruit 4% / 500ml Bottle / £4.99
Thatchers Cider 4.8% / 4x500ml Cans / £11.99

GOSIP.

HARD SELTZER

Three Fold Hard Seltzer Tropical 4% / 330ml Can / £2.99

Three Fold Hard Seltzer Red Berries 4% / 330ml Can / £2.99

Three Fold Hard Seltzer Citrus 4% / 330ml Can / £2.99

PRE MIXED CANS

Jack Daniel's & Cola 5% / 330ml Can / £4.99

Malibu Pineapple 5% / 250ml Can / £4.99

Malibu Cola 5% / 250ml Can / £4.99

Malibu Piña Colada 5% / 250ml Can / £4.99

Absolute Raspberry & Lemon 5% / 250ml Can / £4.99

Gordon's Pink Gin & Tonic 5% / 250ml Can / £4.99

Gordon's Gin & Tonic 5% / 250ml Can / £4.99

Jameson Ginger Ale & Lime 5% / 250ml Can / £4.99

Pimm's & Lemonade 5% / 250ml Can / £4.99

SPIRITS

Smirnoff Vodka 37% / 70cl Bottle / £29.99

AU Vodka Black Grape 35.2% / 70cl Bottle / £49.99

Gordon's Special Dry London Gin 38% / 70cl Bottle / £29.99

Jack Daniel's Whiskey 40% / 70cl Bottle / £34.99

NO AND LOW-ALCOHOL OPTIONS

Heineken 0.0 / 4x330ml Bottles / £9.99

Budweiser Zero / 4x330ml Cans / £8.99

Guinness Draught 0.0% / 4x440ml Cans / £9.99

Brewdog Punk AF Alcohol Free IPA / 330ml Can / £2.99

Brewdog Nanny State / 330ml Can / £2.99

Erdinger Alcohol Free Beer / 500ml Bottle / £3.99

Nozeco Alcohol Free Sparkling Wine / 750ml Bottle / £9.99

Gordon's Alcohol Free Gin / 700ml Bottle / £18.99

GOSIP.

SUMMARY

GoSip is a premium drinks delivery service for Brighton and Hove. We aim to fill a gap in the market by providing high quality wines, beers, spirits and pre-mixed cocktails delivered to our customers doors in 30 minutes or less, with a key focus on Sussex wines and Beers.

WHY GOSIP?

Sussex has a wealth of high quality, award winning wines, and locally brewed beers. GoSip aims to celebrate our fantastic local produce, by curating the best of the local area for our menu. You will find a range Sussex reds, whites, rosés and sparklings, alongside a fantastic selection of beers from the Sussex area, as well as a weekly changing guest brewery, where we will explore the eclectic mix of small and micro-breweries that Brighton and the surrounding areas offer. GoSip will champion these products across our social media channels, bringing well deserved attention to these wonderful drinks that us Ryers should be proud of.

On demand delivery is a rapidly growing and thriving business model, and reflect consumers desire to have convenience at the tap of button. This is not a service aimed at the clubbing crowd looking to carry on the party, it is squarely aimed at households and groups who would prefer to stay in and avoid the crowds, but still have a good time.

WHAT MAKES US DIFFERENT?

Although Brighton and Hove already has 24hour and late night delivery options. Every one of these services only offer cheap beers, with astounding mark ups, and sulphite rich, cash and carry wines. Make no mistake, Brighton and Hove residents have an appetite for more premium products, why should these residents be left by the way side, and have no option for drinks delivery?

GOSIP.

DELIVERY

GoSip will only ever use its own drivers for delivery and never a third party. This is to ensure the absolute highest quality of delivery, and most importantly ensure that every delivery is age verified. Deliveries will be made only by the Founder, Elliott, and GoSip's highly trained delivery staff. Deliveries will only ever be made via Smart Car, Electric Car or Electric Bike. This is to address any noise concerns, as well as ensuring that we send a strong message to our customers and to Brighton as a whole that the environment matters.

AGE VERIFICATION AT THE HEART OF WHAT WE DO

Although at launch, GoSip will utilise 3rd party platforms to host its menu and take orders, as the business grows we will launch our own app. Our age verification checks will look to go above and beyond what any other competitor is offering. We will employ the same technology as used on gambling sites and apps to ensure that anyone under the age of 18 will not be able to place orders.

GoSip aims to deliver the absolute gold standard in age verification on delivery. We will go above and beyond what the 3rd party delivery companies offer.

JOB CREATION

As GoSip expands, we aim to offer extremely flexible job opportunities for residents in Brighton and Hove. Drivers / Riders will be paid on a per delivery basis, and will be able to choose when they work, how often they work, and how long they work. Unlike third party delivery companies, we will not penalise our staff for refusing a delivery for either lack of ID or intoxication. Refusal to deliver is still a delivery that our team member will be paid for.

Drivers and Riders will not have to provide their own work vehicle, they will be able to use the company vehicles to make deliveries. This makes it much easier for flexible working for our staff, and aims to encourage people who would not otherwise be able to work as delivery staff due to a lack of vehicle, be able to work and earn.

GOSIP

OPENING HOURS

We live in a 24-hour world. Our original business plan reflected this.

However, after meeting with Sussex Police and Brighton & Hove council officers we are now proposing to operate until 11pm Sunday - Wednesday, and 2am Thursday - Saturday.

We feel the request for the 2am license on the 3 days is justified due to a high customer demand through until those hours.

CONDITIONS

Following careful thought, we are proposing amending the original operating schedule to include the following:

AGREED WITH EH OFFICER

- All deliveries will be carried out in one 0.7L Smart Car, electric car or on Electric bikes only. No other vehicles including mopeds will be used for deliveries from the premises.
- Signage will be displayed asking staff to respect the residents right to peace and quiet and to leave the area quietly
- Staff will not congregate outside the premises but will remain indoors in the waiting area while they are waiting to collect the products to be delivered.

ADDITIONAL CONDITIONS PROPOSED FOLLOWING MEETING WITH POLICE AND LICENSING OFFICERS

- Products offered for sale will be predominantly (at least 66% by product range) local beers and wines. Spirits/ cocktails will utilise high-end branded spirits only.
- Alcohol will only be delivered to residential and business addresses. The recipient will be required to show the requisite ID to ensure that they are clearly a resident or employed at the named delivery address. Alcohol will not be delivered to customers at a park, in an open space, the beach, a bus stop etc.
- 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

GOSIP

ADDITIONAL CONDITIONS PROPOSED FOLLOWING MEETING WITH POLICE AND LICENSING OFFICERS (CONTINUED)

- Deliveries will be made by employees of the premises licence holder only. No third-party delivery companies will be engaged to make deliveries on behalf of the premises licence holder.
- There will be no collection facilities available from the premises.
- Prior to placing an order, the customer will be required to enter their date of birth as part of the purchase order. Anyone under 25 will be informed that they will need to provide ID at the time of delivery.
- Delivery will only be made to the person placing the order. Should the person accepting delivery look under 25, ID will be required prior to the delivery being made. Should no ID be provided, the delivery will not be completed and the customer will be fully refunded. The terms of this condition will be notified to the customer prior to any order payment being accepted and the customer will be required to acknowledge that they understand this term of delivery.
- No delivery will be made to a person who is deemed by the delivery person to be intoxicated. Should a person be deemed intoxicated, the delivery will not be completed and the customer will be fully refunded. The terms of this condition will be notified to the customer prior to any order payment being accepted and the customer will be required to acknowledge that they understand this term of delivery.

REMOVE THE FOLLOWING CONDITIONS FROM THE ORIGINAL APPLICATION

- Deliveries will be made by using age verification and signed for upon delivery.
- For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.
- For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, the person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery. No ID, no delivery.

BEFORE THE BRIGHTON & HOVE LICENSING SUB-COMMITEE

IN THE MATTER OF AN APPLICATION FOR A NEW PREMISES LICENCE

GOSIP UNIT E 5C KNOLL BUSINESS CENTRE HOVE BN3 7GS

SKELETON ARGUMENT ON BEHALF OF THE APPLICANT

INTRODUCTION

1. The Applicant is seeking to establish a new business in Brighton and Hove providing premium drinks products to customers directly to their home and place of business.
2. The application is for an off-licence only to permit sales of alcohol via online ordering, which will then be delivered to the customers directly by the applicants, as opposed to using drivers from a third party delivery service.
3. The Applicant is seeking to licence their unit in the Knoll Business centre. The business centre has its own layby off of the Old Shoreham Road and parking spaces on-site. There is no intention to allow customers to 'click and collect' from the premises.
4. The Applicant has engaged in constructive dialogue with the Police, Environmental Protection and Licensing Authority. Addendum 1 to the licensing pack contains three conditions agreed with Emma Grant on behalf of the Environmental Protection Team that has led to her withdrawing her representation.
5. Further changes to the application have been proposed at the bottom of this Skeleton, including hours and conditions.
6. No residents or other interested parties have objected to this application. The only outstanding representations are from Sussex Police and Brighton & Hove Council licensing teams.

POLICY

7. The premises sits outside both the Special Stress Area and Cumulative Impact Zones.
8. The relevant sections can be found 3.5.4 to 3.5.7 of the policy. These sections state:

'3.5.4 The Licensing Authority and Sussex Police have specific concerns around the delivery of alcohol off the premises due to issues around the end location of 24 delivery, age verification

checks (Challenge 25), the increased possibility of the alcohol coming into the CIZ and SSA from other areas, as well as the personal safety of drivers when having to refuse a delivery at the end destination.

'3.5.5 Alcohol delivery poses a unique set of challenges as it often transfers the final age verification to a person who has no responsibility in relation to the Premises Licence which authorised the sale of alcohol. A premises licence holder needs to be satisfied that their drivers or the delivery drivers of the third-party company they chose to use, have received regular and comprehensive training in age verification and identifying persons who have consumed too much alcohol.

'3.5.6 Evidence has shown that customers have previously used landmarks/businesses not related to them as addresses for delivery so that alcohol could be consumed in open spaces/parks. The risk being that this may lead to increased crime and disorder including anti-social behaviour and criminal damage, as well as the possibility that underage persons can gain access to alcohol. Concerns have also been raised about the delivery of alcohol to known street drinking hotspots. Therefore, a condition requiring all deliveries to be to a verifiable residential or business address and a face to face ID verification is vital in mitigating some of this risk.

'3.5.7 While the Licensing Authority and Sussex Police recognise this is a growing area of business, new or variation applications to include the delivery of alcohol off the premises will be subject to increased scrutiny. Suggested conditions for the provision of an alcohol delivery service can be found at Appendix A. These are not exhaustive and each application will be considered on its own merits.'

9. In summary therefore, the main relevant policy considerations are:

- Robust age verification ensuring sales are not made to persons under 18.
- Prevention of deliveries to persons outside of their usual residential or business addresses- in particular within the CIZ or Special Stress Area.

10. The Applicant also notes the Licensing Committee's "Matrix" policy, deals predominantly with 'bricks and mortar' businesses. Whilst the sections of the policy noted above deal specifically with delivery services, the best practice conditions set out at 3.5.3 predominantly relate to bricks and mortar or 'hybrid' bricks and mortar/ online businesses. This is a specific and bespoke online business.

SUBMISSIONS

11. As is well established, “exceptional circumstances” means circumstances which allow for “an exception” to be made to the general rule: use of the words should not and does not set the bar artificially high.

12. By reference to relevant policy considerations set out above, the circumstances which the Applicant asks the sub-committee to consider are as follows:
 - a. First, it is relevant to consider that owing to the pandemic the world has changed since the CIZ policy was set (2014, revised 2018). Home delivery for all kinds of products has become a bedrock of many ‘bricks and mortar’ businesses and alcohol delivery, predominantly through third party delivery companies, has become normalised, not only during the worst of the pandemic, but continually since. There is no evidence to suggest that this will dissipate. The current conditions and policy requirements relating to traditional ‘off-licences’ may be relevant for businesses now operating a hybrid model, but consideration needs to be given to bespoke businesses setting up in this new space. As matters currently stand, traditional off-licences and supermarkets with licences that pre-date the rise in home delivery are often silent in relation to regulating this nascent industry. As such, bespoke businesses such as the Applicants can set the standards for others to follow in terms of operating practices.
 - b. The Government expansion of off-sales to all on-sales businesses and suspension of conditions accordingly (under the Business and Planning Act 2020) is due to end on 30 September 2022. However, there is still demand from people who would rather not go out to busy premises for health or societal reasons but who would like to be able to meet friends in the privacy of their own homes, maybe on the spur of the moment, perhaps later in the evening, and have be able to turn to a bespoke service such as the Applicants. There is no evidence presented to suggest how this would undermine the licensing objectives.
 - c. Currently, the significant majority of home delivery of alcohol comes either as part of a general grocery shop via supermarkets or via off-licenses that often operate to very late hours (sometimes 24 hours). However, the product ranges tend toward large international brands that does not provide a true reflection of the current market and the rise in the popularity of local and ‘craft’ products. This application ‘mirrors’ the rise in bricks and mortar craft and specialist alcohol retailers and on-licensed premises where evidence suggests that there is much less likely to be any undermining of the licensing objectives from the type of customer attracted by such businesses.
 - d. The business model of the applicant is based around premium products at premium prices. It is also designed predominantly around local producers, of which Sussex and the surrounding area is blessed with a wonderful range of beers and wines. There is a

limited range of 'standard' products on offer to cater for those who may not be quite so adventurous, but this does not diminish from the points raised above in terms of expected customer-base.

- e. The Applicant is seeking to serve customers who are looking for premium and mainly local products for consumption in their houses or places of work. Outside of orders for residents for ordinary consumption at home or for businesses putting on social events, it is anticipated that custom will either be hosting dinner parties or other social gatherings or will be hosting a few friends following a meal out in Brighton or Hove but who do not want to stay out in town or purchase 'standard' ranges from current suppliers or off-licences (if available). The Applicant is not seeking to appeal to the 'after club' crowd who are looking to 'continue the party'- hence the reduction in hours and additional proposed conditions set out below.
- f. As set out in the "Presenter" the Applicant is looking to set the 'gold standard' for home delivery businesses. This is not an 'add on' to an existing bricks and mortar business and as such the Applicant is able to ensure that the issues identified by the officers in their representations and during their meeting can be properly dealt with.
- g. The application is directed at, and answers the central concern of the CIZ policy as it relates to delivery businesses based outside of the zone:
 - i. By only delivering to legitimate home and business addresses, customers will not need to add to the cumulative impact in the area by having to go out either to drink in a pub that sells premium products (which may be some distance from where they live/work) or to find an off-licence.
 - ii. The business itself does not provide for click and collect and therefore the only alcohol being brought into the CIZ is by way of specific delivery to a specific customer in their homes or places of work.
- h. By operating electric or 'smart' vehicles, the Applicant is setting the standard for environmental deliveries within Brighton and Hove.
- i. Whilst there have been representations by the Police and Licensing Authority, the concerns raised can be addressed by appropriate conditions. In particular the Applicant is content to offer the following:
 - i. A strict condition preventing sales outside of homes or legitimate businesses. Whilst the original application would have permitted such deliveries, the Applicant has listened carefully to the Police in particular and taken into account their concerns.
 - ii. Deliveries to be made by direct employees only- not by third party delivery drivers. The manner in which the business is to be structured means that there will be no incentive to deliver if there is no proof of ID/ signs of intoxication or a suspicion that the address being given is simply to allow for delivery where the true purpose is for drinking outside. For the purposes of remunerating staff

undertaking deliveries, their pay will not be linked to having to complete a delivery.

CHANGES TO OPERATING SCHEDULE

13. Following the meeting with the Responsible Authorities noted above, the Applicant is proposing to make the following changes to the application:

- a. Reduction in hours to 10:00 until 23:00 Sunday - Wednesday, and 10:00 to 02:00 the following morning Thursday - Saturday. ***Please note that this further reduces the hours of operation from that agreed with Environmental Protection Thursday to Saturday.***
- b. Following careful thought, the Applicant is proposing amending the original operating schedule to include the following:

Agreed with EH Officer

- All deliveries will be carried out in one 0.7L Smart Car, electric car or on Electric bikes only. No other vehicles including mopeds will be used for deliveries from the premises.
- Signage will be displayed asking staff to respect the residents right to peace and quiet and to leave the area quietly
- Staff will not congregate outside the premises but will remain indoors in the waiting area while they are waiting to collect the products to be delivered.

Additional Conditions proposed following meeting with Police and Licensing Officers

- Products offered for sale will be predominantly (at least 66% by product range) local beers and wines. Spirits/ cocktails will utilise high-end branded spirits only.
- Alcohol will only be delivered to residential and business addresses. The recipient will be required to show the requisite ID to ensure that they are clearly a resident or employed at the named delivery address. Alcohol will not be delivered to customers at a park, in an open space, the beach, a bus stop etc.
- 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
- Deliveries will be made by employees of the premises licence holder only. No third-party delivery companies will be engaged to make deliveries on behalf of the premises licence holder.
- There will be no collection facilities available from the premises.

- Prior to placing an order, the customer will be required to enter their date of birth as part of the purchase order. Anyone under 25 will be informed that they will need to provide ID at the time of delivery.
- Delivery will only be made to the person placing the order. Should the person accepting delivery look under 25, ID will be required prior to the delivery being made. Should no ID be provided, the delivery will not be completed and the customer will be fully refunded. The terms of this condition will be notified to the customer prior to any order payment being accepted and the customer will be required to acknowledge that they understand this term of delivery.
- No delivery will be made to a person who is deemed by the delivery person to be intoxicated. Should a person be deemed intoxicated, the delivery will not be completed and the customer will be fully refunded. The terms of this condition will be notified to the customer prior to any order payment being accepted and the customer will be required to acknowledge that they understand this term of delivery.

Remove the following conditions from the original application

- Deliveries will be made by using age verification and signed for upon delivery.
- For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.
- For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, the person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery. No ID, no delivery.

Retain the following from the original application

General – all four licensing objectives

- Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
- Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
- All staff shall be suitably trained for their job function for the premises the training shall be written into a programme of ongoing review and will be made available to a responsible authority on reasonable request.

The Prevention of Crime and Disorder

- There will be no members of the public permitted access to the premises.

Public Safety

- Appropriate fire safety measures will be installed and maintained as shown on the drawings accompanying this application.
- Alcohol will not be stored in such a way as to block fire or other exits from the premises.
- Any areas for which public have access to will be maintained free from obstruction and trip hazards.
- All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

The Prevention of Public Nuisance

- Noise from alcohol deliveries from the premises will not cause a public nuisance.
- Deliveries to customers who have placed orders via the company website will be limited to the hours of 10:00h and 04:00h the following morning on any day.

The Protection of Children from Harm

- The premises licence holder will have a return and refund policy for non-deliveries.
- The Premises Licence Holder shall arrange staff training in relation to underage sales. This training shall include how to seek ID in accordance with the Challenge 25 proof of age scheme. All staff training shall be documented and made available to the Responsible Authorities on request.
- Records of all customers shall be stored for a minimum period of 6 months and shall be forwarded to police or trading standards officers actively investigating allegations of underage purchases from the business.
- The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.
- At the time the order is placed a declaration will be required from the person placing the order that that person is aged over 18 years of age, and that the intended recipient is over 18 years of age. This process will be documented, (tick box before proceeding, record of

verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

CONCLUSION

14. The Applicant is seeking to build a small local business, predominantly supporting local producers. The application is both environmentally aware and conscious of the concerns raised by officers in their representations. The amended proposal with reduced hours and additional conditions strikes a proportionate balance between those concerns and being able to operate a successful business in a new and developing marketplace.

PIERS WARNE

TLT SOLICITORS

6 June 2022