

Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	14 October 2009
Time:	10.00am
Venue	Council Chamber, Brighton Town Hall
Members:	Councillors: Cobb, Lepper and West
Contact:	Jane Clarke Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

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AGENDA

Part One Page

66. TO APPOINT A CHAIRMAN FOR THE MEETING

67. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes Where Councillors are unable to attend a meeting, a substitute Member from the main Licensing Committee may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

68. SAINSBURY'S, 147-148 WESTERN ROAD, BRIGHTON

1 - 26

Report of the Assistant Director for Public Safety (copy attached).

Contact Officer: Emma Bricknell Tel: 29-4431

Ward Affected: Regency

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email jane.clarke@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 6 October 2009

LICENSING PANEL (Licensing Act 2003 Functions)

Agenda Item 68

Brighton & Hove City Council

Subject: Application for a Variation of a Premises Licence

under the Licensing Act 2003 for Sainsbury's Supermarket, 147 – 148 Western Road, Brighton

Applicant (s): Sainsbury's Supermarkets Limited

Date of Meeting 14 October 2009

Report of: Assistant Director Public Safety

Contact Officer: Name: Emma Bricknell Tel: 29-4431

E-mail: emma.bricknell@brighton-hove.gov.uk

Wards Affected: Regency

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Sainsbury's Supermarket.

2. RECOMMENDATIONS:

2.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Sainsbury's Supermarket.

2.2.1 The application is for:

A Variation of a Premises Licence under the Licensing Act 2003 for The application proposes:

A supermarket selling a broad range of groceries, household products and alcohol. Situated at 147-148 Western Road, Brighton, BN1 2DA.

- 1. Extension of the hours for the sale of alcohol to 06.00 to 24.00 daily.
- 2. Provision of late night refreshment between the hours of 11pm and 00.00 midnight.
- 3. To remove the condition from Annex 2:

Condition 11

A "challenge 21" (or equivalent) scheme shall be adopted so that all cashiers are trained to ask any customers attempting to purchase alcohol, who appears to be under the age of 21 years, for evidence of age. The evidence shall be photographic, such as a passport or photographic driving licence until other effective identification technology (for example thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless the evidence is produced.

4. To add the following condition to Annex 2:

The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

Part P of the application is detailed at Appendix A

Summary table of existing and proposed activities –

	Existing	Proposed	
L Late Night	N/A	Every day 23:00 – 24:00	
Refreshment			
M Supply of	07:00 – 23:00	06:00 – 24:00	
Alcohol	Off the Premises	Off the Premises	
O Hours	Every day 12:00 – 12:00	Every day 00:00 – 24:00	
premises are			
open to public			
P Conditions	3. To remove the condition from Annex 2:		
removed as a	Condition 11		
consequence	A "challenge 21" (or equivalent) scheme shall		
of the	be adopted so that all cashiers are trained to ask any		
proposed	customers attempting to purchase alcohol, who		
Variation	appears to be under the age of 21 years, for evidence		
	of age. The evidence shall be photographic, such as a		
	passport or photographic driving licence until other		
	effective identification technology (for example thumb		
	print or pupil recognition) is introduced. All cashiers		
	will be instructed, through training, that a sale shall not		
	be made unless the evidence is produced.		

2.3 Existing licence attached at Appendix B.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Cumulative Impact: The premises falls within the Cumulative Impact Area ("the Area") in the Brighton city centre (see paragraphs Prevention of Crime and Disorder 2.4.10 – 2.4.14 and Appendices C - E).

3.2.1 Representations received

Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

- 3.2.2 One representation was received. It was received from Trading Standards.
- 3.2.3 The Representation received had concerns relating to Protection of Children from Harm.
- 3.2.5 Full details of the representation is attached at Appendix F. A map detailing the location of the premises is attached at Appendix G.

4. CONSULTATION

Commentary on licensing policy

4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

- 1.2 The licensing objectives are:-
 - (a) Prevention of crime and disorder;
 - (b) Public safety;
 - (c) Prevention of public nuisance;
 - (d) Protection of children from harm.
- 1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focussed on matters which are in the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.
- 1.5 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override

- the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- Licensing law is not the primary mechanism for the general 1.15 control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 2.4 Cumulative impact the licensing authority may receive representations from either a responsible authority or an interested party that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be confused with 'need' which relates more to the commercial demand for a particular type of premises. The issue of 'need' is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore does not form part of this licensing policy statement.
- 2.4.1 Special Policy Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
- 2.4.2 The licensing authority after careful consideration has determined that the concentration of licensed premises in a small area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to Cumulative Impact is necessary as part of its statement of licensing policy. This special policy was adopted for inclusion within the statement of licensing policy by Council on 13 March 2008.
- 2.4.3 This special policy will refer to a Cumulative Impact area ("the Area") in the Brighton city centre, a detailed plan of which is attached at **Appendix C** of the Statement of Licensing Policy (SoLP).

- 2.4.4 The effect of this special policy is that applications for new premises licences or club premises certificates within the Area, or variations which are likely to add to the existing Cumulative Impact, will normally be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.
- 2.4.5 Any variation application will potentially come within this special policy, including those for extensions of hours, subject always to an applicant satisfying the authority that there will be no adverse effect on Cumulative Impact.
- 2.4.6 This special policy also applies to all new premises licences and club premises certificates, for example pubs, off-licences, restaurants and take-away establishments.
- 2.4.7 The presumption of refusal does not relieve responsible authorities or interested parties of the need to make a relevant representation. If there are no representations the licensing authority must grant the application in terms consistent with the operating schedule submitted.
- 2.4.8 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether it is justified in departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the Cumulative Impact of the Area, it may be granted. The Impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of Cumulative Impact, a small restaurant or theatre may not.
- 2.4.9 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.
- 2.5.5 Care, control and supervision of premises
 The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside.
 The Police will consider the applicants, objecting to the application where appropriate. The Police will suggest crime prevention measures in relation to, for example, the internal layout of the premises, close circuit television, help points, lighting and security staff. The Police may ask for conditions which support such measures to be imposed when planning or

- licensing applications are granted, e.g. type of licence, capacity, opening time restrictions.
- 2.6 Shops, stores and supermarkets which provide alcohol for consumption off the premises: the normal scenario will be to provide for sales of alcohol at any time when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.
- 2.8 Enforcement issues will be considered in the light of any relevant enforcement policies and close links will be sought between all enforcing authorities, e.g. through the use of intelligence sharing and strategy groups. Such protocols may lead to the targeting of agreed high risk and problem premises whilst permitting a lighter touch approach in respect of well run premises.

In respect of the protection of children from harm

- 5.1 Licensees should note the concern of the authority that drink related disorder frequently involves under 18's. To prevent illegal purchases of alcohol by such persons, the committee recommend that all licensees should work with a suitable 'proof of age' scheme and ensure that appropriate identification is requested prior to entry and when requesting alcohol, where appropriate. Appropriate forms of identification are currently considered to be those recommended by police, trading standards officers and their partners in the licensing strategy group.
- 5.2 It is the committee's expectation that all staff responsible for the sale of intoxicating liquor receive information and advice on the licensing laws relating to children and young persons in licensed premises. Licensed premises staff are required to take reasonable steps to prevent under age sales. The licensing authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.
- 5.4 The licensing authority will not seek to require that access to any premises is given to children at all times under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:-
 - where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises;

- where entertainment of an adult or sexual nature is commonly provided.
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:-

- limitations on the hours when children may be present;
- age limitations (below 18);
- limitations or exclusions when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under 18.
- 5.5 Licensees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases where such certificates have not been granted, the licensing authority. The licensing authority does not intend to adopt its own system of film classification.
- 5.6 Where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. The licensing authority recognises the Children, Families and Schools section as being competent to advise on matters relating to the protection of children from harm.

Strategic Integration

- 6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening.
- 6.7 This policy avoids duplication with other regulatory regimes wherever possible.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

Finance Officer Consulted: Karen Brookshaw Date: 24.09.2009

5.2 Legal Implications:

The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

Lawyer Consulted: Rebecca Sidell Date: 24.09.2009

5.3 Equalities Implications:

Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

5.4 Sustainability Implications:

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 <u>Corporate / Citywide Implications:</u>

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Appendix A Part P of application
- 2. Appendix B Part A of Premises Licence
- 3. Appendix C Brighton & Hove City Council Special Stress Areas
- 4. Appendix D Measures to be considered in SSA's
- 5. Appendix E Brighton & Hove City Council Cumulative Impact Area
- 7. Appendix F Representation
- 8. Appendix G Map of area

Documents in Members' Rooms

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy.

Background Documents

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council Statement on Licensing Policy.

APPENDIX A

P ⁻ Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:
a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)
No changes are proposed to the licence conditions apart from the replacement of condition 11 by the condition set out in box e below.
b) The prevention of crime and disorder
c) Public safety
d) The control of the
d) The prevention of public nuisance
a) The protection of skildren from Level
e) The protection of children from harm The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

APPENDIX B

Schedule 12 Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2009/00059/LAPREN

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Sainsbury's Supermarket

147-148 Western Road

Brighton

East Sussex

BN1 2DA

Telephone number 01273 719830

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Every Day 07:00 - 23:00 Off the premises

The opening hours of the premises

Every Day 12:00 - 12:00

The applicant may elect not to open the store, or part (s) of the store, 24 hours every day but requires the flexibility to do so subject to statutory or operational restrictions.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Sainsbury's Supermarkets Limited

33 Holborn

London

EC1N 2HT

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number: 03261722

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Nathan Alexander Crombie

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: LN2007/00403 Licensing Authority: Lewes District Council

Annex 1 - Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

- no supply of alcohol may be made under the premises licence
- (a) at a time when there is no designated premises supervisor in respect of the premises, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

Annex 2 - Conditions consistent with the Operating Schedule:

For the prevention of crime and disorder:

- 1) A digital CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
- 2) The CCTV system is to be to the reasonable satisfaction of the police.
- 3) The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
- 4) The CCTV system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
- 5) The system will display on any recording the correct time and date of the recording.
- 6) A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained.
- 7) Notices informing customers of the operation of the system shall be prominently displayed.
- 8) The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

For public safety:

9) The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

For the prevention of public nuisance:

10)Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

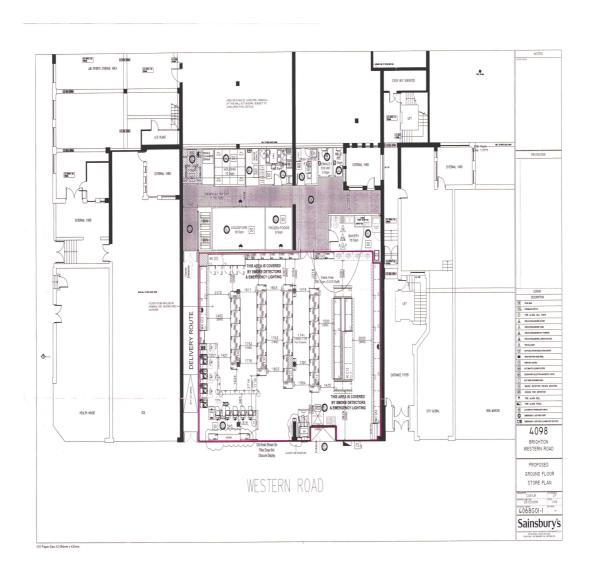
For the protection of children from harm:

11)A "Challenge 21" (or equivalent) scheme shall be adopted so that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years, for evidence of

- age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
- 12)All cashiers shall be instructed, through training to enter into a refusal book (or electronic equivalent) details of any refusal to make a sale of alcohol to a customer.
- 13) All cashiers will be given regular training on company policies and procedures on alcohol. Records of such training will be maintained and be made available to the police for inspection.

Annex 3 - Conditions Attached after a hearing of a Licensing Panel - None

Annex 4 - Plans



APPENDIX C

Brighton & Hove City Council - Cumulative Impact Area



The Cumulative Impact Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Ayr Street with the west side of Queens Road and then northward to the north-west corner of Queens Road junction with Church Street; thence along the north side of Church Street eastwards to its junction with Marlborough Place and continuing south-east across to the north-western junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Preston Street; northward to that point and along the west side of Preston Street to its

northwest boundary and then diagonally across Western Road to its intersection with the west side of Spring Street

APPENDIX D

Brighton & Hove City Council – Special Stress Areas

The areas recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below:-



Area 1 - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street and along the north side of Western Road, Hove to its intersection with the west side of Holland Road; southward along the west side Holland Road to its end and then due south across the Kingsway to the mean water mark; along the mean water mark eastwards to the intersection with the boundary of the cumulative impact area and along that boundary northwards to the intersection of Western Road, Brighton with the west side of Spring Street.

Area 2 – an area bounded by and including: from a point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road eastwards along the north side of Trafalgar Street to its eastern end; due east across York Place to the east side of Richmond Place; southward along the east side of Richmond Place and Grand Parade to the cumulative impact area's Edward Street boundary: westwards along the cumulative impact area's northern boundary to the north-west corner of the Church Street junction with Queens Road; north along the west sides of Queens Road and Surrey Street to the point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road.

APPENDIX E

Measures to be included for consideration in SSAs are:

Matters that would normally be expected in operating schedules -

- the adoption of a "Challenge 21" policy with acceptable proof of id as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital cctv system by liaison with, and to a standard approved by, Sussex police
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA door staff or Mobile Support Unit personnel display appropriate badges when on duty

Items to which positive consideration would be given -

- membership of Brighton Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of 'nightsafe' radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Matters that might be recommended for appropriate restrictions -

- entry to premises by under 18s after certain times
- consumption of food and drink in smoking areas
- access to outside seating areas after certain times

APPENDIX F

REC: 21/08/09 CON: 18/09/09.

Brighton & Hove City Council

2009/01692/LAPREV

LO - EB . Trading Standards

2nd Floor Bartholomew House Bartholomew Square Brighton BN1 1JE

The Licensing Technical Support Officers Environmental Health Brighton and Hove City Council Bartholomew House Bartholomew Square BRIGHTON BNI IJP

> Tel No: (01273) 292497 Fax No: (01273) 292524

E Mail: Catriona.Macbeth@brighton-

hove.gov.uk Our Ref: CM/JP

17 September 2009

Dear Sirs

Application to vary a premises licence - Sainsbury's, 147-148 Western Road, Brighton, BNI 2DA

I can confirm that both Sussex Police and Trading Standards are concerned with this application to vary this premises licence as it is considered that it fails to meet the Licensing Objective of protecting children from harm.

Trading Standards does not have any comments with regards the extension of the hours for the sale of alcohol or the provision of late night refreshment.

You should be aware that there is a continuing problem in Brighton and Hove with children drinking alcohol underage with the corresponding health issues and youth disorder. The premises in question are in an area where alcohol related youth disorder is a problem.

The type of store is not a typical supermarket but rather a "High Street express store"; as such it is the type of off-licence premises which Trading Standards would consider to be High Risk in relation to sales of alcohol to children. It is for this reason that Trading Standards requests that the following condition be placed on the premises licence instead of both the current condition and the proposed condition detailed at paragraph 4 of the application to vary.

For the protection of children from harm:

The premises will adopt a 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 ID

(01273) 290000

www.brighton-hove.gov.uk

Director of Environment: Jenny Rowlands

printed on recycled, chlorine-free paper

that will be accepted are valid passports, photographic driving licenses or Proof of Age cards bearing the 'PASS' mark hologram. The list of approved Identification may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the actual licence.

It is considered that this is necessary to protect children from harm.

Yours faithfully

Jo Player

Acting Head of Trading Standards

APPENDIX G



Sainsbury's Supermarket, 147-148 Western Road