

APPENDIX C (REPS A & B)

REDACTED TEXT

Date: 12 August 2021

Licensing Authority

Our Ref: 2021/01499/LICREP/EH

Brighton & Hove City Council

Phone: 01273 **REDACTED TEXT**

Bartholomew House

Bartholomew Square

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Brighton

BNI IJP

BP CON ENDS 24.08.21 VALID PCD, PPN & PCH (A)

Dear **REDACTED TEXT**

Licensing Act 2003 - Reference: 2021/02477/LAPREN

Representation regarding to the New Premises Licence application for

Quick Commerce, Unit 6C, Freshfield Industrial Estate, Stevenson Road, Brighton BN2 0DF

I refer to the application made by Quick Commerce Ltd, for a new Premises Licence to be issued for the above premises. The Licensing Team, in its role as a Responsible Authority, has concerns about this application and therefore I am submitting this representation on the grounds of the Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm to uphold our Statement of Licensing Policy (SoLP).

The applicant has applied for a Premises Licence for alcohol for consumption off the premises every day 00:00hrs – 24:00hrs (24 hours a day) for a locally based home delivery grocery centre that is not open to the public.

It is recognised that this premises are not in either the Cumulative Impact Zone (CIZ) or Special Stress Area (SSA). However, this representation is submitted as there are concerns that the application does not meet the requirements of the Council's SoLP, with regards to applications made for off sales of alcohol.

The Council's SoLP includes a Matrix Model approach for licensing decisions, that recognises the diverse operation and different risks presented by different classes of licensed premises. It provides a vision of what the licensing authority would like to see within its area and gives an indication of likelihood of success or otherwise to investors and local businesses making applications.

The Matrix Model, on page 18 of the Council's SoLP, states that in all other areas outside of CIZ and SSA, new applications for off licences (which includes premises with off sales) shall be granted up to 11pm, but if in densely residential areas this terminal hour may be earlier.

The policy does state that each application is still considered on its individual merit and there is discretion to depart from the policy where justified. However, departure from the Matrix Model is only expected in exceptional circumstances.

Guidance issued under S182 of the Licensing Act 2003 states in paragraph 8.41 that in completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. The guidance goes on to say in paragraph 8.43 that applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply, applicants are also expected to demonstrate an understanding of how the policy impacts on their application, any measures they will take to mitigate the impact, and why they consider the application should be an exception to the policy.

I have looked carefully at this application, paying particular attention to the Matrix and any exceptional circumstances provided for departing from the Matrix. I contend that no exceptional circumstances have been provided. I am therefore concerned that allowing 24-hour alcohol sales will impact on the Licensing Objectives of Prevention of Crime and Disorder, Public Nuisance and Protection of Children from Harm.

Referring to Section 3.5 of the Council's SoLP, and in particular 3.5.4, The Licensing Authority and Sussex Police already have specific concerns around the delivery of alcohol off the premises due to issues around the end location of delivery, not limited to age verification checks. There are concerns that increased levels of alcohol would be delivered into the CIZ and SSA from other areas, as well as concerns over the personal safety of drivers when having to refuse a delivery at the end destination. These possible issues would only be heightened by allowing delivery of alcohol throughout the night.

I quote 3.5.7 from the SoLP in my representation, that states that new applications to include the delivery of alcohol off the premises will be subject to increased scrutiny. The Policy offers up conditions for consideration, yet this application makes no reference to many of them (Appendix A, SoLP).

I am concerned that allowing 24-hour alcohol sales will impact on the Licensing Objectives of The Prevention of Crime and Disorder and The Prevention of Public Nuisance.

I maintain that the Matrix Model states that off-licence applications should only be granted until 11pm in the location that this premises sits within and note that no exceptional circumstance evidence has been provided by the applicant to warrant departure from this part of the policy.

The Licensing Team act as guardians of the Council's SoLP and I make this representation as I believe the application made is contrary to our policy and will impact on Licensing Objectives. I therefore invite a Sub-Committee Panel to decide the outcome of this application on behalf of the Licensing Authority.

Yours sincerely

REDACTED TEXT

Licensing Officer Licensing Team

Police Station
John Street
Brighton
BN2 0LA

Tel: **REDACTED TEXT**

Email: **REDACTED TEXT**

12th August 2021

The Licensing Technical Support Officers
Environmental Health, Brighton & Hove City Council
Bartholomew House, Bartholomew Square
Brighton, East Sussex
BNI IJP

Dear **REDACTED TEXT**,

**RE: APPLICATION FOR A NEW PREMISES LICENCE FOR QUICK
COMMERCE LTD, UNIT 6C, FRESHFIELD INDUSTRIAL ESTATE,
STEVENSON ROAD, BRIGHTON, BN2 0DF UNDER THE LICENSING ACT
2003.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder, public nuisance and the protection of children from harm.

This is a proposed new premises licence application requesting to deliver alcohol along convenience goods.

In accordance with the Brighton and Hove Statement of Licensing policy this premises is in the others areas and requesting.

Supply of Alcohol (Of the Premises)

Every Day: 00:00 – 00:00

The licensing decision matrix on page 16/17 of the Council Statement of Licensing Policy (SoLP) states that an off licence is allowed until 23:00. Sussex Police note this premises is requesting to operate and deliver alcohol 24 hours a day which leads to concerns of alcohol being delivered to persons who are already intoxicated, to persons continuing to drink having already been out drinking or to extend drinking at a party, this is likely to cause public nuisance to the neighbours of customers purchasing through Quick Commence Ltd.

Sussex Police also have concerns that the alcohol will not be delivered to areas solely within the area classed as “others” within the Brighton and Hove statement of licensing policy and in fact alcohol will be delivered to local areas in the Special Stress Area (SSA) or as far as the Cumulative Impact Area (CIZ) which currently suffers from high levels of crime and disorder.

The crime data shows high levels of crime and disorder in the city centre, varying from ASB to serious public order and violent crimes. In 2020, during a pandemic with a number of Government restrictions in place Sussex Police saw a total of 2054 alcohol related crimes; compared to 2019 where there was 2313 crimes with alcohol as contributing factor.

Crime statistics from July 2021 have shown an increase in incidents in the city. The number of crimes and ASB are increasing rapidly over the last month as restrictions are being lifted. During the previous weekends, the number of calls to police have risen substantially where alcohol has been a factor.

Sussex Police also have concerns over the operation and the high possibility of proxy sales. This style of operation would allow for under age persons to use a credit or debit card to purchase alcohol for delivery, or allow a person who is alcohol dependent to purchase alcohol.

Sussex Police have concerns over delivery drivers having the confidence to refuse a delivery on the doorstep.

It should also be noted the delivery is not where the risk of crime and disorder ends, alcohol in homes also sees a spike in violent domestics, stabbings (during house parties) and sexual assaults.

Lastly, Sussex Police have concerns over the increased number of delivery vehicles on the road. Sussex Police have 2 current operations called Op Mainstay and Op Crackdown, which focusses on anti-social driving, reducing the numbers of road collisions resulting in killed or seriously injured persons. Our concerns are that this business operation will add more vehicles/ mopeds/ scooters onto the roads and possibly increase the number of people killed or seriously injured, as well as vehicle document related offences (Insurance, MOT, Driving Licence...).

The applicants did not pre consult with Sussex Police, therefore all our concerns have not been taken into consideration, and therefore no conditions have been offered to mitigate further increased crime and disorder or discussion regarding the times of retail of alcohol on the application.

Sussex Police concerns over the high levels of crime and disorder in the city and the areas to where alcohol would be delivered too plus the increased concern of protecting children from harm, would ask the licensing panel to consider our position and refuse this application.

Yours sincerely,

REDACTED TEXT

Response & Operations

Brighton & Hove Division

Sussex Police

Please address all future correspondence to Brighton & Hove Licensing Unit, Police Station,
John Street, Brighton, BN2 0LA.

