

Crawley Borough Council

Licensing Sub-Committee

Agenda for the **Licensing Sub-Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **14 September 2022** at **10.00 am**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership:

Councillors

Z Ali, I T Irvine and C J Mullins
(Reserve: A Nawaz)

From:

Councillors

B Noyce, Z Ali, M L Ayling, J Bounds, B J Burgess, J Hart, I T Irvine,
K L Jaggard, M G Jones, P K Lamb, K McCarthy, M Morris,
C J Mullins, A Nawaz and D M Peck

Please contact Democratic Services if you have any queries regarding this agenda.
democratic.services@crawley.gov.uk

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Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ

The order of business may change at the Chair's discretion

Part A Business (Open to the Public)

	Pages
1. Appointment of Chair	
2. Apologies for Absence	
3. Disclosures of Interest	
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.	
4. Application to Grant a new Premises Licence - 7 Days Food And Wine, 12 The Boulevard, Crawley	3 - 48
To consider report HCS/046 of the Head of Community Services.	
The Licensing Handbook is available to Sub-Committee members in advance from Democratic Services.	

This information is available in different formats and languages. If you or someone you know would like help with understanding this document please contact the Democratic Services team on 01293 438549 or email: democratic.services@crawley.gov.uk

Agenda Item 4

Crawley Borough Council

Report to Licensing Sub-Committee

14 September 2022

Application to Grant a new Premises Licence 7 Days Food & Wine, 12 The Boulevard, Crawley

Report of the Head of Community Services, HCS/046

1. Type of Hearing and Powers of the Sub-Committee

- 1.1. Crawley Borough Council is the Licensing Authority for the Borough of The Crawley and determines all matters under the Licensing Act 2003. Any current licence holder, and/or where a new application or variation to an existing premises licence
- 1.2. The Sub-Committee is required to determine the application by taking such of the steps set out below as it considers necessary for the promotion of the Licensing Objectives under the Licensing Act 2003. Due regard must also be had for Section 182 Guidance issued under the Licensing Act 2003 Section 182 Guidance. [Section 182 Guidance](#) and the Councils Statement of Licensing Policy 2019 – 2024. [CRAWLEY BOROUGH COUNCIL](#)
- 1.3. The Licensing Objectives under the Licensing Act 2003 are:
 - The prevention of crime and disorder
 - The prevention of public nuisance
 - Public Safety
 - Protection of Children from harm
 -

2. Decision

- 2.1 The Licensing Sub Committee must consider each application on its merits, in accordance with the provisions within the Licensing Act 2003 and must be satisfied that Licensing Objectives will be met and promoted if an application is granted. The Licensing Sub Committee for must have regard to any relevant representations received, and take such steps, if any, it considers necessary for the promotion of the Licensing Objectives.
- 2.2 This can be one or more of the following steps:
 - a) Grant the application in full as applied for
 - b) Grant the application subject to conditions and/or modification of such
 - c) Grant the application but modify hours or licensable activities
 - d) Exclude from the scope of the licence any of the licensable activities to which the application relates.
 - e) Refuse to specify a person in the licence as the premises supervisor.
 - f) Refuse the application.

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3. Hearing Papers

- 3.1. The Hearing Notice and Committee Procedure for determination by the Sub Committee have been sent to all parties in relation to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005.

4. Implications

- 4.1 There are no extra staffing or financial implications to the Council, save for those in respect of possible appeal(s) against any decision taken. The Licensing Service is self financing via fees and charges set by statute.
- 4.2 The Council is required to consider the impact any decision may have on an individual's Human Rights
- 4.3 The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998) which states as follows:

“Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent:

- (a) *crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and*
- (b) *the misuse of drugs, alcohol and other substances in its area; and re-offending in its area”*

5. Legal advice to the Sub-Committee

- 5.1. A Legal Officer will attend the hearing to advise the Sub-Committee on statutory provision and legal matters.

6. Application Details

- 6.1. The application is for a new premises licence to be granted to a premises in the town centre. The premises in question is a convenience store which is under the current ownership and operation of another person. The premises is currently licensed to sell alcohol as off sales, from 0700 hours until 2300 hours (7 -11pm) The application form and plan in respect of this matter is included at **Appendix A**.
- 6.2. The applicant is applying for a new licence to enable the premises to trade as an off licence and the sale of alcohol, 24 hours, 7 days a week.
- 6.3. In accordance with the Licensing Act 2003, the relevant provisions in relation to the consultation process, to the display of legal notices both on the premises and in a local newspaper have been complied with. In addition, all Responsible Authorities have been consulted.
- 6.4. As a result of the 28 day consultation process, representation have been received from:
 - Sussex Police
 - Crawley Business Crime Reduction Partnership Manager, Paul Dowling.

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- Public Health Lead, West Sussex County Council, Public Health Lead, Holly Yandell
 - Licensing Authority, Team Leader Health, Safety and Licensing. Karen Plympton
- 6.5. The following representations and supporting documentation is included as appendices: The applicants Agent, Arka Licensing has been provided with all representations and supporting material.
- Representations from:
- **Appendix B** Sussex Police,
 - **Appendix C** Crawley Business Crime Reduction Partnership Manager,
 - **Appendix D** Public Health Lead, West Sussex County Council,
 - **Appendix E** Licensing Authority, Team Leader Health, Safety and Licensing.
- 6.6 There have been multiple meetings, primarily with the Applicants Licensing Agent regarding the application, to try and address the representations. Various revisions to the application and conditions have been proposed by all parties including:
- Modification of licensing hours from the proposed 24 hour operation to a terminal hour for the sale of alcohol of 12 midnight, recommencing the sale of alcohol at 0600 hours.
 - Proposed licence conditions as a means to promote the Licensing Objectives, including minimum staffing to aid supervision, no sale of beers or ciders over 6 percent alcohol by volume (ABV.) conditions regarding other security measures, no less than 4 cans of beer or cider sold at any one time
- 6.7 At the time of writing this report, negotiations have been unsuccessful and no final agreement has been reached with the applicant regarding the application and proposed conditions hence the matter being placed before a Licensing Sub-Committee.

For enquires about this hearing please contact:

Democratic Services
Town Hall
The Boulevard
Crawley
RH10 1UZ

democratic.services@crawley.gov.uk

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Crawley
Application for a premises licence
Licensing Act 2003

For help contact
licensing@crawley.gov.uk
 Telephone: 1293438000

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

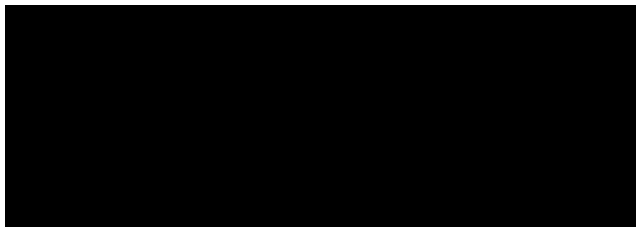
Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail



Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is the applicant's business registered outside the UK? Yes No

Business name If the applicant's business is registered, use its registered name.

VAT number Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

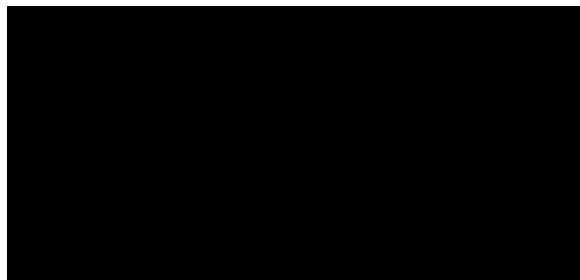
Agent Details

* First name

* Family name

* E-mail

Main telephone number



include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address
 OS map reference
 Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

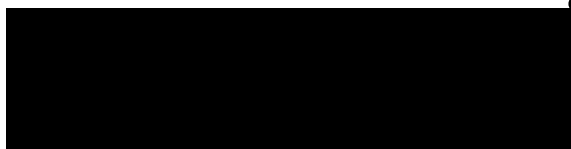
Is the name the same as (or similar to) the details given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes No

First name

Family name



Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes
 No

Building number or name	<input type="text" value="12"/>
Street	<input type="text" value="THE BOULEVARD"/>
District	<input type="text"/>
City or town	<input type="text" value="NORTHGATE"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="RH10 1XX"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes
 No

E-mail	
Telephone number	
Other telephone number	
* Date of birth	
* Nationality	
Right to work share code	

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

THIS IS PART OF AN EXISTING LICENSED PREMISES TO SELL ALCOHOL OFF THE PREMISES. THE EXISTING LICENCE COVERS TWO PREMISES NUMBER 10 & 12. THE NUMBER 10 HAS NOW BEEN CLOSED. THE PREMISES NUMBER 12 WILL BE TAKEN OVER BY NEW APPLICANT AND NEW APPLICANT WOULD LIKE TO OPEN 24 HOURS, THUS HE DECIDED TO APPLY FOR NEW LICENCE WITH NEW CONDITIONS AS ENCLOSED. ALSO THE PLAN HAS CHANGED NOW. APPLICANT HAS BEEN IN LICENSED RETAIL OVER 15 YEARS AND LIVES LOCALLY TOO. THE STORE WILL HAVE TWO STAFF BEYOND 09.00 HOURS TO MANAGE NIGHT TIME OPENING.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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<i>Continued from previous page...</i>	
PROVISION OF RECORDED MUSIC	
See guidance on regulated entertainment	
Will you be providing recorded music?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 12 of 21	
PROVISION OF PERFORMANCES OF DANCE	
See guidance on regulated entertainment	
Will you be providing performances of dance?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 13 of 21	
PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE	
See guidance on regulated entertainment	
Will you be providing anything similar to live music, recorded music or performances of dance?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 14 of 21	
LATE NIGHT REFRESHMENT	
Will you be providing late night refreshment?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Section 15 of 21	
SUPPLY OF ALCOHOL	
Will you be selling or supplying alcohol?	
<input checked="" type="radio"/> Yes	<input type="radio"/> No
Standard Days And Timings	
MONDAY	
Start	<input type="text" value="00:00"/>
End	<input type="text" value="00:00"/>
Start	<input type="text"/>
End	<input type="text"/>
TUESDAY	
Start	<input type="text" value="00:00"/>
End	<input type="text" value="00:00"/>
Start	<input type="text"/>
End	<input type="text"/>
WEDNESDAY	
Start	<input type="text" value="00:00"/>
End	<input type="text" value="00:00"/>
Start	<input type="text"/>
End	<input type="text"/>

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start	00:00	End	00:00
Start		End	

FRIDAY

Start	00:00	End	00:00
Start		End	

SATURDAY

Start	00:00	End	00:00
Start		End	

SUNDAY

Start	00:00	End	00:00
Start		End	

Will the sale of alcohol be for consumption:

- On the premises
 Off the premises
 Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

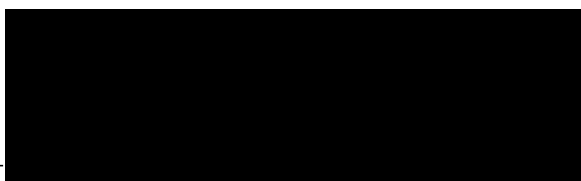
For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name



Continued from previous page...

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

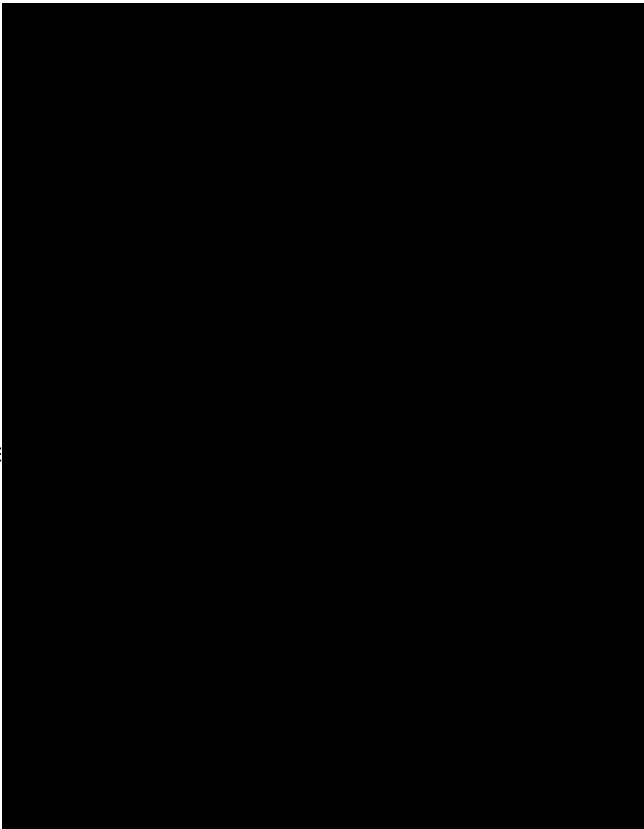
County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)



PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. CCTV:

a) The CCTV system at the premises shall be maintained in working condition and shall record 24 hours every day. Recordings shall be retained for a minimum of 31 days and shall be made available to Police or Local Authority officers on request and shall be capable of identification and of evidential quality in any light conditions.

b) The equipment MUST have a suitable export method i.e. CD/DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturers proprietary), then the licence holder shall within 14 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer. Copies shall be made available to the police and officers of the Council on request, or within 24 hours.

c) Staff working at the premises shall be trained in the use of the equipment and a log will be kept to verify this. At least one member of staff, so trained, shall be present at the premises at all times when it is open for licensable activities.

d) Cameras on the entrances, including both serving hatches, must capture full frame shots of the heads and shoulders of ALL people entering the premises, i.e. capable of identification and of evidential quality in any light conditions.

e) There shall be signs displayed in the customer area to advise that CCTV is in operation.

f) Should the CCTV become non-functional this shall be reported immediately to the Licensing Authority and the problem rectified as soon as practicable.

g) CCTV cameras shall monitor all areas of the premises that are accessible to members of the public including the area immediately outside the premises to monitor numbers and prevent crime and disorder.

2. "Challenge 25":

a) The Licensee shall adopt a "Challenge 25" policy, where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products, shall be asked for proof of their age.

b) The Licensee shall prominently display notices advising customers of the "Challenge 25" policy.

c) The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport
- Military ID

3. Staff Competence and Training:

a) The Licensee shall keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, on request.

b) The Licensee shall ensure that each member of staff authorised to sell alcohol has received appropriate training on the law with regard to age-restricted products, proxy sales, and the licensable hours and conditions attached to the licence, including refresher training every six months, and that this is properly documented and training records kept. The training record (either written or electronic) shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, on request.

Continued from previous page...

c) The Licensee shall ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.

d) The Licensee shall ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under 25's attempting to purchase alcohol.

4. Refusals Book:

a) The licensee shall keep a register of refused sales of all age-restricted products.

b) The refusals book shall contain details of time and date, description of the attempting purchaser, description of the age-restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.

c) The Refusals Book shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, on request.

5. Controls of alcohol:

a) A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made.

b) There shall be no supply of alcohol for consumption off the premises except in sealed containers.

c) The Premises Licence holder, the DPS or a nominated person shall be present at the premises at all times during licensing hours.

d) Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available on request by an authorised officer of the Licensing Authority or the Police.

e) Spirits shall be located behind the counter. All other alcohol exposed for sale shall be displayed in a position that is not obscured from the constant view of the cashier / staff or CCTV by fixtures.

f) There shall be no self-service of spirits.

6. Incident Book:

a) The Premises Licence Holder shall ensure that an "Incident report register" is kept in a bound book or electronic format, in which full details of all incidents are recorded.

b) This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register shall be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or the Police on request.

7. Deliveries:

a) The Premises Licence holder shall carry out due diligence checks to ensure, as far as practicable, that a person ordering alcohol to be delivered to their registered address, or collecting pre-ordered alcohol from the premises, is over 18 years of age. A record of each order and the checks carried out by the staff at the premises shall be kept either in a book or electronically and made available to Police, Local Authority Licensing and Trading Standards officers on request.

b) Internet sales / deliveries shall only be permitted to a registered address, not parks, open spaces or vehicles. If the sale contains alcohol, Challenge 25, Proof of age Photo ID must be validated by the person delivering the alcohol prior to it being handed to the customer.

c) If the premises has a website there must be a clear warning advertised that no sales of alcohol shall be made to persons under 18 years of age.

d) Alcohol deliveries by staff from the premises shall only be carried out by persons who have undergone appropriate Challenge 25 training.

Continued from previous page...

e) If deliveries are carried out by an external contractor a contract shall be in place ensuring that they train their delivery staff in line with current legislation relating to underage / drunkenness.

b) The prevention of crime and disorder

As detailed above

c) Public safety

As detailed above

d) The prevention of public nuisance

As detailed above

e) The protection of children from harm

As detailed above

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

- Band A - No RV to £4300 £100.00
- Band B - £4301 to £33000 £190.00
- Band C - £33001 to £8700 £315.00
- Band D - £87001 to £12500 £450.00*
- Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

- Band D - £87001 to £12500 £900.00
- Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

- Capacity 5000-9999 £1,000.00
- Capacity 10000 -14999 £2,000.00
- Capacity 15000-19999 £4,000.00
- Capacity 20000-29999 £8,000.00
- Capacity 30000-39000 £16,000.00
- Capacity 40000-49999 £24,000.00
- Capacity 50000-59999 £32,000.00
- Capacity 60000-69999 £40,000.00
- Capacity 70000-79999 £48,000.00
- Capacity 80000-89999 £56,000.00
- Capacity 90000 and over £64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	United Kingdom

DECLARATION

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK * RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO * BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15). THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	
* Capacity	
Date (dd/mm/yyyy)	

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/crawley/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Agenda Item 4 Appendix a

7 DAYS FOOD & WINE
12 THE BOULEVARD
NORTHGATE
CRAWLEY RH10 1XX

SCALE 1:100

A: MAIN ENTRANCE


B: RETAIL FLOOR


C: SALES COUNTER


D: DISPLAY SHELVES / RACK

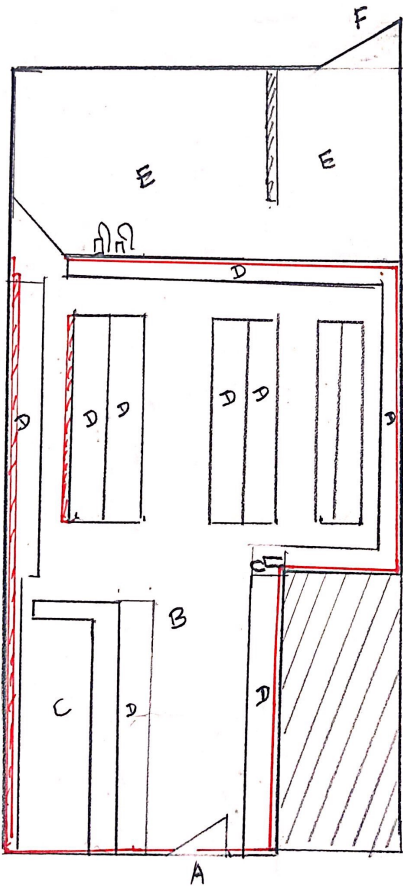
E: STORE ROOM

F: FIRE EXIT

: FIRE EXTINGUISHER

: LICENSABLE AREA

: ALCOHOL DISPLAY





Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division
Neighbourhood Licensing Team

West Sussex Licensing Team
Centenary House
Durrington Lane
Worthing
West Sussex
BN13 2PQ

Tel: [REDACTED]

[REDACTED]

17th August 2022

Ms Kareen Plympton
Team Leader
Health, Safety & Licensing
Environmental Health
Town Hall
The Boulevard
CRAWLEY
RH10 1UZ

Dear Ms Plympton,

RE: PREMISES LICENCE APPLICATION FOR 7 DAYS FOOD & WINE, 12 THE BOULEVARD, NORTHGATE, CRAWLEY, RH10 1XX. YOUR REF: 22/02739/LAPRE.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation in respect of this new application on the grounds of the licensing objectives of the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

This new premises licence application seeks off sales of alcohol 24 hours a day, 7 days a week. The premises is situated in a parade of shops in The Boulevard, very near to The High Street in Crawley which is the centre of the night time economy in Crawley.

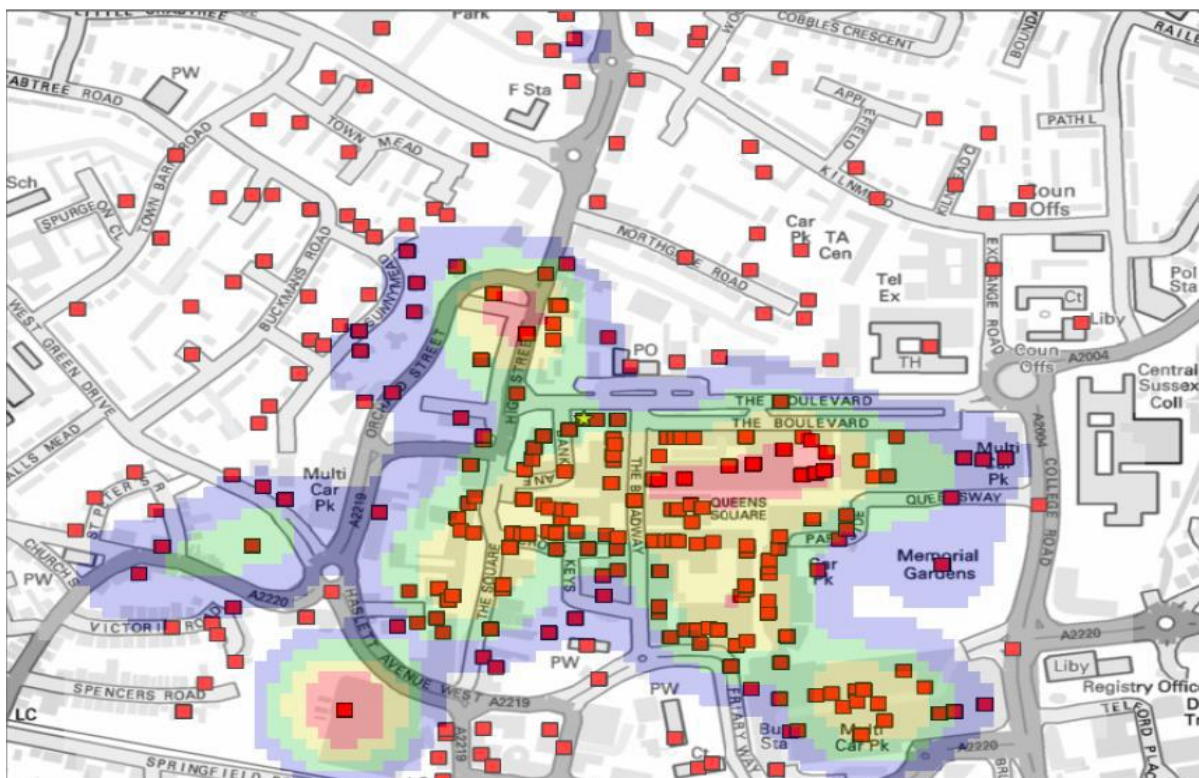
Sussex police have serious concerns about this application, and particularly the selling of alcohol in the centre of Crawley all night. There are currently issues with crime and disorder in Crawley at night, much of which is associated with the night time economy and alcohol.

Another premises seeking to sell alcohol all night in the town centre risks making the situation even worse. It should be remembered by its nature an off licence has no control and supervision over customers once they have left the premises. Sussex police would have no objection to the grant of a new off licence at this address between the hours of 06:00 and midnight with appropriate conditions. However we would be very concerned about an all night off licence and the potential detrimental impact on the licensing objectives, and invite the Licensing Committee to refuse this element of the application.

There have been 2503 crime and anti social behaviour incidents reported within a 500 metre radius of this premises location in the last year (10th August 2021 to 10th August 2022). The main categories are theft, anti social behaviour and violent crime. 107 incidents were alcohol related. A day of the week analysis shows that incidents primarily occur at weekends. Overall incidents are most likely to be reported in the afternoon/early evening with peaks between 15:00 and 18:00. However when we focus only on incidents involving alcohol, they are more likely to be reported in the early morning with a peak between 01:00 and 04:00

There have been 4 dispersal orders in the Crawley Town centre in the last 12 months. These were all related to the weekend night time economy and mostly took place in the early hours. The hotspot locations around 12 The Boulevard were Queens Square, High Street, and Haslett Avenue. The map shows the hotspot areas for all crime and anti social behaviour incidents around 12 The Boulevard (the yellow star in the centre of the picture). Five of the top ten repeat locations were shops and three were pubs/bars.

Asda supermarket, which is the only other venue in the immediate area that sells alcohol around the clock, had double the number of offences of any other location. 2.5% of these Asda incidents involved alcohol. We understand that Asda does have 24 hour security on site.



Whilst we ask the Committee to refuse this application outright, we have liaised with the applicant (in this case their agent Mr [REDACTED]). We have proposed a number of new and revised conditions to the applicant to go on the licence, should the Committee be so minded to grant the application as applied for. To assist the Committee, these have been set out in full below. We anticipate that Mr [REDACTED] (subject to his confirmation in a Committee hearing of course) accepts the conditions below in blue. The applicant via Mr [REDACTED] has refused to accept a number of our proposed conditions, which are in red below together with our explanatory notes to assist the Committee also in red.

The prevention of crime and disorder:

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises and the service hatch(s). The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

CCTV footage will be stored for a minimum of 31 days.

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. The CCTV system will have internet connectivity, in order to facilitate the uploading of requested footage to Sussex Police Digital media systems.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The times will be amended to account for British Summer Time starting and ending without delay.

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.

Any breakdown or system failure will be notified to the police immediately (with a receipt/acknowledgement being obtained from Police Licensing for the notification) & remedied as soon as practicable.

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.

Between the hours 23:00 and 07.00 the store will be closed to the public with the front door locked. All sales will be only be offered via a night-time hatch service. **NB: The definition of a night hatch is the premises is closed to customers with the front door locked and no customers allowed to enter the premises. Customers will be supplied with goods from the premises whilst**

the customer is standing on the pavement outside the shop, with communication, goods and payment being made through a hole in the wall (the night hatch).

The applicant has refused to accept our proposal of a night hatch between 23:00 and 07:00. They will accept a night hatch from 01:00 to 06:00.

We consider that it is important that there is a clear definition of a night hatch as above, as we have had issues with other premises where they have tried to claim that a night hatch consists of a till inside the premises (with the shop fully open as normal) behind a Perspex or metal grill. In a conversation with Mr [REDACTED] for the applicant Mr [REDACTED] has verbally agreed to our definition for which we thank him, but has not agreed to the written definition above being a licence condition.

At all times the premises is open to the public at least two members of staff will be on duty at the premises at all times to aid control and supervision of the site, and to promote the Licensing Objectives. If there is no second staff member, alcohol must be concealed and not sold.

All off sales of alcohol will be made in sealed containers.

Spirits will be stored and displayed behind the server where they will be out of the reach of the public.

The entrance to the area behind the counter where the till is situated will be secured by a substantial door which can withstand impact and will be secured at all times to prevent customers from gaining entry.

Alcohol products will not be displayed within a three (3) metre radius of the front entrance other than behind the serving counter out of reach of the public.

The entrance to the area behind the counter where the till is situated will be secured by a substantial door which can withstand impact and will be secured at all times to prevent customers from gaining entry.

Our experience with other premises is that shoplifters now frequently try to violently force their way behind the cash desk to gain access to expensive spirits, cigarettes and vaping products, and to grab cash from the till. Thus we now ask premises to ensure that access to the staff area behind the cash desk is secure and can only be accessed by staff via a secure and robust locked door. This helps to protect expensive products and of course helps to physically protect staff from being assaulted. The applicant will not accept this condition.

An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month. The log book should be kept on the premises and be available for inspection at all times the premises are open by officers of any responsible authority.

No beers, lagers or cider with an ABV content exceeding 6% will be sold.

Single units of alcohol (single cans) will only be sold in units of four cans.

The applicant refuses to accept this condition but will accept two cans minimum sales.

Alcohol sold from the premises must be protectively marked with permanent marker/UV to identify its source as the premises.

The applicant refuses to accept this condition saying it will create too much work and is not reasonable.

No alcohol in glass receptacles (either glasses, cups or bottles) will be sold between the hours of 2300 – 0700 hours.

The applicant says they will not be supplying alcohol in glass drinking receptacles, but insists on selling alcohol in glass bottles 24 hours a day. Sussex police deal with regular night time economy fights and assaults where people have been bottled/glassed by assailants using broken bottles as weapons. Sometimes the injuries sustained when a victim has had a broken glass bottle pushed in their face can be serious and even life changing. Assailants also use glass bottles as weapons by hitting people over the head with them. Again this can result in serious injury, especially if a large and heavy bottle is used such as a champagne bottle. On occasions staff from emergency services have been attacked with glass bottles. Sussex police are very concerned about the potential for people at night to both purchase and consume alcohol, and for more glass to be introduced onto the streets which can potentially be used as weapons. Frequently once the alcohol is consumed, glass bottles are simply discarded on the pavement or road, where anyone can simply then pick them up and use them as weapons. This premises has no control over what happens to the glass bottles once they have left their premises.

For the Protection of Children from Harm:

The premises will operate a “Challenge 25” 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 recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the “PASS” mark hologram, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.

Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises, including the point of sale and the area where the alcohol is displayed.

The Premises Licence Holder shall ensure that all staff members (including family members and friends) engaged or to be engaged, in selling alcohol at the premises shall receive induction training. This training will take place prior to the selling of such products:

- the lawful selling of age restricted products
- refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed three months, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

The premises shall at all times maintain and operate a refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request.

At all times the premises is open and undertaking licensable activity, members of staff engaged in the sale of alcohol must be able to communicate sufficiently to enable them to promote the four licensing objectives and to make an effective challenge.

Conditions for alcohol delivery service:

Alcohol deliveries will only be made to a residential or business address and not to a public place.

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 18 years or over, and that the intended recipient are over 18 years or over. 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.

1. 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.
2. 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.
3. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:
 - only employs delivery employees or agents aged 18 and over;

- is aware that alcohol is included in the delivery;
- that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;
- that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.

To conclude, our view is that the introduction of another off licence selling alcohol 24 hours a day, with or without a night hatch, risks contributing to problems in Crawley town centre especially at night. The availability of more alcohol to persons on the streets at night (both to members of the street drinking community and those associated with the night time economy), the risk of confrontations, shoplifting and violence in the shop, and the supply of glassware in the form of beer bottles etc discarded on the streets in our view represents a significant risk to public safety.

Thank you.

Yours sincerely,



Inspector David Derrick CD295
West Sussex Licensing Inspector
Sussex Police

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Licensing Representation

Reference: EHLI445238534

Date: 18/08/2022

Please select one: I represent a responsible body

Name:

Title	First name	Last name
Mr.	Paul	Dowling

Organisation Name: Crawley and Gatwick Business Watch (CGBW)

Address:

Flat name or number	House name or number	Street	Neighbourhood	Town	County	Postcode
Ground Floor	1-7	Station Road	Northgate	Crawley	West Sussex	RH10 1HT

Licence Reference Number: (if applicable): 22/02739/LAPRE

Please select which one of these is appropriate (if applicable).:

Premises Name: 7 Days Food and Wine

Address:

Enter Postcode or Street name	Select address	Need to enter address manually?
RH101XX	10-12 The Boulevard, Northgate, Crawley. RH10 1XX	

Are you: Making a representation for or against a new application.

Please select all that apply: The prevention of crime and disorder, Public safety, The prevention of public nuisance, The protection of children from harm

Please give the details of your representation, indicating how you feel it links to the objective(s) you selected.: With ref to licence application 22/02739/LAPRE by 7 Days Food and Wine, 12 The Boulevard Crawley RH101XX.

The Crawley and Gatwick Business Watch (CGBW) has become aware of this application to sell alcohol from premises 24/7 and the CGBW wish to object to this application.

The Crawley and Gatwick Business Watch (CGBW) is a not-for-profit organization. CGBW is a

membership-led Business Crime Reduction Partnership operating for the benefit of local retailers, licensed premises and the public across Crawley, Manor Royal and Gatwick. Key schemes currently supported and led by CGBW are Pub Watch and Shop Watch.

CGBW acts a link between Sussex police and other local authorities (Crawley Council, West Sussex County Council) and other agencies including Crawley Open House. With these agencies CGBW looks to help sign post individuals to lines of assistance for those suffering from mental health issues, drug or alcohol dependency.

CGBW is very aware that within the boundaries of the town center there is an active street community or rough sleepers, of whom many are drink and or drug dependent. The CGBW believes that this community having access to alcohol sales on a 24hr basis in a town center location will not only encourage their gathering in one location, but will increase disorder, and associated crime and compromise public safety.

Additionally has the local pubs and night clubs are closing it would not be prudent to have a location were night time economy customers could access further alcohol sales outside the controlled environment of a bar or night club adding to public nuisance and disorder.

The CGBW does not believe that the proposed application meets the stated licensing objectives of

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

You may include a file or image with your form to support your evidence (max. 2MB):

I confirm to the best of my knowledge that the details given are correct.:Confirm

Date:: 18/08/2022

Address:

Flat name or number	House name or number	Street	Neighbourhood	Town	County	Postcode
Ground Floor	1-7	Station Road	Northgate	Crawley	West Sussex	RH10 1HT

Contact Details:

From: Paul Dowling

Sent: 18 August 2022 11:16

To: Plympton,

Cc: Jones, Warren

Subject: RE: Application for the grant of a premises Licence - 7 Day Food & Wine 12 The Boulevard Crawley RH10 1XX

Dear Kareen,

Please find on the table below reported incidents of recorded incidents of Drunk or Disorderly behaviour recorded on DISC from 2018. This has been broken down into hourly segments from 22:00 to 04:59. As you will note these levels of reported incidents are going to reach the same peak or surpass those reported in 2019 (record year).

**Reported Incidents
High St Crawley /
Drunken And
Disorderly Behaviour**

Times	2018	2019	Covid		2022 Year to Date 18th Aug
			Restrictions	Restrictions	2022
			2020	2021	
22:00-22:59	27	45	7	20	27
23:00-23:50	46	57	8	27	32
00:00 00:59	33	56	11	26	29
01:00 -01:59	41	40	1	18	42
02:00 - 02:59	33	24	8	18	34
03:00 - 03:59	13	7	3	4	22
04:00 -04:59	3	2	1	2	6

Regards

Paul

Paul Dowling

Manager Crawley and Gatwick Business Watch

Ground Floor, 1/7 Station Road,

Crawley, West Sussex,

RH10 1HT

E-mail:

Mobile: [REDACTED]

Web Site



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Karen Plympton
Team Leader Principal – Health, Safety and
Licensing
Crawley Borough Council
The Boulevard
Crawley
West Sussex
RH10 1 UZ

17th August 2022

Dear Karen,

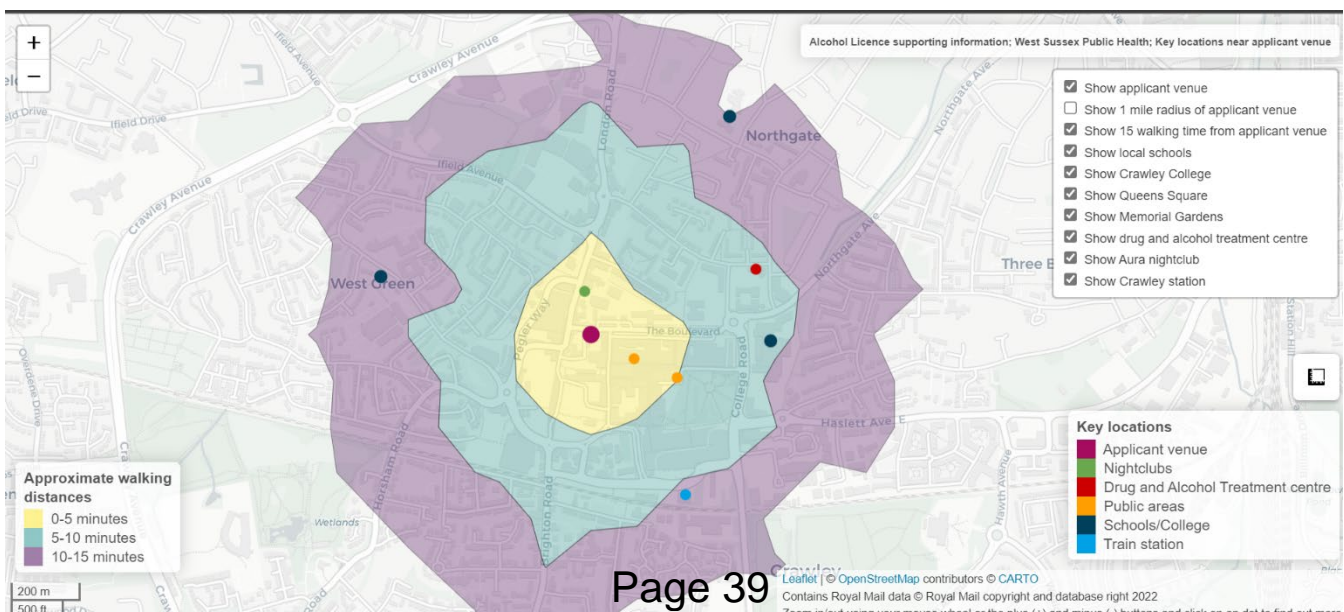
Re: Premises Licence Application for: 7 DAYS FOOD AND WINE, 12 THE BOULEVARD, NORTHGATE, CRAWLEY, RH10 1XX

This application is for a new premises licence to replace an existing licence for a convenience store on The Boulevard in Crawley town centre. The existing licence allows for the sale of alcohol, for consumption off the premises, from 0600 – 2300 hrs, 7 days per week. The new application seeks alcohol off-licence sales 24 hours per day, 7 days per week.

Other off-licences in the vicinity are permitted to sell alcohol from as early as 0600 hrs and the latest licence permits sales until midnight. Granting of this new premises licence would permit the off-licence sale of alcohol for an additional 6 hours each night, when no other off-licences in the vicinity will be open.

The map below shows the proximity, and approximate walking distances, of the applicant venue to:

- a nightclub and the public areas of Queens Square and Memorial Gardens which have problems with street drinking. These are all within a 5 minute walk.
- The drug and alcohol treatment service and Crawley College, which are within a 5-10 minute walk
- Primary schools and the train station, which are within a 10-15 minute walk



Premises licence application

The West Sussex County Council (WSCC) Public Health Department has reviewed the application in detail and has identified a number of concerns. Not least that the application, in its current format, does not sufficiently promote the licensing objectives of:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety

We are disappointed to see that there is no mention of the deployment of SIA door supervisors or the suggestion of additional security measures, nor the mention of training and support to staff in refusing sales to people who are drunk.

We would recommend that the licensable hours be kept in line with other off-licences in the vicinity but, if the committee sees fit to grant the 24-hour licence, we would strongly recommend that the following conditions be applied to the licence in order to promote the licencing objectives:

1. No sale of high strength (over 6% ABV) lager, beer or cider to be sold from the premises
2. No single cans of lager, beer or cider to be sold from the premises.
3. Regular staff training in refusing sales of alcohol to a person who is drunk
4. At least one member of Security Staff (SIA registered door supervisors) to operate every evening between 2300 and 0530.
5. No glass bottles to be sold between 2300 and 0600
6. DPS or personal licence holder to be on the premises between 2300 and 0600 every day.

Please note that we reserve the right to reconsider our position in the event of a change to this application or negotiations between the applicant and another Responsible Authority.

Supporting Evidence

Unregulated extension to the night-time economy

Crawley town centre is home to a vibrant and diverse night-time economy (NTE), starting in the early evening, and continuing to 0300 hrs and slightly beyond, 7 days of the week.

Whilst not without its challenges, the NTE is regulated and supervised with conditions ranging from door supervisors, the prohibition of glass bottles and drinking receptacles, limits to entry and re-entry, a duty of care to customers appearing vulnerable or intoxicated.

If this licence were to be granted in its current form, customers leaving NTE venues could purchase alcohol for up to an additional 3 hours from 7 Days Food And Wine, but in a largely unregulated and unsupervised way.

This could create a hotspot for alcohol-fuelled antisocial behaviour and violence, with increased demand on healthcare services (Ambulance, A&E, Urgent Treatment Centre, hospital admissions) that are already stretched, along with causing associated noise nuisance and litter.

Street drinking

Crawley town centre is an area with known issues with Street Drinking and associated nuisance, crime, and anti-social behaviour.

In October 2020, for example, Crawley Borough Council opted to continue the implementation of a Public Space Protection Order (PSPO), under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014, prohibiting alcohol related nuisance and anti-social behaviour in a public place.

Prior to the decision to continue the PSPO, Crawley Borough Council carried out a public consultation. In its communication to residents about the consultation the council stated the following:

'Last year, the town centre and Memorial Gardens were significantly impacted by the behaviour of individuals who were under the influence of alcohol.'^[1]

Street drinking

Street drinking can be characterised by the consumption of alcohol by people who are homeless, or by those who have accommodation but drink heavily in public places. These groups often converge and are known collectively as 'the street community'.

It is common for members of the street community to have multiple and complex needs (including mental health issues), and to be highly vulnerable. As a result of this and their chaotic lifestyles, they are often the perpetrators (as well as victims) of violent crime, domestic abuse and antisocial behaviour.

If alcohol is to be sold 24 hours a day, 7 days per week at 7 DAYS FOOD AND WINE, 12 THE BOULEVARD, NORTHGATE, CRAWLEY, RH10 1XX, it is likely that members of the street community will congregate and drink heavily in the immediate vicinity of the store. This is likely to result in noise, nuisance, antisocial behaviour and crime and disorder, including violent crime and domestic abuse between members of the street community.

Information provided from a member of Crawley Rough Sleeper multi-agency group

WSCC Public Health have spoken to a member of Crawley Rough Sleeper multi-agency group who has many years' experience of working with rough sleepers and street drinkers in Crawley, who has confirmed that Crawley town centre suffers from an ongoing range of issues linked to street drinking and rough sleepers.

Support services have been making contact with both rough sleepers, who are drinking in the town centre, and street drinkers who have accommodation but drink heavily in the town centre. Individuals from both categories often cluster together and drink in groups.

^[1] [Public Spaces Protection Order to tackle alcohol related ASB | Crawley GOV](#) [Accessed 17/08/2022]

Alcohol continues to affect the dynamics of the town centre, in the immediate vicinity of the proposed 24 hour-licenced convenience store. People under the influence have been abusive to members of public and there are issues with alcohol and antisocial behaviour that have made it necessary for both Community Protection Warnings and Community Protection Notices to be issued^[2]. This can be off-putting and very intimidating to shoppers.

Aside from the immediate implications of street drinking as detailed above, there are secondary negative impacts and environmental health concerns such as people drinking into a state of self-neglect and incontinence, as well as the litter and food waste resulting from street drinking.

There would be risks of increased crime and disorder and public nuisance, to the detriment of the town centre as a whole, if there were to be greater availability of alcohol in the town centre, without significant additional safeguards, including those set out in the proposed conditions above.

Alcohol-related hospital admissions the ward of Northgate & West Green

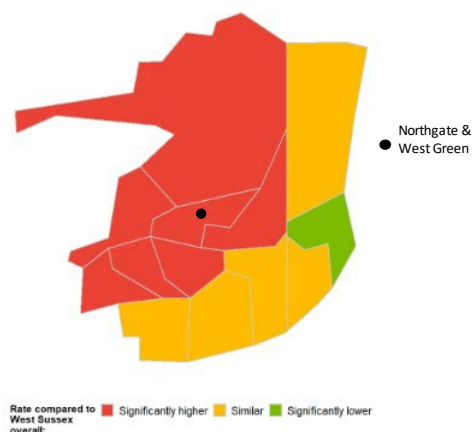
7 Days Food And Wine is in the ward of Northgate & West Green. This ward has a significantly higher rate of alcohol-related hospital admissions than the West Sussex average, indicating that there are greater alcohol-related issues in the ward in which 7 Days Food And Wine is located. Between 2016/17 and 2020/21 (the most recently available data) there were 835 admissions to hospital from people resident in that ward. This is significantly higher than the West Sussex average.

Crawley results (broad definition)

- Between 2016/17 and 2020/21, there were a total of **7,070 alcohol related admissions (broad definition)** in Crawley (on average, 1,410 admissions per year).
- This is a rate of 1,598 per year per 100,000 (95% CI: 1,559-1,637). It is significantly higher than the West Sussex overall rate.

Ward	Rate	Number of alcohol related episode	Compared West Sussex
Three Bridges	1,893 (1,736-2,059)	585	Significantly higher
Langley Green & Tushmore	1,880 (1,720-2,049)	575	Significantly higher
Northgate & West Green	1,852 (1,725-1,986)	835	Significantly higher
Southgate	1,799 (1,658-1,948)	640	Significantly higher
Bewbush & North Broadfield	1,764 (1,615-1,922)	750	Significantly higher
Ifield	1,681 (1,551-1,818)	660	Significantly higher
Gosspos Green & North East Broadfield	1,623 (1,466-1,792)	400	Significantly higher
Tilgate	1,535 (1,387-1,695)	405	Similar
Broadfield	1,447 (1,315-1,589)	535	Similar
Pound Hill North & Forge Wood	1,417 (1,289-1,554)	465	Similar
Furnace Green	1,399 (1,265-1,543)	410	Similar
Maidenbower	1,285 (1,126-1,457)	355	Similar
Pound Hill South & Worth	1,278 (1,163-1,402)	465	Significantly lower

Age-standardised rate of alcohol-related admissions (broad definition); Crawley Wards (2021 boundaries) (2016/17 to 2020/21 aggregated data)



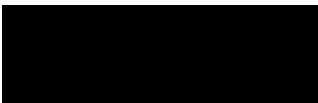
^[2] A Community Protection Notice (CPN) is aimed to prevent unreasonable behaviour that is having a negative impact on the local community's quality of life. [Anti-Social Behaviour, Crime and Policing Act 2014 - Explanatory Notes \(legislation.gov.uk\)](https://www.legislation.gov.uk) [Accessed 18/08/2022]

In summary, WSCC Public Health Department would recommend that the licensable hours be kept in line with other off-licences in the vicinity but, if the committee sees fit to grant the 24-hour licence, we would strongly recommend that the following conditions be applied to the licence in order to promote the licencing objectives:

1. No sale of high strength (over 6% ABV) lager, beer or cider to be sold from the premises
2. No single cans of lager, beer or cider to be sold from the premises.
3. Regular (minimum quarterly) staff training in refusing sales of alcohol to a person who is drunk
4. At least one member of Security Staff (SIA registered door supervisors) to operate every evening between 2300 and 0530.
5. No glass bottles to be sold between 2300 and 0600
6. DPS or personal licence holder to be on the premises between 2300 and 0600 every day.

Please note that we reserve the right to reconsider our position in the event of a change to this application or negotiations between the applicant and another Responsible Authority.

Yours sincerely,



Holly Yandall MSc, BSc.
Public Health Lead for Substance Misuse

On behalf of the Director of Public Health

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Community Services

Contact name: Kareen Plympton
Email: licensing@ Crawley.gov.uk

Date: 18 August 2022
Direct line: 01293 438023

[REDACTED]
12 The Boulevard
Northgate
Crawley
West Sussex
RH11 1XX

NEW PREMISES LICENCE APPLICATION LICENSING ACT 2003

FORMAL REPRESENTATION

Re: 7 Days Food & Wine, 12 The Boulevard, Northgate, Crawley, RH10 1XX

Dear [REDACTED],

I write on behalf of Crawley Borough Council, as the Licensing Authority for the borough of Crawley, to raise a representation in respect of the above application for a new Premises Licence under the Licensing Act 2003 on the following grounds within the context of the Licensing Objectives:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety and the
- Protection of Children from Harm.

The application seeks to authorize the "off sale" of alcohol 24 hours a day, 7 days a week, in a location central to Crawley Town Centre. It is in the immediate proximity of other retail units, residential accommodation, as well as Crawley High Street, and its vibrant evening/night-time economy.

It is noted that these premises already have a Premises Licence that permits the sale of alcohol until 23:00 hours, 7 days a week. This licence is held by an individual entirely separate to the applicant in this case. This premises currently sells a range of groceries and other items, including alcohol.

It is intended that the premises will continue to operate as a convenience store, but that the applicant seeks that alcohol will be provided 24 hours a day. There are no other comparable off licence/small convenience store in the town Centre that operate or sell alcohol for consumption off the premises beyond 12 midnight. Therefore, this will be an isolated premises offering alcohol beyond this time up to and until 6am.



Switchboard: 01293 438000
Main fax: 01293 511803
Minicom: 01293 405202
DX: 57139 Crawley 1
www.crawley.gov.uk

Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ

Asda Superstore is located approximately 0.4 miles away from the proposed premises and operates 24 hours, but the scale of the operation, staffing, security arrangements and mechanisms to promote the Licensing Objectives vary significantly to the proposed premises.

Key Concerns

Prevention of Crime and Disorder

Public Safety

Public Nuisance

Protection of Children from Harm

The application does not adequately address the risk of crime, violence and disorder against members of staff working at the premises, nor does it adequately address the risks of theft of products including concerns. The Licensing Objectives place the onus on applicants to prevent crime and disorder and the control measures offered by the applicant do not support this or address this Licensing Objective. (2 staff members from 9pm to manage patrons, CCTV, allowing access at all times to patrons to select items, including alcohol, other than between specified times, where alcohol would be served through a hatch, lack of information regarding staff training)

The Licensing Authority are in regular contact with partner authorities, and representatives of the licensed trade within Crawley town Centre, which is already the focus for crime, disorder and anti-social behavior.

The Licensing Authority have significant concerns that the provision of an off licence at all times of the day and night will undermine the Licensing Act 2003 and promotion of the Licensing Objectives, its location is near Crawley High Steet which houses many of the towns late night economy comprising of late-night drinking venues and take away establishments operating up until 0430 hours will compound the existing issues of noise, nuisance, crime and disorder.

As cited by Sussex Police and the Public Health Authority, the High Street is the focus of drug and alcohol misuse, crime and anti- social behavior. The Licensing Authority echoes these concerns and is of the view that the inclusion of an off-licence that seeks to trade beyond 11pm/12 midnight and before 6am will further exacerbate these issues.

It is the view of the Licensing Authority that the inclusion of a licensed premises that seeks to trade 24 hours or indeed for any period after 11/12 midnight, offering alcohol will act as a focal point for people to congregate and give rise to crime, disorder, noise and anti-social behavior, placing increased demand on limited transport networks such as buses and taxis as well as public services such as Police, Ambulance and the NHS. There are several controls in place to assist in the regulation and control of the evening and nighttime economy and its patrons, including the provision of CCTV and Security Industry Authority Door Supervisors. The nighttime venues in the High Street also restrict their operation to on sales only, thereby limiting the likelihood of patrons removing alcohol and glassware from the curtilage of the premises.

The applicant has done little to address the concerns raised above, nor sufficient measures to promote the Licensing Objectives, other than offering to install and operate CCTV, provide a hatch service arrangement for the sale and supply of items between 1am and 2am only, and the provision of 2 staff members from 9pm. In addition, the applicant has agreed not to sell alcohol over 6 percent ABV, and not to sell cans of alcohol in less than quantities of 2 in number. These measures

only been agreed following negotiation with Sussex Police and the Licensing Authority and are limited in duration. However, it is the view of the Licensing Authority that these limited measures do little to promote the Licensing Objectives.

The Council works closely with services offering support to those who have substance misuse issues, including the street community. This cohort are known to partake in substance misuse, consume high volumes of alcohol, and cause nuisance, anti-social behavior and crime as a result during all hours of the day and night. Whilst the premises has agreed not to sell beers and ciders of 6 % ABV or more, this section of the community are also known to seek to purchase alcohol in small multiples of 1 or 2 cans at a time and supports a condition proposed by both the Licensing Authority and Sussex Police that such will not be sold in less than 4 in number at any one time. The applicant has refused to accept this proposal.

Having access to a premises that as proposed provides alcohol sales throughout the day and night is likely to lead to the increased of street community and other individuals leaving late night venues late at night into the early hours, many of whom are already under the influence of alcohol and other substances as they seek to purchase alcohol from the only premises available given the proposed hours it seeks to sell and supply alcohol, during a time when other outlets are closed. (After 12 midnight to 6am.)

This is likely to make those already under the influence more vulnerable to the risk of harm as well as giving rise to noise, nuisance, crime and disorder, The vicinity of the premises is surrounded by residential accommodation. To date, the applicant has not adequately demonstrated how they will seek to address these concerns, nor manage staff and premises safety considering the above nor how they will seek to promote the Licensing Objectives.

Despite discussions with Sussex Police and the Licensing Authority to try and address these concerns, the applicant has refused to instate limits on the sale of glassware during key times to limit the potential for such to be used as a weapon, nor the installation and use of a night hatch to between key times (12 midnight – 6am) to prevent crime such as theft/violence and disorder, and protect staff, staff nor will the applicant look to provide SIA Registered Door staff to control access and egress into the property. These are measures, in conjunction with limiting trading hours are used in other licensed settings (offering on and off sales) to actively support and promote the Licensing Objectives.

Whilst the applicant has indicated that they intend to train staff and operate a “Challenge 25 Policy” there are no other measures indicated as to how the applicant will seek to protect children from harm and promote this Licensing Objective. Children are often drawn to premises where they can obtain alcohol and other age restricted products, either directly or by proxy sales (an adult purchasing on their behalf.)

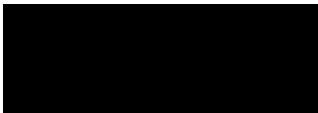
The vicinity of the premises already has a significant number of challenges as outlined above. There have also been several Dispersal Orders in place to facilitate the dispersal of groups congregating in the area who are known to cause noise, crime and anti-social behavior.

The area already has a Public Space Protection Order in place to tackle a range of matters. In addition, the Council is continuing to work in partnership with Sussex Police and support services to target alcohol misuse, anti-social behavior, crime, disorder and nuisance in this vicinity as a known "hotspot ".The Licensing Authority is of the view that the inclusion of a premises offering off sales of alcohol 24 hours a day will exacerbate these issues.

Despite the Licensing Authorities repeated attempts at working with the applicant, engagement with the applicant and their Agent has been challenging but work will continue to see if any resolution can be found, including a suggestion today by the applicants Agent that they may cease trading at 0200 hours. This is still significantly later than those in the direct vicinity and limited information has been provided, nor agreement with the applicant can be reached regarding the inclusion of measures that Licensing Authority considers to be reasonable and proportionate controls and licence conditions to comply with the Licensing Act 2003 and promote the Licensing Objectives.

Please be aware that the Licensing Authority may seek to call the Public Protection Manager, Crawley and the Community Warden Manager to offer evidence in support of these concerns which directly relate to the Licensing Objectives. The Licensing Authority also recognizes the evidence provided by Sussex Police, the Public Health Authority and Crawley Business Crime Manager.

Yours sincerely,



Kareen Plympton
Team Leader Principal – Health, Safety and Licensing Services
Crawley Borough Council, The Boulevard, Crawley, West Sussex, RH10 1 UZ
01293 438023
www.crawley.gov.uk