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**West Sussex Division**  
Neighbourhood Licensing Team

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Tel: [REDACTED]

[REDACTED]

17<sup>th</sup> 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.

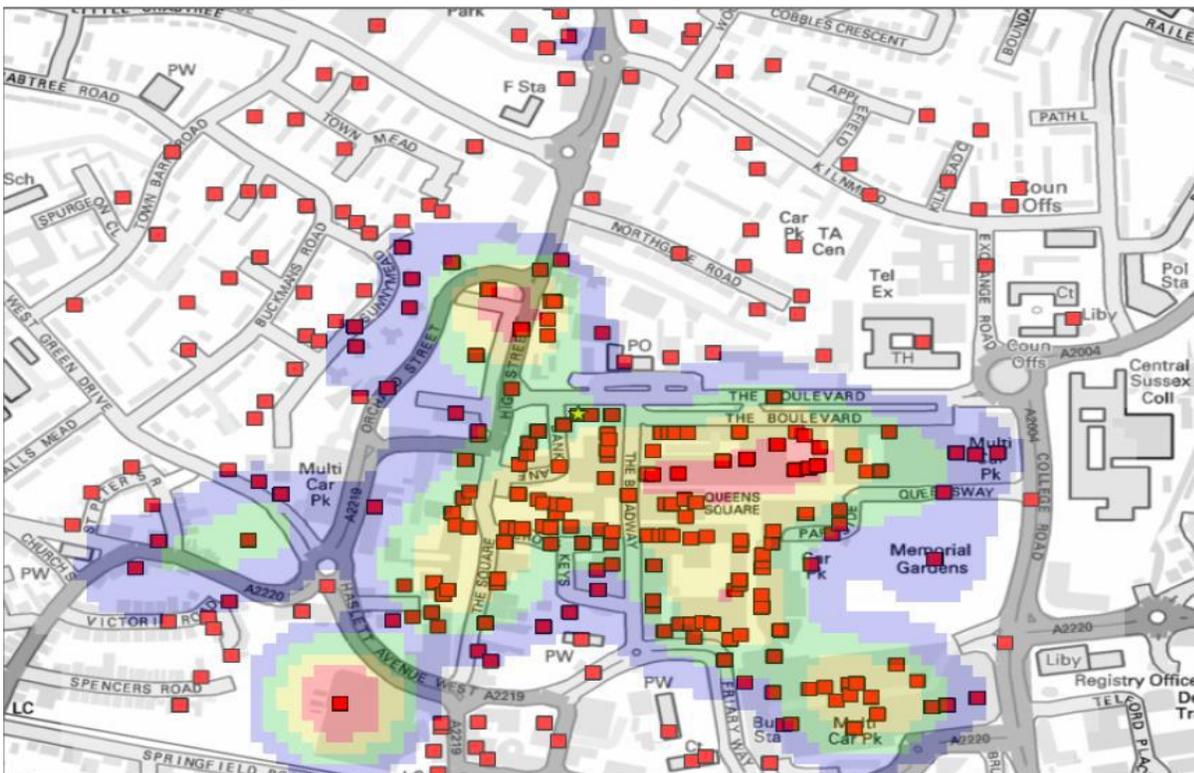
Sussex police have serious concerns about this application, and particularly the selling of alcohol in the centre of Crawley all night. There are currently issues with crime and disorder in Crawley at night, much of which is associated with the night time economy and alcohol.

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 (10<sup>th</sup> August 2021 to 10<sup>th</sup> 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.

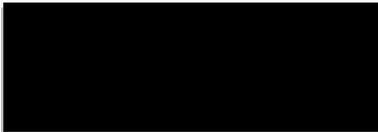
1. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the 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**

