



Community Services

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[REDACTED]
12 The Boulevard
Northgate
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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.



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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
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