

APPENDIX D

REPRESENTATIONS

From: Lizzie Deane

Sent: 16 August 2018 17:27

To: EHL Safety

Cc: Louisa Greenbaum Pete West

Subject: 1445/3/2018/04699/LAPREN -Mocatta House

MSB CON ENDS 24.08.18 VALID PCD (A)

Dear Licensing team,

I write in support of local residents who are objecting to this application. A previous, almost identical application, has already been refused by a Licensing Panel, and I would ask that it be refused again.

The proposed application lies at the heart of St Peter's and North Laine ward, and is within the Special Stress Area (SSA) immediately adjacent to the Cumulative Impact Zone (CIZ) that includes the North Laine.

Local residents have suffered, and continue to suffer, excessive levels of alcohol induced crime and public disorder. The area has an already existing high concentration of alcohol outlets, which has a direct effect on crime levels and antisocial behaviour.

Granting this licence application will do nothing to promote the council's Licensing Objectives, and I ask that it be refused.

Yours sincerely,

Lizzie Deane

Cllr Lizzie Deane

Green Party member for St Peter's and North Laine Ward

Member of: Licensing Committee (party spokes)

Environment, Transport and Sustainability Committee

Health Overview and Scrutiny Committee

East Sussex Fire and Rescue Authority

Chair of West Hill Action Team

Trustee of The Brighton Fund

Peter Crowhurst]
Sent: 16 August 2018 13:21
To: EHL Safety
Cc: Lizzie Deane 'Roy Skam' 'Sandy Crowhurst'
Subject: 1445/3/2018/04699/LAPREN -Mocatta House

41 Kensington Place
Brighton
BN1 4EJ

16 August 2016

Licensing Department
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

MSB CON ENDS 24.08.18 VALID PCD & PNN (B)

Dear Sir/Madam

1445/3/2018/04699/LAPREN Ground & 6th Floors Mocatta House Trafalgar Place

Sale of alcohol on and of premises 7am – 11pm every day

I write as a local resident to raise a representation in respect of the grant of the above new application on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm with reference to the Brighton & Hove City Council Statement of Licensing Policy.

The proposed site is within the Brighton & Hove City Council Special Stress Area (SSA) and adjacent to the Cumulative Impact Zone (CIZ). This special policy was set up because the Licensing Authority determined that the concentration of licensed premises and the subsequent numbers of people drawn into the city centre was causing exceptional problems of crime and disorder and public nuisance. The CIZ was expanded in 2011 to include North Laine, which is adjacent to the premises.

The proposed site lies in The electoral ward of St Peter's and North Laine which according to the Public Health Framework for Assessing Alcohol Licensing, 2016, is ranked the worst out of 21 wards for criminal damage, the worst for Police recorded alcohol related incidents and the worst for increasing risk or higher risk drinking.

The proposed site lies just off Trafalgar St which already has thirteen licensed premises and is already an area of concern to local residents because of the incidence of anti-social behaviour, largely caused by the dispersal of drinkers late at night. I myself have reported a number of incidents relating to the dispersal of drinkers in Trafalgar Street in recent years. The location of a night club close to the proposed site will inevitably exacerbate problems of late night dispersal.

This application does not fit into the matrix approach to licensing. Moreover there are no details as to what would constitute membership, the numbers involved, or how large the licensed space is. I also do not understand the reference to 'Section M'.

In the application it states that the licence is '*limited*'. A licence asking for premises to be licensed from 7am to 11pm is in no way limited. It goes on to state that the licence is to be used ***predominantly for business purposes***. What other purposes is the licence intended for? The application also states that the licence '*should not*' affect the licensing objectives. Clearly the applicant is not sure whether the licensing objectives will be affected or not, in which case the application should be refused.

Applicants for new licences in the SSA are expected to make positive proposals to ensure their operation will not add to problems faced in the area (see 3.2.2 of the SoLP). Given the number of licensed premises in the area and the level of anti-social behaviour already prevalent, this application will more than likely add to the problems faced by residents living in North Laine.

Appendix A of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate for the operating schedule. These may be more or less appropriate depending upon the style of operation applied for. I can see few if any of the measures proposed in the operating schedule listed in the application

The Government's Alcohol Strategy, March 2012, made it quite clear in section 3.7 that there is a clear link between the number of licensed premises in an area and levels of public nuisance. Every single licence granted, irrespective of the merits of the application, increases the levels of alcohol related crime and disorder, public nuisance and harm to children. Every additional licence granted therefore has an incremental impact upon levels of crime and disorder and public nuisance. Granting this licence will have a negative impact on levels of crime and disorder, public nuisance and harm to children in the area.

The Local Insight profile for St Peter's & North Laine, 2016 analyses Health and well-being. It shows that 37.6% of the Ward's residents consume at least twice the daily recommended amount of alcohol in a single drinking session (defined as binge drinking) compared to 25.3% in Brighton & Hove and 20% in England. Granting this application would do nothing to improve these figures.

An aim of the Special Policy is to reduce the availability of alcohol. The proliferation of workplace alcohol licences will do nothing to reduce the availability of alcohol and the problems of public nuisance.

I urge the Licensing Panel to consider the impact that more and more licensed premises in the North Laine area will have on the quality of life of its residents and refuse this application.

Yours faithfully

PJCrowhurst

MSB CON ENDS 24.08.18 VALID PCD & PNN (C)

21 Pelham Square
Brighton, BN1 4ET

16 August 2018

Licensing Department
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

Dear Sir/Madam

1445/3/2018/04699/LAPREN Ground & 6th Floors Mocatta House Trafalgar Place
Sale of alcohol On and Off Premises 7am – 11.30pm every day.

I wish to object to the above application, especially on the grounds of prevention of crime and disorder and prevention of public nuisance.

Mocatta Place (in Trafalgar Place) is located on the north side of Trafalgar Street, adjoining the North Laine Cumulative Impact Area (CIA). I myself live just off Trafalgar Street and can state that the area already suffers from a lot of anti-social behaviour and street drinking.

There are already many drinking establishments and pubs in this area to which office workers can go if they cannot live without alcoholic beverage. Why do they need to be supplied with alcohol in their work environment? And all day too, since the applicant wishes to supply alcohol starting at 7am! This whole assumption that alcohol is essential to life in the UK, wherever one may be – even at work – needs to be challenged. The knock-on effect in terms of vandalism and other anti-social behaviour, health and consequent pressure on our health services etc needs to be considered. Also surely office workers need a clear and not an inebriated head in order to do their work efficiently? Some joined-up thinking is long overdue!

I particularly cannot understand why the applicant wishes to sell alcohol *off* the premises as well as on. Are they wishing to open an off licence within Mocatta House? There is already an off licence a few yards away on the south side of Trafalgar Street plus several convenience stores in the vicinity that sell alcohol in the evenings. It is unacceptable for a CIA to have yet another outlet for selling alcohol in the immediate area.

There are already problems in this area with inebriated people dispersing in the evenings, as they behave in an anti-social way, shouting and generally behaving badly and seemingly unaware of the disturbance they are causing to local residents.

I am advised that this application does not fit into the licensing matrix, but if granted I believe it would add to the existing Cumulative Impact, which has already been recognised by the licensing authority and which is particularly bad around the Trafalgar Street area. Surely the principle of the CIA should be maintained? I am also concerned that the granting of this application would create a precedent that would then be followed by other similar applications, which would be difficult to treat differently. Would all office buildings then become licensed drinking establishments?

Another recent and similar application from a different applicant was recently refused by yourselves. I hope that you will also refuse this one.

Yours faithfully



J Fuller

Licensing Department
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

20 August 2018

MSB CON ENDS 24.08.18 VALID PCD & PNN (D)

Dear Sir/Madam

**1445/3/2018/04699/LAPREN Ground & 6th Floors Mocatta House Trafalgar Place
Sale of alcohol On and Off Premises 7am – 11.30pm every day.**

The Association is objecting to this application on the grounds of Prevention of Crime and Disorder, Prevention of Public Nuisance, and the Protection of Children from Harm.

Trafalgar Place offices (which includes Mocatta House) adjoin the North Laine Cumulative Impact Area (CIA), an area that is particularly challenging with high incidents of anti-social behaviour, crime and disorder and street drinking. The sale of alcohol On and Off the premises would be unacceptable from these offices.

As pointed out in our letter of objection to a previous application dated 11 September 2017 our concerns remain the same. It is still not clear about the numbers of people involved or details of the capacity of the ground and 6th floor areas, or other floor areas within the building, and if it is for members only or all the workers in Mocatta House. We believe there would be a problem with dispersal as workers would vacate the premises onto Trafalgar Street, which is a CIA with 13 licensed premises, two of which are 24hrs.

We question why an alcohol licence is necessary in a place of work from 7am to 11.30pm.

This new application does not fit into the licensing matrix and if granted would add to the problems within the SSA, an area of concern to the licensing authority due to the relatively high levels of crime and disorder and nuisance experienced within it (see 3.2.1 of the SoLP).

Trafalgar Street, and the streets leading from it, is particularly busy late at night as it is the main street leading to and from Queens Road at the top, and London Road at the bottom.

Since the introduction of flexible opening hours in 2003 North Laine residents have had to put up with increased levels of noise from drinkers during the day and late at night, plus increased levels of anti-social behaviour and vandalism.

The location of the 24-hr night club close to the proposed site will inevitably exacerbate problems of late night dispersal.

Granting this application may well set a precedent which will make it more difficult to refuse other applications from offices. We therefore request that you refuse this application.

Yours faithfully

Sandy Crowhurst and Roy Skam
(Joint Coordinators, NLCA Licensing)

From: Jonathan Bromberg

Sent: 19 August 2018 13:08

To: EHL Safety

Subject: Licence - 1445/3/2018/04699/LAPREN - Objection

Importance: High

MSB CON ENDS 24.08.18 VALID PCD & PNN (E)

Sirs,

My name is Jonathan Bromberg. I live at. My home is very close to the intersection of Whitecross Street and Trafalgar Street and both of our main bedrooms overlook this intersection and receive noise from drunk people 24/7. North Laine is an area where people live.

I am writing to object to the above application.

The details on the application state:

"It is anticipated that this limited Licence will predominantly be utilised for business purposes and should not adversely affect the four licencing objectives and the operating statement has been completed on this basis."

It is not for the applicant to determine whether the four licencing objectives are adversely affected. The applicant's statement is merely blithe assertion. The applicant is not the council. It is for the council to determine whether the four licencing objectives are adversely affected.

The area is saturated with licenced premises. In the last 24 hours I have been chased up Trafalgar Street by a drunk person in the middle of the day from the moment I opened my front door, trying to sell me cigarettes who screamed a four letter expletive at me beginning with c when I refused to buy any, and because of the aggression I had to return to my home and wait for him to leave the area before leaving my home to do the things I needed to do, and yesterday afternoon we had an empty beer bottle thrown at the house, the shards of glass from which represented a health and safety hazard to other members of the community who were using the busy pedestrian thoroughfare of Whitecross Street on a Saturday. This is a description of a typical 24 hour period. The ASB flows from out of control alcohol abuse.

The rights of local residents to peaceably go about their lives, and get a good night's sleep, need to be balanced against the needs of people who want to smash beer bottles against my house, the results of which are a health and safety hazard to people in the area who are here to shop or live. If the applicant wants to bleat about how his proposed licence is in the commercial interests of the area, perhaps a factor for consideration might be how many people who were were leaving the car park in Whitecross Street yesterday afternoon to shop who saw the drunken bottle smashing in the middle of a shopping Saturday will be influenced to take their children somewhere else to shop next time.

Three lodgers, all in their 20s and 30s, all of whom enjoy a drink and are not short of places to go for one, have moved out of my home one after another in the last year owing only to late night noise. This late night noise is generated mainly by people walking down Trafalgar Street from premises further up.

There is absolutely no need to grant another licence for what I note is for "Alcohol consumed: Both on and off the premises 07:00:00 - 23:00:00 Every Day". Our quality of life as local residents, who have lived here for more than a decade, which is deteriorating daily, needs to be fairly balanced against the commercial interests of people making profit out of alcohol sales, and further, our health and safety is seriously compromised by the fact that the police presence is reduced to zero, and getting help for an incident such as yesterday's one with a smashed bottle in the middle of the day, as persons who want to do this now know they can do so with impunity, is wholly impossible. As residents our lives are intolerable as we have to deal with the street drinking ourselves.

I have a visual impairment and am registered as partially sighted. On a daily basis I am now having to deal with drunk people without the aid of a properly funded police service. My lodger confessed to being worried about me the other day when I went outside to tackle and move along a drunk person who was stubbing out cigarettes on our freshly painted wooden bay windows in the middle of the day.

The area is already saturated with licenced premises and under your own policies as I understand them, you cannot grant this licence. So don't.

Regards,

Jonathan Bromberg

AGREEMENT

From: Mark Savage-Brookes
Sent: 16 August 2018 10:17
To: EHL Safety
Cc: Dean Love
Subject: RE: Soul Deli, Brighton (protect)

Hi EHL,

This is a valid agreement. Thank you.

Kind regards,

Mark Savage-Brookes BSc (Hons)

Licensing Officer

Environmental Health & Licensing

Brighton & Hove City Council

From: Claire.Abdelkader
Sent: 14 August 2018 15:38
To: EHL Safety ; Mark Savage-Brookes
Cc: Mark.ThorogoodHannah.Staplehurst
Subject: FW: Soul Deli, Brighton

Soul Deli, Spaces, Mocatta House, Trafalgar House, Brighton – New Application

Application No: 1445/3/2018/04699/LAPREN

Dear Mark,

Sussex Police have no representations to make against the grant of the new licence for Soul Deli, Spaces, with the agreement the amended condition relating to off sales being applied to any newly granted licence:

- Off sales are restricted to other unlicensed parts of the building, not including any outside space.

Acceptance on behalf of the applicant is below.

Sussex Police believe this restriction will ensure that no alcohol will leave the building and that a café bar set up with an event space will be managed within the building. The timings fall within the matrix for the Special Stress Area and Sussex Police believe any exceptional circumstances have been met as they have offered comprehensive conditions restricting the sale of alcohol to members of the building and their signed in guests only which will be monitored by a counter service as well as steps to mitigate crime and disorder.

Many thanks.

Kind regards,

Claire

Mrs Claire Abdelkader
Police Licensing Officer

Brighton & Hove Licensing Unit

From: Sue McCourt] **On Behalf Of** Michelle Hazlewood CBII

Sent: 07 August 2018 14:21

To: Brighton Licensing

Cc: [ehlsafety](#)

Subject: Soul Deli, Brighton

For the attention of Claire.

Dear Claire

Further to your email in connection with the application for Soul Deli at Spaces I have spoken with my client and he is more than happy to accept your revised wording in connection with off sales which is as follows:

“Off sales are restricted to other unlicensed parts of the building, not including any outside space”.

I have copied in the Licensing Authority so that they are aware of the amendment to the application.

Yours sincerely

Michelle Hazlewood

Partner
Sent by Sue McCourt

