

**From:** [Ian Habgood](#)  
**To:** [Jon Bryant](#)  
**Subject:** Re: Objection to Application for Premises License for 42-48 America Lane, Haywards Heath  
**Date:** 04 January 2023 15:51:35  
**Attachments:** [image002.png](#)

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Dear Jon,

Thanks for your reply and your helpful comments.

Unfortunately I do not have any legal training so forgive me if my revised objection below is not appropriately written.

Please let me know if this is acceptable.

Thanks again,

Ian

I believe the likely effect of granting and extending the hours of a 42-48 America Lane licence of 0600-2300 every day as opposed to the previous licensable hours of 0900-2200 everyday - which the previous business McColls operated under - would be an increase in noise pollution both late at night and early in morning from a mixture of anti-social behaviour and noise emanating from the premises and delivery vehicles.

This would cause more suffering during sleeping times and affect the lives of local residents/families, particularly those that live in the flats directly above the premises. For this reason I wish to object.

Ian Habgood  
Address redacted  
Haywards Heath  
RH16

**From:** [Ian Habgood](#)  
**To:** [Jon Bryant](#)  
**Subject:** Re: Objection to Application for Premises License for 42-48 America Lane, Haywards Heath  
**Date:** 04 January 2023 11:38:27  
**Attachments:** [image002.png](#)

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Dear Jon,

Thanks for your reply and the details you provided.

I appreciate that you are restricted to what you can and can't take into account due to legislation that you were not responsible for.

I see now that it is difficult for members of the community to oppose alcohol licence applications unless they have funds and professional help.

Consideration for local residents/families, particularly those that live in the flats directly above the premises would be appreciated. Restricting closing times to 10.00pm or earlier would at least lower the risk of late night noise pollution and anti-social behaviour.

Best regards,

Ian Habgood  
Redacted  
Redacted  
Redacted

On Tue, Jan 3, 2023 at 10:10 AM Jon Bryant <[Jon.Bryant@midsussex.gov.uk](mailto:Jon.Bryant@midsussex.gov.uk)> wrote:

Dear Mr Habgood,

Thank you for your email making representations in respect of the application for a new Premises Licence at 42-48 America Lane, Haywards Heath.

In respect of Licensing Applications the legislation is prescriptive and I can only take into account "relevant representations". Within Licensing Applications a representation is only "relevant" if it relates to the *likely effect* of the grant of the licence on the promotion of at least one of the Licensing Objectives. I am not permitted to accept any representations that are not considered to be relevant under the Act.

The four licensing objectives are:

1. The prevention of crime and disorder. This relates to any crime, disorder or anti-social behaviour at the premises or related to the management of the premises. A licence holder/applicant cannot generally be held responsible for the conduct of

- individuals once they leave the premises;
2. Public safety. This relates to the safety of the public *on* the premises, i.e. fire safety, electrical circuitry, lighting, building safety or capacity, and first aid.
  3. Prevention of public nuisance. This can relate to issues such as hours of operation, noise emanating from the premises, vibrations, lighting and litter.
  4. Protection of children from harm. This relates to protecting children from the activities carried out on the premises whilst they are there. The law already provides special protections for children under 18 to buy alcohol.

I am unable to accept representations that relate to other matters such as the location of the premises, the need for the premises, the fact that there are other premises selling alcohol in the immediate vicinity, the effect on house prices, the local road infrastructure, parking etc.

For clarity I have copied below an extract from the Statutory Guidance issued under the Licensing Act 2003

*A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives.*

As above, representations should relate to the impact of the licensable activities carried on from premises on the objectives with reference to the steps outlined by the applicant within their Operating Schedule.

The applicant has detailed a number of steps in their application that they intend to take in respect of promoting the Licensing Objectives. These are :

*On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of the licensing authority or (in the case of online training) within 48 hours.*

*A CCTV system will be in operation at the premises and recorded images shall be*

*retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.*

*An incident register will be maintained at the premises and made available to the authorities on request.*

*A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and other responsible authority*

*The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older.*

Therefore, currently, I am unable to accept your comments regarding the fact that there is already a nearby premises that sells alcohol and that the area does not need any more similar premises. In respect of your comments surrounding anti-social behaviour and under age drinking are you able to provide any further information to show that this would be a likely effect of the grant of the application?

Additionally I will need you to provide your full address in America Lane as I am unable to accept representations without this.

At present I am unable to accept your representations as being relevant however I look forward to receiving further detail which may assist me in accepting your comments. Please ensure that any additional comments are sent by 2359 hours on the 4<sup>th</sup> January 2023.

Kind regards

Jon Bryant

Jon Bryant

Senior Licensing Officer

Mid Sussex District Council

Environmental Health

01444 477428

07712 415409

[jon.bryant@midsussex.gov.uk](mailto:jon.bryant@midsussex.gov.uk)

[www.midsussex.gov.uk](http://www.midsussex.gov.uk)



'Working together for a better Mid Sussex'



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**From:** Ian Habgood <[Redacted](#)>

**Sent:** 02 January 2023 22:10

**To:** licensing <[licensing@midsussex.gov.uk](mailto:licensing@midsussex.gov.uk)>

**Subject:** Objection to Application for Premises License for 42-48 America Lane, Haywards Heath

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Dear Sir/Madam

I am writing to register my objection to the application for the Premises License by Pakeerathan Sanmugalingam for 42-48 America Lane, Haywards Heath, RH16 3QB.

The reason for this opposition is that granting a licence for these premises will not promote the licensing objectives laid out in the council's statement of licensing policy, particularly the prevention of crime, disorder and prevention of public nuisance.

The application proposes that alcohol will be sold for consumption off the premises between 6:00am and 11.00pm, seven days a week. Granting a licence would provide a further source of alcohol within an area already populated with licensed premises.

Located just 200 feet away from 42-48 America Lane is an address that is currently licensed to sell alcohol - Morrisons, 56a America Lane, Haywards Heath, RH16 3QB. Granting licences for premises within very short distances of each other will saturate this small parade with premises licensed to sell alcohol and further encourage anti-social behaviour and underage drinking.

The parade is currently home to Bentswood Community Hub which is provided by Sussex Clubs for Young People, Bentswood Community Partnership and Clarion Futures. The Hub which is 100 feet away from 42-48 America Lane provides a safe and friendly environment for children, helps tackle food poverty with a community larder and provides opportunities for families excluded from society due to their financial position or ill health, factors which often result from the use of alcohol. Enabling the premises two doors down from the hub to sell alcohol would be totally detrimental to both the Council and hub's aims and objectives.

Unfortunately Bentswood area is a historically deprived ward with a bad reputation over the years due to various social issues. During the past few years a number of people and agencies have been working incredibly hard, mostly but not exclusively through the BCP (Bentswood Community Partnership), to reverse this.

Granting a licence would provide a further source of alcohol between 6.00am - 11.00 pm and risks destroying the hard work put into reducing noise nuisance and anti-social behaviour in the area, causing suffering for residents living around and above the shops on the parade in Bentswood.

In view of the above, I would urge the Licensing Authority to refuse the application.

I also wish to highlight that the notice for application for a premises license on view at 42-48 America Lane (photo attached) states "Any person wishing to submit relevant representations to this application must give notice in writing to the address or email shown above by: 4th January 2023" yet there is no email address shown above on the notice (only a website), making it difficult for any person wishing to submit relevant representations.

Yours faithfully,

Ian Habgood  
Redacted  
Redacted

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