

### Appendix C

Ms Cornell  
Licensing Authority  
Brighton & Hove City Council  
Bartholomew House  
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Date: 25 January 2022  
Our Ref: 2022/00166/LICREP/EH  
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Dear Ms Cornell

#### **Licensing Act 2003**

#### **Representation in support of an application by Sussex Police seeking a review of the Premises Licence - 2022/00108/LAREV Moonlight Store, 171 Church Road, Hove BN3 2AB**

I write to make a representation on behalf of the Council's Licensing and Trading Standards Team, in their capacity as responsible authorities, in relation to the above application made by Sussex Police seeking to review the Premises Licence for Moonlight Store, 171 Church Road, Hove BN3 2AB.

This representation is made as the Licensing and Trading Standards have concerns that the licensing objective of Protection of Children from Harm is not being upheld.

The history of this matter is explained in more detail in the application of Sussex Police.

In March 2021, Licensing received complaints from local residents that that the premises were selling alcohol to the local street drinking community who were then causing anti-social behaviour in the area. On 22 March 2021, accompanied by my colleague, PC Bernascone from Police Licensing, we carried out a full Licensing Inspection. During this inspection there were a number of breaches identified and advice was given to the sales assistant at the time. On 28 March 2021, I sent an email to the Tony Gad, Designated Premises Supervisor (DPS), outlining the breaches found. A copy of this email is attached as Appendix A. Also following my inspection, a referral was made to the food officers advising them of the out-of-date food and products found without English labelling.

The premises are situated in the electoral ward of Central Hove. According to our Public Health Framework, for Assessing Alcohol Licensing 2019, Central Hove is ranked fourth out of 21 wards for 'alcohol suspected ambulance call outs', and sixth worst for 'clients in alcohol treatment'.

Sussex Police Licensing and Trading Standards work closely to deal with combating the sale of alcohol to children. This involves the sharing of intelligence, joint test purchase operations and in

respect of Trading Standards, offering businesses support and training to assist them with complying with the law and to meet the Licensing Objective of Protecting Children from Harm.

Joint Police and Trading Standards Test Purchase Operations take place on an ongoing basis, targeting premises because of either intelligence that children are able to buy alcohol from the premises or because of alcohol related youth disorder in the vicinity.

On 11 August 2021, Sussex Police and Trading Standards conducted an underage alcohol test purchase to the above premises, where a member of staff at this premises sold a large bottle of Stella to a 15-year-old male. A copy of my notes and findings following this visit can be seen at Appendix B. A further referral was sent to the food officers advising that products were still being sold without English labelling.

Following this failed test purchase, on 19 August 2021 a meeting was held at John Street Police station with the DPS, Tony Gad and his sister Mina Aziz. During the meeting, the DPS was issued with a formal written letter and actions to prevent a sale occurring again were discussed and a document signed by the DPS.

On 3 September 2021, a Minor Variation was submitted by licensing consultant Geoff Cooper to add conditions as suggested by the Police, to the premises licence following the failed Test purchase.

On 7 October 2021, a warning letter was sent by a food officer regarding the labelling of food products. A copy of this warning can be seen at Appendix C.

On 9 December 2021 a further visit was carried out to re-test for underage alcohol sales. At the time of this visit a 16-year-old male purchased a single bottle of Sol. No Challenge was made.

Also, at the time of this visit a licensing inspection was carried out. We were shown a training log which displayed four names and signatures who had been trained on the 2 December 2021. However, the member of staff who had made the sale was not one of the signatures included within this document. We were informed that the member of staff had only just started working at the premises and was still receiving his induction training. At the time of this visit it was noted that no products were identified without English labelling.

Despite advice, the provision of documentation for staff training being given and addition of conditions I am concerned that the premises has failed a further test purchase.

In the circumstances, the Licensing and Trading Standards Team fully support the application of Sussex Police seeking the revocation of the premises licence and consider that this is necessary to ensure that the licensing objective of the Protection Children from Harm are met.

Yours sincerely



Donna Lynsdale  
Licensing and Fair-Trading Officer  
Licensing Team and Trading Standards

**Appendix A** – Email sent on 28 March 2021 following licensing visit

**Appendix B** – Test Purchase Notes 11 August 2021

**Appendix C** – Warning Letter sent on 7 October 2021

