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Brighton & Hove Licensing Unit

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31st January 2020

Malarmathy THARMASEELAN
REDACTED

Dear Ms Tharmaseelan,

Licensing Act 2003 – Unauthorised licensable activities.

**RE: Happy Shopper, 6-8 Upper Bevendean Avenue, Brighton, BN2
4FF**

Our records show that you are the Designated Premises Supervisor (DPS) for Happy Shopper, 6-8 Upper Bevendean Avenue, Brighton, BN2 4FF. I write with reference to the above premises where Police Licensing conducted a visit on Thursday 30th January 2020 at 18:07. As part of these licensing check I would like to highlight the following breaches of the licence:

Annex 2 – Conditions consistent with the Operating Schedule

For the Protection of Children from Harm:

1. The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following 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.
2. Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed eight weeks, with the date and time of the verbal reinforcement/refresher training documented.

3. All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and Brighton & Hove Weights & Measures Officers upon request.

At the time of the visit, training records for 2 members of staff were located. However the member of staff working in the premises during our visit was not able to provide any training documents.

4. The premises shall at all times maintain and operate 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 shall be available upon request to police staff, local authority staff and Weights and Measures officers.

At the time of our visit, the refusals log was located but had no entries and had not been reviewed by the DPS.

(1) A person commits an offence if –

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
- (b) he knowingly allows a licensable activity to be carried on.*

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

The highlighted breaches constitutes an offence of carrying on licensable activity otherwise than under and in accordance with an authorisation (the premises licence and the attached conditions). Please can you now ensure these breaches are rectified with immediate effect. Police Licensing will conduct a follow up visit within the next few weeks and I must advise you that any further breaches of your licence may mean enforcement action is taken.

Yours sincerely,

Hannah STAPLEHURST
Police Licensing Officer
Brighton & Hove Division

c.c Brighton & Hove City Council Licensing Team.