

Appendix C

Corinne Hardcastle
Licensing Authority
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Date: 8 March 2023
Our Ref: 2023/00509/LICREP/EH
Phone: 01273 292494
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Dear Corinne Hardcastle

Licensing Act 2003

**Representation in support of an application by Sussex Police seeking a review of the Premises License - 2023/00453/LAREV
Happy Shopper, 4-8 Upper Bevendean Avenue, Brighton BN2 4FF**

I write to make a representation on behalf of the Council's Licensing and Trading Standards Team, in their capacity as a responsible authority, in relation to the above application made by Sussex Police seeking to review the Premises Licence for Happy Shopper, 4-8 Upper Bevendean Avenue, Brighton BN2 4FF.

This representation is made as the Licensing and Trading Standards Team have concerns that the licensing objective of the 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.

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 19 October 2019, 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 bottle of 'Old Mout Cider' to a 16-year-old police volunteer. Also, a full licensing inspection was carried out. Following this visit a letter was sent to the premises dated 14 November 2019. A copy of this letter can be seen at Appendix A.

Following this failed test purchase, on 13 December 2019, a meeting was held at John Street Police station with the Designated Premises Supervisor (DPS). During the

meeting, the DPS was issued with a formal written letter and actions to prevent a sale occurring again were discussed and again a document signed by the DPS.

On 30 January 2020, accompanied by PC Hancox and Hannah Staplehurst from Police Licensing, a visit was made to the premises, where a full Licensing Inspection was carried out. Following this visit a letter was sent to the premises dated 3 February 2020. A copy of this letter can be seen at Appendix B.

On 16 July 2020, a further visit was carried out with Police Licensing.

On 26 January 2021, a follow up visit was carried out by Police Licensing. On 29 January 2021, I emailed the premises with a further warning. A copy of this email can be seen at Appendix C.

On 24 February 2021, a further visit was carried out with Police Licensing.

On 17 June 2021, Sussex Police and Trading Standards conducted an underage alcohol test purchase to the above premises. On this occasion the staff member asked for ID.

On 9 July 2021, I sent the premises Challenge 25 Posters, Refusal and Incident Book and Training Book.

On 20 October 2022, accompanied by PC Hancox from Police Licensing, a visit was made to the premises, where a full Licensing Inspection was carried out. Following this visit an email sent to the premises dated 9 November 2022. A copy of this email can be seen at Appendix C.

On 4 November 2022, again I sent the premises Challenge 25 Posters, Refusal and Incident Book and Training Book.

On 30 January 2023, 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 bottle of 'Doombar' to a 17-year-old police volunteer. Also, at this time a full licensing inspection was carried out where further breaches of the premises licence were found.

Despite substantial Officer interaction with this premises, including visits (most of which the DPS has not been present), advice and warnings, it is my opinion that the premises is poorly run, there are breaches of the premises licence and I have no confidence in the DPS or management of the premises.

In the circumstances, I fully support the application of Sussex Police and consider that this is necessary to ensure that the licensing objective of the Protection of Children from Harm are met.

Yours sincerely

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

Appendix A - Breach of Conditions Letter sent 14.11.2019.

Appendix B - Breach of Conditions Letter sent – 03.02.2020.

Appendix C - Breach of Conditions email sent – 29.01.2021.

Appendix D - Breach of Conditions email sent – 09.11.2022.

