



**Sussex Police**  
Serving Sussex

[www.sussex.police.uk](http://www.sussex.police.uk)

**West Sussex Division**  
Neighbourhood Licensing Team

West Sussex Licensing Team  
Centenary House  
Durrington Lane  
Worthing  
West Sussex  
BN13 2PQ

Tel: 01273 404 030

[WS\\_Licensing\\_WOR@sussex.pnn.police.uk](mailto:WS_Licensing_WOR@sussex.pnn.police.uk)

19<sup>th</sup> May 2023

The Licensing Team  
Environmental Health Department  
Arun District Council, Arun Civic Centre  
Maltravers Road  
Littlehampton  
BN17 5LF

Dear Licensing Team,

**RE: APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR FELPHAM CORNER SHOP LIMITED TRADING AS PREMIER CORNER SHOP [ALSO KNOWN AS EDDIE'S CORNER SHOP], 109 – 111 FELPHAM ROAD, BOGNOR REGIS, PO22 7PW. UNDER THE LICENSING ACT 2003. YOUR REFERENCE 118090.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation in respect of this review application on the grounds of the prevention of crime and disorder and the protection of children from harm.

This is a review application applied for by West Sussex County Council Trading Standards following a test purchase operation last November, when a member of staff at the shop sold alcohol to a child. Prior to this there was intelligence in April 2022 that the premises sold age restricted products to children. In June 2022 Trading Standards visited the shop to give advice and spoke directly with the Premises Licence Holder and Designated Premises Supervisor Mrs Minal Patel. This visit was followed up with an advice letter.

Sussex police support the review application by Trading Standards, and we recommend to the Committee that in the circumstances a suspension of the premises licence for a period of three months is appropriate and proportionate. The S.182 Statutory Guidance to The Licensing Act 2003 expressly states that in the event of a first sale, revocation of the premises licence should be seriously considered. So a suspension of the licence in these circumstances (in comparison to forfeiting the licence permanently) is entirely reasonable, and will give the premises time to retrain staff on age restricted sales and update their policies and procedures.

We note that the existing conditions in annexe 2 of the current licence are now somewhat out of date by modern up to date standards. We invite the Committee in addition to imposing a three month suspension of the licence, to remove the current annexe 2 conditions on the licence, and replace them with the following new conditions below.

We note that the premises was unable to provide any written evidence or records made and retained by the shop documenting that the employee who sold alcohol to the child had been trained. You will note in the new conditions recommended below that this omission is expressly covered with a clear requirement to both document, date and sign, and retain both induction and refresher training.

We also note with some concern that there is no CCTV condition on the existing licence. All premises with off sales of alcohol should have CCTV in order to protect the premises and staff.

In relation to the conditions for an alcohol delivery service, if the premises does not operate such a service, the alcohol delivery conditions can be substituted with a simple once sentence condition: the premises will not operate an alcohol delivery service.

### **The prevention of crime and disorder:**

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

CCTV footage will be stored for a minimum of 31 days

The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The time will be amended promptly when British Summer Time starts and ends.

Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

Any breakdown or system failure will be notified to the Police Licensing Department immediately (and retain documentary evidence in the form of an acknowledgement or receipt that this has been done which will be retained and produced upon request to officers of any responsible authority) & remedied as soon as practicable.

In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

All off sales of alcohol will be made in sealed containers.

Spirits will be stored and displayed behind the server/service counter out of the reach of the public.

### **For the Protection of Children from Harm:**

The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph, photographic military ID or proof of age cards bearing the “PASS” mark hologram, official photographic identity cards issued by EU states bearing a hologram or ultraviolet feature.

Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises, including the point of sale and the area where the alcohol is displayed.

The Premises Licence Holder shall ensure that all staff members (including family members, friends and all temporary staff) engaged or to be engaged, in selling alcohol at the premises shall receive 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

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed six months, with the date and time of the verbal reinforcement/refresher training documented.

All such training and refresher training undertaken by staff members shall be fully documented and signed and dated by both the employee and the DPS. All training records shall be kept on the premises and made available to officers of any responsible authority upon request.

The premises shall at all times maintain and operate an incident log and refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises

Supervisor (with the date and time of each review documented) at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book will be kept at the premises and made available to officers of any responsible authority upon request. All incidents recorded in the log/refusals register will be retained on the premises for a minimum of twenty four months.

Feedback will be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.

### **Conditions for alcohol delivery service:**

Alcohol deliveries will only be made to a residential or business address and not to a public place.

The age verification policy (including challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

At the time the order is placed a declaration will be required from the person placing the order that that person is aged 18 years or over, and that the intended recipient are over 18 years or over. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.

1. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the DPS has no direct supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.
2. For deliveries made directly by the DPS or their employees, staff or agent or persons instructed by the DPS/PLH, the person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic ID must be produced prior to delivery. No ID, no delivery.
3. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:
  - only employs delivery employees or agents aged 18 and over;
  - is aware that alcohol is included in the delivery;
  - that the delivery person actively engages with the person receiving delivery and operates a challenge 25 policy rather than just handing the delivery over;

- that in the event that the recipient of the alcohol is challenged for ID and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.

Yours sincerely,

**Inspector Mike Butler CB238**  
**West Sussex Licensing Inspector**  
**Sussex Police**