

REPORT OF THE DEPUTY CHIEF EXECUTIVE

LICENSING SUB-COMMITTEE –27 JUNE 2013

LICENSING ACT 2003 – CONSIDERATION OF THE GRANT OF A PREMISES LICENCE

BACK TO BASICS, 8 HYLTON ROAD, SUNDERLAND

SYDNEY HESLOP

1.0 PURPOSE OF REPORT

- 1.1 To consider an application for the grant of a premises licence for the above-mentioned premises.

2.0 DESCRIPTION OF DECISION

- 2.1 When determining the application the Sub-Committee is requested to have regard to the representations referred to in paragraph 4.0 below and to take such steps as they consider appropriate for the promotion of the licensing objectives. The steps may be: -

- a) to grant the application,
- b) to modify the conditions of the licence, or
- c) to reject the whole or part of the application.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Relevant representations have been received in relation to the application and these are detailed at section 4.0.
- 3.2 A copy of the application form is attached as Appendix 1. The licensable activity requested is sale by retail of alcohol for consumption off the premises. The requested hours for the sale of alcohol are Monday to Saturday 08:00 to 22:00 and 09:00 to 22:00 on a Sunday.

4.0 CURRENT POSITION

- 4.1 Eight written representations have been received from ten people. Some representations were signed by more than one person. Copies of the representations are attached as Appendix 2.
- 4.2 Additionally, representations have been received by way of a petition, signed by fifty people. Three of these people submitted written representations as mentioned in paragraph 4.1 above. A copy of this petition is also attached at Appendix 2.

5.0 REASONS FOR THE DECISION

5.1 To determine the application as requested by section 18(3) of the Licensing Act 2003.

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS/CONSULTATIONS

7.1 There are no other considerations that require the attention of the Sub-Committee.

8.0 GLOSSARY

8.1 No acronyms or abbreviations have been used in this report.

9.0 LIST OF APPENDICES

Appendix 1 – Application form.

Appendix 2 – Written representations and petition.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

3/5/13 - £100
02/50158.

00cmPrem01094

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We SYDNEY HESLOP
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
BACK TO BASICS 8 HYLTON ROAD			
Post town	SUNDERLAND	Postcode	SR4 7AA

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ NOT KNOWN YET - NEW BUSINESS

Part 2 - Applicant Details

* FULL RATE £3450.00

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname [REDACTED]			First names [REDACTED]		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	1	0	5	9	1	3
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If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY

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Please give a general description of the premises (please read guidance note 1)

SMALL GENERAL STORE IN A COMMERCIAL STREET, WITH LOCAL HOUSING. THE PREMISES ARE SET IN THREE SEPARATE ROOMS, WHICH ENABLES GOODS TO BE KEPT APART. THE BACK ROOM IS USED FOR STORAGE AND CAN BE MADE SECURE. THE OUTSIDE IS PROTECTED BY METAL SHUTTERS AND WE HAVE AN INTERNAL CCTV SYSTEM.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

RETAIL ONLY
(OFF SALES)

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	0800	2200	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	0800	2200			
Wed	0800	2200			
Thur	0800	2200			
Fri	0800	2200			
Sat	0800	2200			
Sun	0900	2200			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor: (

Name	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

X

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish		
Mon				
Tue				
Wed				
Thur				Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri				
Sat				
Sun				

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

CCTV IN STORE ALREADY - TWO MORE CAMERAS
TO BE INSTALLED WHEN SHOP IS RE-ORGANISED.
CHALLENGE Q5 TO BE USED.
SEPARATE STORAGE TO PREVENT ACCESS BY MINORS
ZERO TOLERANCE FOR ANYONE INTOXICATED/AGGRESSIVE.

b) The prevention of crime and disorder

CCTV IN OPERATION (24 HR RECORD
WITH LONG TERM HARD DRIVE RECORD

c) Public safety

CCTV
STORAGE OF SURPLUS STOCK AWAY FROM
THE PUBLIC AREAS.

d) The prevention of public nuisance

NO UNDERAGE SALES
RESERVATION OF RIGHT TO REFUSE SERVICE
TO INTOXICATED OR NUISANCE CUSTOMERS

e) The protection of children from harm

NO UNDERAGE SALES
CCTV FOOTAGE CHECKED.
CHILDREN AND YOUTHS NOT ALLOWED TO
CONGREGATE INSIDE OR OUTSIDE SHOP.

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Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

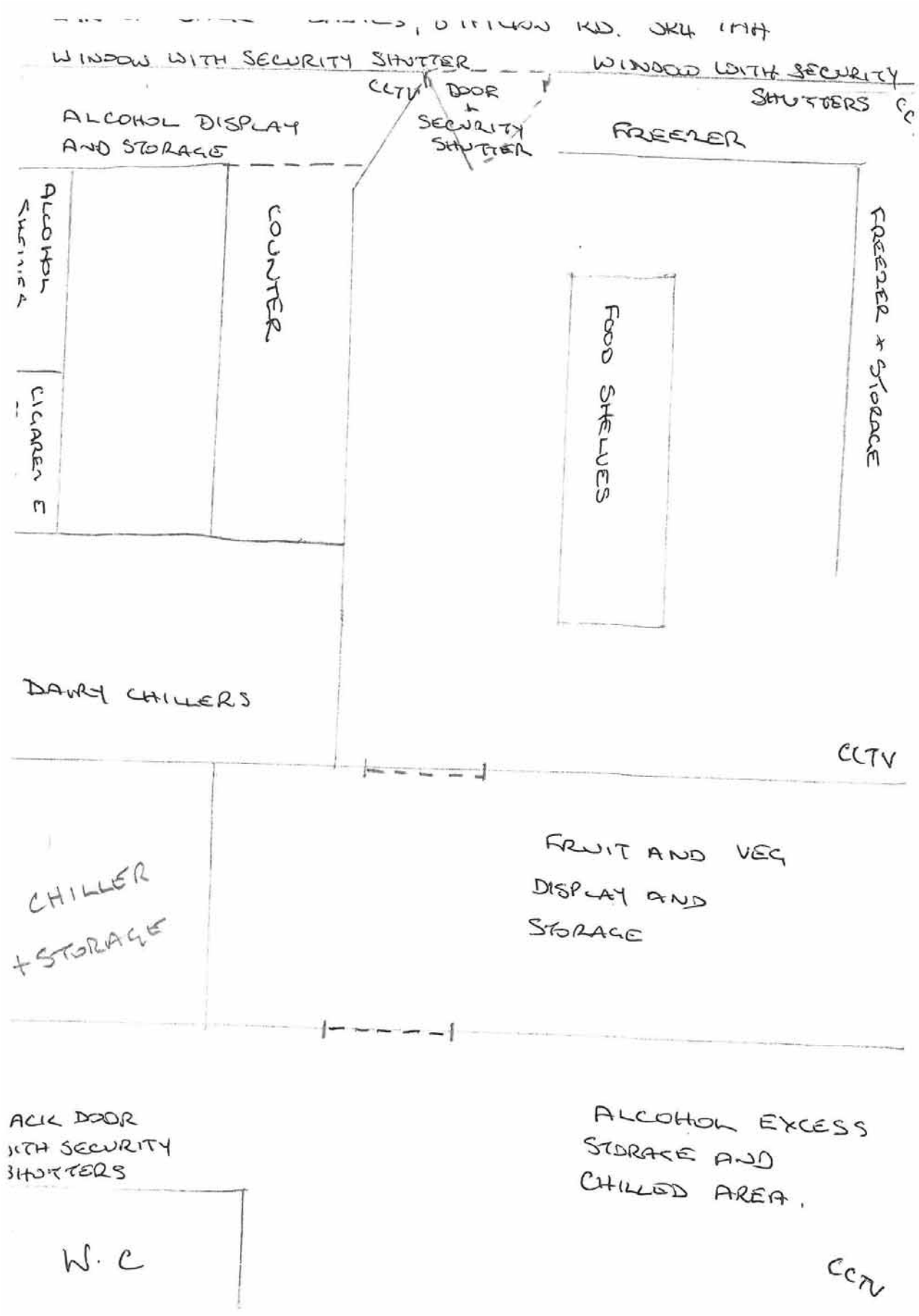
Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	1 MAY 2013
Capacity	OWNER / MANAGER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	



Appendix 2

Licensing Section
Sunderland City Council
Trading Standards
Jack Crawford House
Commercial Road
Sunderland
SR2 8QR

Off licence application for 4 Hylton Road

I am writing to express concern on behalf of local shop owners and local residents. I have already submitted a petition and several letters of objection on behalf of [REDACTED] who has run an existing off licence [REDACTED] for some years.

It has been calculated that there are 13 off licence premises between the bottom of Hylton Road and the junction with Rutland Street. In the view of local people, some existing off licence holders and local Councillors this is an over concentration of this type of premises and could be a factor in creating additional crime and disorder in the area. Police reports show that the real concern of local people is anti-social behaviour linked to alcohol consumption and we do not need yet another alcohol outlet to add to this concern.

In addition, the shop is right on the zebra crossing at the bottom of Hylton Road and this is a very busy location. Experience from other off licence holders on Hylton Road is that many customers follow a 'park and dash in' pattern of behaviour when buying alcohol. This is not really appropriate here as it would encourage parking on the crossing itself or very close to it and create a real risk to pedestrians and road users alike.

The local councillors are working right now with officers on a proposal to change the parking and shopping options on this section of Hylton Road and another off licence at this location would not assist our aims to improve road safety and would add to the real sense of nuisance and irritation already felt by many local people living in this area.

This section of Hylton Road has long had a reputation as 'second hand city' but this is being replaced more by off licence premises moving into the street. Having a greater diversity of shopping experience will be good for the street in the long run but too many off licences will not provide a long term solution to keeping shops in the area viable.

[REDACTED]



[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
RE:- APPLICATION FOR THE SALE OF ALCOHOL AT NO 8 HYLTON ROAD
"BACK TO BASICS"
TO WHOM IT MAY CONCERN,

DEAR SIR/MADAM,

I OPPOSE AND OBJECT TO ANY FURTHER
RETAIL OUTLETS SELLING ALCOHOL ON HYLTON ROAD
MY REASONS ARE OUTLINED BELOW.

THERE ARE AT LEAST THIRTEEN EXISTING OUTLETS
LICENSED TO SELL ALCOHOL ON HYLTON ROAD, ADEQUATE TO
SERVE THE NEEDS OF RESIDENTS IN THAT AREA.

MY CONCERN ALONG WITH GOVERNMENTAL, WELL DOCUMENTED
COMPLAINTS ON ALCOHOL CONSUMPTION, WHICH INCLUDES ANTI-
SOCIAL BEHAVIOUR, ALCOHOL RELATED CRIME, FURTHER STRAIN
ON POLICE AND NHS, FURTHER TO THIS MORE OUTLETS
SELLING ALCOHOL WOULD BRING "PRICE WARS" MEANING
SOME OUTLETS WOULD ADVERTISE AND SELL CHEAPER,
THIS FUELING THE NEEDS OF THE IRRESPONSIBLE
CONSUMERS IN THE MILLFIELD AREA.

IT IS FOR THESE REASONS, I, AND I AM SURE THE
MAJORITY OF LOCAL RESIDENTS OBJECT TO ANY
FURTHER OFF LICENSE PREMISES.

YOURS SINCERELY,



[REDACTED]

Wednesday 15th May 2013

Dear Sir / Madam,

We are writing a letter of objection in regards to a local shop that is applying to you for an alcohol licence.

We understand that Back-to-Basics at the SR4 end of Hylton Road is looking for you to grant an alcohol licence in order for them to be able to sell alcohol.

We feel that there are enough shops in this part of Hylton Road that sell alcohol at a competitive price and another one is not required. It will mean that the current local businesses will suffer and could attract undesirables to the area, especially as we already have enough alcohol premises, such as pubs, the proximity to the town centre and as before mentioned the competitive local businesses.

As local residents we are concerned that the crime rate in this area will increase, and this is not what local residents want at all.

Please, do not grant this licence as it is **not another** alcohol premises that is needed.

WE hope that you take this matter seriously.

Yours sincerely,

[REDACTED]



Concerned
about the New
Shop (Back To
Basics)

[REDACTED]

Dear Sir, madam

I am writing on behalf of my self my family also my neighbour hood as we are worried that if permission is granted for another off license shop that is allowed to sell alcohol will increase crime also more intimidation and abuse around owa streets, as there are already a lot of young teenagers under the influence of alcohol on owa street corners, and if you grant permission for another shop to sell alcohol you will be incareging more youths to hang around owa streets my children and I also are uncomfortable going to owa local shops because of the young teens on owa streets hanging out side of owa local shops full of alcohol. So on behalf of me also my neighbours and owa people around my area to please take owa opinions in to consideration as it is

A.T.A

Where We have to live and raise
our children also so we can
feel safe to walk to our local
shops

Thank you for taking your
time to read my concerns we
really appreciate your time.



①
OBJECTING TO
BACK-TO-BASICS
ALCOHOL LICENSE
8 HYLTON ROAD
MILLFIELD, S/LAND
SR4 7AF

[REDACTED]

Dear Sir/Madam,

I am the owner of a general dealers and have been for 30 years which is situated on

[REDACTED] I understand that a business [REDACTED]

have applied for an alcohol license which I have to oppose to as I feel that another off-license would cause problems.

I am and always have been very careful who I sell alcohol to and would never sell it to minors and I just feel that to prevent a public nuisance then the last thing we need

②

on Hylton Road is another
off-license. we have had a lot
of problems with unruly teenagers
over the years, especially round
the back of my shop on what is
known as the black path and 99%
of the time it has been alcohol
related, I know every trick in the
book after 30 years of serving
customers, from fake id's to
kids sending adults into the shop
to buy alcohol for them whereas
the shop [REDACTED]

that have applied for an alcohol
license does not and this
could result in problems again
and public safety could be at
risk so I have to object
strongly to Back to Basics
of 8 Hylton Road not getting
the license that they are

③

applying for, your help in
this matter would be
gratefully appreciated.

yours faithfully

A black rectangular redaction mark covering the signature of the sender.

BACK TO BASICS

8 HYLTON ROAD

THERE IS 13 SHOPS ON HYLTON ROAD WHAT IS OFF LICENCES, WE HAVE HAD ENOUGH TROUBLE WITH YOUNG ONES ASKING PEOPLE TO GO INTO THE SHOPS TO BUY THEM BOTTLE OR CANS AND CIGARETTES, THEY TOSSING BOTTLES AND CANS ON THE ROADS GETTING DRUNK AND FIGHTING ALL TIMES AT NIGHT SO CAN YOU STOP FROM ALL THIS HAPPING, AS WE DONT WANT ANY MORE TROUBLE

Dear Sir,
I am writing to object against the Shop Back to Basics putting in for a licence to sell drink, there are several shops and public houses in Hylton Road selling drink, The Government is trying to cut down on drink which is causing a lot of trouble for people that live beside this premises.

[REDACTED]

[REDACTED]

[REDACTED]



Dear Sir
I have heard that
another off licence is going
to open in Hylton Road
There is already 13 shops
selling beer. There is
children hanging about
and there will be more
trouble. The address is
8 Hylton Road. People
are not happy about this
and this should be stopped



I Hereby Object to
the granting of an off-licence
to: I feel like there are too many off-licences
on Hylton Road selling Alcohol
Back to Basics
8 Hylton Road
Sunderland

