

REPORT OF THE DEPUTY CHIEF EXECUTIVE

LICENSING SUB-COMMITTEE – 29 APRIL 2014

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

61-63 STONEY LANE, SOUTHWICK, SUNDERLAND

Jaswant Dhillon

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 A relevant representation has been received in relation to the application and is 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 23:00 and Sunday from 08:00 to 22:00.

4.0 CURRENT POSITION

- 4.1 A representation has been received in relation to this application. A Copy of this representation is attached as 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 – Representation.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

13/03116/PREM/00CMLPREM01115

[Insert name and address of relevant licensing authority and its reference number (optional).]

**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 JASWANT DHILLON

(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			
61-63 STONEY LANE SOUTHWICK			
Post town	SUNDERLAND	Postcode	SR5 2AU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£16,000.00

Part 2 - Applicant Details

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 type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname DHILLON			First names JASWANT		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address		196 ASHLEY ROAD			
Post town	SOUTH SHIELDS		Postcode	NE34 0PQ	
Daytime contact telephone number			0191 4233032		
E-mail address (optional)		rsdhillon@hotmail.co.uk			

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
15	03	2014

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

DD	MM	YYYY

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

CONVENIENCE STORE

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

NO

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

(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)

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"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) NONE					
Mon	8AM	2300						
Tue	8AM	2300						
Wed	8AM	2300						
Thur	8AM	2300						
Fri	8AM	2300						
Sat	8AM	2300						
Sun	8AM	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) NONE		

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

Name RAJINDER SINGH DHILLON	
Address 196 ASHLEY ROAD SOUTH SHIELDS TYNE AND WEAR	
Postcode	NE34 0PQ
Personal licence number (if known) LN/00000414	
Issuing licensing authority (if known) SOUTH TYNESIDE	

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).

NONE

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	7AM	2300	<p>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)</p>
Tue	7AM	2300	
Wed	7AM	2300	
Thur	7AM	2300	
Fri	7AM	2300	
Sat	7AM	2300	
Sun	8AM	2200	

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)

The premises which are owned by the Applicant will operate under a franchise using the name Lifestyle Express. This is a national Company with numerous outlets and presents a uniform style in respect of the look and operation of the premises. The premises will be decorated and designed in accordance with the franchise requirements and will be well signed both inside and outside of the premises.

There will be good lighting within the premises and all of the doors and exits will be well signposted.

The premises will be manned by fully trained staff who will be trained with regard to the products, fire safety and the appropriate staff will be trained in connection with the sale of alcohol. A staff training record shall be maintained at the premises. The members of staff paid or unpaid shall receive training upon their responsibilities with particular focus on issues surrounding age restricted products, dealing with incidents of antisocial behaviour and dealing with intoxicated persons. A record of training shall kept at the premises containing the training that each member of staff has received and be available on request to an officer of the Council or Police staff.

b) The prevention of crime and disorder

A CCTV system will be designed, installed and maintained in a proper working order and be correctly time and date stamped. The system will provide 20 cameras inside the premises and 4 cameras outside of the premises. The cameras will cover all entrances and exits to the premises both internally and externally and will be sited in areas where alcohol is to be displayed and such other areas as may be required by the Licensing Authority and Northumbria Police. The CCTV system will record 24 hour periods and the recordings will be retained for 28 days. The system will incorporate face recognition which will allow the staff to be alerted to any persons who may be of concern to the owners or members of staff. An operational daily log report will be maintained and endorsed by signature indicating that the system has been checked and is compliant and in the event of any failings action will be taken to record and rectify the fault immediately.

The store will maintain an incident book and refusal register. Any incident shall be added to the log book at the earliest opportunity and the register shall be made available to an officer of the Council or Police staff. The business will co-operative with the authorities to implement any further recommendations designed to prevent crime and disorder.

There shall be displayed at the point of entry of the premises and inside the premises at any points of sale suitably worded signage advising customers that under age sales of alcohol are an offence and that they will be asked to produce of age evidence. The business will operate the Challenge 25 Policy and all members of staff shall seek credible photographic proof of age from any person who appears to be under the age of 25 and who is seeking to purchase alcohol on the premises. Such credible evidence will include a photograph of the customer and will either be a Passport, photographic Driving Licence or a proof of age card carrying a

PASS logo

The premises will be equipped with electronic tills which will activate a warning in connection with the sale of any alcoholic product in order that the staff will on each occasion question the age of the person purchasing the product.

c) Public safety

The premises are sited at ground floor level and are accessed directly from the public street. There will be no raised areas apart from behind the counter areas which will be raised slightly to allow the staff to visually observe customer to the store. The premises will be well lit with ample space between the aisles and the premises will be fitted with emergency lighting and the appropriate fire safety equipment. The exits will all be suitably marked including any emergency exits.

d) The prevention of public nuisance

Signs will be displayed requesting that there should be no smoking upon the premises. The staff will not allow any groups of children or adults to congregate in such a way as would cause a public nuisance and the staff will be vigilant regarding any groups gathering either inside or outside of the premises. Any gathering within the premises will be disbanded immediately and any gathering outside of the premises will be requested to move on failing which the appropriate authorities will be contacted and the matter reported.

e) The protection of children from harm

The alcohol will be restricted to one side of the floor of the premises and children and young persons will be discouraged from entering or remaining within the aisle where alcohol is displayed other than to purchase non-alcoholic items which will be limited to discourage children. Any sweets and the like will be sited elsewhere within the shop premises. The owner and the designated premises supervisor have considerable experience in dealing with children having previously owned and operated a licensed premises incorporating a store near to a large comprehensive school.

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	J. Dhillon
Date	28 th Feb 2014
Capacity	applicant/owner.

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	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) JASWANT DHILLON 196 ASHLEY ROAD			
Post town	SOUTH SHIELDS	Postcode	NE34 0PQ
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Consent of individual to being specified as premises supervisor

RAJINDER SINGH DHILLON

I
[full name of prospective premises supervisor]

of

196 ASHLEY ROAD
SOUTH SHIELDS
TYNE AND WEAR
NE34 0PQ

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A PREMISES LICENCE

.....
[type of application]

by

JASWANT DHILLON

.....
[name of applicant]

relating to a premises licence **NONE**
[number of existing licence, if any]

for

61- 63 STONEY LANE, SUNDERLAND, SR5 2AU

.....
[name and address of premises to which the application relates]

SECOND INDIVIDUAL APPLICANT (if applicable)


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

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Appendix 2



Licensing Section
Jack Crawford House
Commercial Road
Hendon
Sunderland
SR2 8QR

Dear Licensing Authority

I am writing to register my objection to the application for a premises licence by Jaswant Dhillon for 61-63 Stoney Lane, Southwick Green, Sunderland, SR3 2AU. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The green is currently already home to 5 off-licence's (Premier Store, Bargain Booze, Iceland, B&M and Londis). Only a few weeks ago Boozebusters which had been trading for approximately 25 years closed its doors. Clearly the green is over-saturated with off-licence's and there is no requirement for any more. There is not enough trade to satisfy the amount of sellers already. Any more will simply increase the already problematic rate of theft and antisocial behaviour that traders in the green have to deal with. In addition, the shop in question, is on a corner of a very busy road, and part of a one way system, with the closest parking available being disabled-only. I think it will attract a lot of teenagers to loiter in the evening, potentially being very dangerous for the traffic system in place.

Enabling the premises to sell alcohol would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises between 9:00am and 7:00pm, seven days a week. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police. Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,

