

Appendix 20

Scott Lawrence

From:
Sent: 21 February 2024 11:56
To: Scott Lawrence
Cc:
Subject: Re: Licensing Act 2003 Application for a Premises Licence - Newcastle Road Mini Mart, 138 Newcastle Road, Sunderland

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Dear Scott,

Thank you for furnishing me with the applicant's response.

I feel sure that the crime, disorder and nuisance occasioned by the previous licensed premise at this address was not informed by whether the outlet was primarily set up to sell a specific product.

They are entitled to put their view forward, but these are spurious distinctions being made. The outlet, if approved will sell alcohol, this will, as sure as night follows day, lead to crime and anti-social behaviour. Lives and livelihoods (of staff) may be lost, as has happened, if this licence is granted.

If alcohol is a minor part of the outlets business, why then sell alcohol at all? This is an argument against their own previous logic for the outlet.

Most sincerely

Sent from my iPhone

On 21 Feb 2024, at 11:45, Scott Lawrence wrote:

Good Morning,

I write to further in relation the application for grant of a Premises Licence for the above.

Following the adjournment of the Sub- Committee Hearing on 18th January 2024, the applicant has reviewed the representations made by all interested parties and the ones submitted by the Responsible Authorities.

The applicant would like to confirm that the premises will be a convenience store where all types of convenience products will be sold including fresh & frozen food, toiletries, household, newspapers etc. Other services will also be offered to customers such as the ability to pay bills & buy lottery tickets.

Alcohol is not the intended focus of the business. Alcohol is a small part of the business and the intention is to focus more on convenience products.

The applicant has also agreed to reduce the hours for the sale of alcohol to Monday to Saturday 7am -11pm and Sunday 8am to 10pm.

The provision of late-night refreshment will be removed from the proposed application.

In addition, the applicant has agreed to the following conditions:

1. On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk, proxy sales and any other relevant matters. Training shall be regularly refreshed every six months. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of a Responsible Authority or (in the case of online training) within 48 hours.
2. A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA. CCTV shall cover all external areas of the premises.
3. An incident register will be maintained at the premises and made available to the authorities on request.

The incident log will record the following:

- (a) all crimes reported to the venue,
 - (b) any complaints received,
 - (c) any incidents of disorder and any visit by a relevant authority or emergency service.
1. any other relevant incidents to be recorded:

4. A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and an authorised officer of a Responsible Authority.

The record shall;

Give the date and time of the occasion; a brief description of the customer and the name of the member of staff who refused to sell the alcohol.

5. Notices will be displayed at the entrance/exit to the premises asking customers to leave the store quietly and respect local residents.
6. The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they

will be asked for proof of their age, to prove that they are 18 years or older.

7. Posters will be on display advising customers of the 'Challenge 25' policy.
8. The only forms of identification that will be accepted will bear their photograph, date of birth and a holographic mark and/or ultraviolet feature. Examples of appropriate identification include a passport, photocard driving licence, military ID, and Home Office approved proof of age ID card bearing the PASS hologram.
9. The premises will not stock, display or sell any lager, beer, cider or perry products with an ABV content above 5.5%. The restriction shall not apply to premium products such as craft or speciality beer, lager or cider.
10. The premises will not sell any single cans of lager, beer, cider or perry products, all such products shall only be sold as a multi-pack. The restriction shall not apply to premium products such as craft or speciality beer, lager or cider.
11. The premises will display posters informing customers of any Public Space Protection Order (PSPO) in place.
12. The premises licence holder and designated premises supervisor shall cooperate with any crime prevention initiatives which are promoted by the Licensing Authority or Northumbria Police.
13. The premises shall be illuminated externally during opening hours following sundown to discourage congregation and anti-social behaviour.

Delivery Conditions

1. All persons responsible for the delivery of alcohol will be trained in all elements of Challenge 25, acceptable identification and identifying people who are drunk. They will also be trained in the process for refusing a delivery in the event of a person being unable to prove their age. Training will be recorded and provided to the authorities for inspection upon request.
2. At the time of the order the customer will be informed that the person accepting the delivery will need to provide an acceptable form of photographic ID proving that they are 18 years of age or over in line with the Challenge 25 requirements. They will also be informed that the delivery of alcohol will be declined to a person who cannot prove their age upon request.
3. Delivery will only be made to a home or business address given at the time of the order & not to any public place such as parks, roadsides, or landmarks.

4. The person making the delivery will make the appropriate ID checks at the door of the address according to the Challenge 25 Scheme requirements.
5. The only forms of identification that will be accepted will bear their photograph, date of birth and a holographic mark and/or ultraviolet feature. Examples of appropriate identification include a passport, photocard driving licence, military ID, and Home Office approved proof of age ID card bearing the PASS hologram.
6. If a third-party delivery service is utilised, they will have in place a written contract showing that an ID check is required by the delivery driver at the point of delivery.

With the reduction in licensable hours and the agreement of the conditions listed above, would it be possible to review your position and confirm whether you wish to uphold your representation (objection).

Please note that any comments must be provided **no later than 27th February, 2024.**

Should you wish to uphold your objection then the matter will be referred to Licensing Sub-Committee for determination where you would be required to attend and asked to explain the reason for your objection.

Should you wish to discuss this matter further, please do not hesitate to contact the team.

Regards

Licensing
Sunderland City Council
City Development Directorate
www.sunderland.gov.uk

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City Council**

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Scott Lawrence

From:
Sent: 21 February 2024 12:45
To: Scott Lawrence
Subject: RE: Licensing Act 2003 Application for a Premises Licence - Newcastle Road Mini Mart, 138 Newcastle Road, Sunderland

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Scott,

Thank you for your feedback.

Please find below my comments / position on this licencing proposal for our residential area.

- a) If alcohol is "*not the intended focus of the business*" then I would want the sales of alcohol on a Sunday to be much further prohibited than proposed, ideally prevented on that religious day altogether. A compromise would be sale times from 10am - 8pm Sunday.
- b) On a similar vein, I would like the restriction of alcohol sales on a Saturday to 9pm, so as to discourage this shop as being the main "late-night" alcohol convenience store for the private area.
- c) Should alcohol bottles begin to get smashed outside local resident's houses again, then I propose a licencing clause for further restrictions to their alcohol sales until said problems are removed / minimised. Ideally with store bearing responsibility to make appropriate changes (e.g. staff training, reduced store times, etc). This is in addition to the usual applicable licencing laws in place to help us.
- d) I see no problem with other conditions raised.

Please understand that the addition of a convenience store is very welcome and sorely missed by the local community, but we have had many problems around here related to the previous sales of alcohol from the previous local shop in the same location. Bearing that in mind again the location of this store, I request that no emphasis should be permitted for alcohol sales times. Meaning that any "typical" alcohol sales times should NOT be adopted here. Instead, I propose this store operate with reduced alcohol sales times, thereby reducing chances of alcohol related problems from occurring here all over again.

I trust all this makes sense however, I am happy to provide additional clarity of thought if needed.

Regards,

From: Scott Lawrence

Sent: Wednesday, February 21, 2024 11:46 AM

Subject: Licensing Act 2003 Application for a Premises Licence - Newcastle Road Mini Mart, 138 Newcastle Road, Sunderland

Good Morning,

I write to further in relation the application for grant of a Premises Licence for the above.

Following the adjournment of the Sub- Committee Hearing on 18th January 2024, the applicant has reviewed the representations made by all interested parties and the ones submitted by the Responsible Authorities.

The applicant would like to confirm that the premises will be a convenience store where all types of convenience products will be sold including fresh & frozen food, toiletries, household, newspapers etc. Other services will also be offered to customers such as the ability to pay bills & buy lottery tickets.

Alcohol is not the intended focus of the business. Alcohol is a small part of the business and the intention is to focus more on convenience products.

The applicant has also agreed to reduce the hours for the sale of alcohol to Monday to Saturday 7am -11pm and Sunday 8am to 10pm.

The provision of late-night refreshment will be removed from the proposed application.

In addition, the applicant has agreed to the following conditions:

1. On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk, proxy sales and any other relevant matters. Training shall be regularly refreshed every six months. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of a Responsible Authority or (in the case of online training) within 48 hours.
2. A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA. CCTV shall cover all external areas of the premises.
3. An incident register will be maintained at the premises and made available to the authorities on request.

The incident log will record the following:

- (a) all crimes reported to the venue,
- (b) any complaints received,
- (c) any incidents of disorder and any visit by a relevant authority or emergency service.
- (d) any other relevant incidents to be recorded.

4. A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and an authorised officer of a Responsible Authority.

The record shall;

Give the date and time of the occasion; a brief description of the customer and the name of the member of staff who refused to sell the alcohol.

5. Notices will be displayed at the entrance/exit to the premises asking customers to leave the store quietly and respect local residents.
6. The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older.
7. Posters will be on display advising customers of the 'Challenge 25' policy.
8. The only forms of identification that will be accepted will bear their photograph, date of birth and a holographic mark and/or ultraviolet feature. Examples of appropriate identification include a passport, photocard driving licence, military ID, and Home Office approved proof of age ID card bearing the PASS hologram.
9. The premises will not stock, display or sell any lager, beer, cider or perry products with an ABV content above 5.5%. The restriction shall not apply to premium products such as craft or speciality beer, lager or cider.
10. The premises will not sell any single cans of lager, beer, cider or perry products, all such products shall only be sold as a multi-pack. The restriction shall not apply to premium products such as craft or speciality beer, lager or cider.
11. The premises will display posters informing customers of any Public Space Protection Order (PSPO) in place.
12. The premises licence holder and designated premises supervisor shall cooperate with any crime prevention initiatives which are promoted by the Licensing Authority or Northumbria Police.
13. The premises shall be illuminated externally during opening hours following sundown to discourage congregation and anti-social behaviour.

Delivery Conditions

1. All persons responsible for the delivery of alcohol will be trained in all elements of Challenge 25, acceptable identification and identifying people who are drunk.

They will also be trained in the process for refusing a delivery in the event of a person being unable to prove their age. Training will be recorded and provided to the authorities for inspection upon request.

2. At the time of the order the customer will be informed that the person accepting the delivery will need to provide an acceptable form of photographic ID proving that they are 18 years of age or over in line with the Challenge 25 requirements. They will also be informed that the delivery of alcohol will be declined to a person who cannot prove their age upon request.
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6. If a third-party delivery service is utilised, they will have in place a written contract showing that an ID check is required by the delivery driver at the point of delivery.

With the reduction in licensable hours and the agreement of the conditions listed above, would it be possible to review your position and confirm whether you wish to uphold your representation (objection).

Please note that any comments must be provided **no later than 27th February, 2024.**

Should you wish to uphold your objection then the matter will be referred to Licensing Sub-Committee for determination where you would be required to attend and asked to explain the reason for your objection.

Should you wish to discuss this matter further, please do not hesitate to contact the team.

Regards

Licensing
Sunderland City Council
City Development Directorate
www.sunderland.gov.uk

**Sunderland
City Council**

Scott Lawrence

From:
Sent: 25 February 2024 23:43
To: Scott Lawrence
Subject: Alcohol License application. Newcastle Rd SR5 1NA

Follow Up Flag: Follow up
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Good evening Scott,

Thank you for this update dated 21 Feb 23.

First, I would like to state that I was not aware at all of the sub committee hearing in 18 Jan 23. I was abroad that date and certainly had not been notified by Sunderland Council by email, or any other type of contact.

Going forward, could you please ensure that I am notified and in sufficient time of the next scheduled sub committee meeting hearing for this application.

Having carefully read your update, my objections continue to stand.

I consider the applicants position that alcohol is not a primary focus of the proposed application is a deliberate attempt to secure approvals by advocating reduced opening times and diluting the impact on local residents. Papa Johns pizza shop on the same parade of shops was refused an application to open behind 11 pm - on the premise it is as operating in a residential area. This is common knowledge and likely the applicant aware of this. Additionally, if alcohol is not the primary of the application, then why ask for an alcohol license?

Whilst I note the applicant has moved to a request I get reduced opening of 7 am to 11 pm, all of the problems that I have notified in my original objection continue to stand. Those objections are entirely based on the problems and experiences of the exact same premises when it operated as 'Booze Buster' with a 7 am to 11 pm licence. A reduction in hours will not mean there will be no problems for local residents. I take a pragmatic I view that the applicant has made application with a prosperous application to open to 3 am in a residential area and then 'playing the game' of offering concessions to the application by reducing that from 3 am to 11 pm to be considered as receptive and considerate to the concerns of the local community. Please do not be fooled by this.

Whilst the applicant may state the primary purpose of the premises is as a convenience store, that does not detract from those people who see it as a place 'to get booze until late.' Despite the alleged draining of staff with Challenge 25 or anything else, it is the negative behaviours of those people that secure a purchase of alcohol and their behaviours that are a detriment to myself and other neighbours in the immediate vicinity of the requested alcohol licence premises. It was a nightmare when Booze Buster was operational.

Alcohol is available at many locations in the local community including supermarket outlets and 24 availability at the Asda petrol station on Thompson Rd , a 5 min walk up Grange Park Ave. Given the larger range of conscience products with alcohol available in the Asda petrol station, this

application which includes alcohol is not bridging any gaps in offering a service that isn't already available with 24/7 access or Tesco open till 11 pm.

Just as access to fast food outlets in Sundetland contributes to obesity and the health related problems for those consumers, the same principle applies with easy access to alcohol.

I would urge the sub committee to refuse the alcohol license in its entirety for the reasons set out in my original objection, the point above along with the substantive objections of local councillor and other local residents.

Regards

Scott Lawrence

From:
Sent: 28 February 2024 10:06
To: Scott Lawrence
Subject: Re: Licensing Act 2003 Application for a Premises Licence - Newcastle Road Mini Mart, 138 Newcastle Road, Sunderland

Follow Up Flag: Follow up
Flag Status: Flagged

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All of my original objections continue to apply to this revised application!

Kind regards,

On 21 Feb 2024, at 11:45, Scott Lawrence

wrote:

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11. The premises will display posters informing customers of any Public Space

Protection Order (PSPO) in place.

12. The premises licence holder and designated premises supervisor shall

cooperate with any crime prevention initiatives which are promoted by the Licensing Authority or Northumbria Police

13. The premises shall be illuminated externally during opening hours following sundown to discourage congregation and anti-social behaviour.

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Regards

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