

REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES

LICENSING SUB-COMMITTEE – 21 DECEMBER 2010

LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE

B&S BARGAINS, 22 THORNDALE ROAD, SUNDERLAND, SR3 4JT

Mr Gurdev Singh

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 Members are requested to have regard to the representations mentioned in paragraph 7.0 below and to take such steps as they consider necessary for the promotion of the licensing objectives. The steps may be: -

- a) to grant the application in its entirety,
- 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 are detailed at paragraph 7.0.

4.0 CURRENT POSITION

- 4.1 The application is for the grant of a new premises licence in order to supply alcohol every day between the hours of 06:00 and 22:00. A copy of the application form is attached as Appendix 1.

5.0 REASONS FOR THE DECISION

- 5.1 To determine the application in accordance with section 18(3) of the Licensing Act 2003.

6.0 ALTERNATIVE OPTIONS

- 6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS/CONSULTATIONS

- 7.1 Two letters have been received making representations with regard to the application. Copies of these representations are attached as Appendix 2.
- 7.2 Additionally a petition signed by 251 persons has also been received. A copy is attached as Appendix 3.
- 7.3 Additionally a letter has been received regarding the methods used to obtain signatures to the petition mentioned in 7.2 above. A copy of this letter is attached as Appendix 4.
- 7.4 The applicant has also submitted a letter in support of his application signed by 187 people. A copy of this letter is attached as Appendix 5.
- 7.5 In making their decision, Members are advised to consider the Licensing Act 2003, the Government's Guidance on the Act and the Council's Statement of Licensing Policy, a copy of which will be made available to each Member 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 Copy of the application form.
Appendix 2 Representations from Interested Parties
Appendix 3 Copy of the petition received from Interested Parties.
Appendix 4 Letter regarding method used to obtain a petition.
Appendix 5 Letters of support

10.0 BACKGROUND PAPERS

None.

Appendix 1

00CMPREM01030

£100

75/7433

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

HR

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 GURDEV SINGH

(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

B & S BARAGAINS

Postal address of premises or, if none, ordnance survey map reference or description	
22 THORNEDALE ROAD THORNEY CLOSE SUNDERLAND	
Post town	SR3
Post code	SR3 4JT
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 3400

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- 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 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 <i>SINGH</i>		First names <i>GURDEV</i>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes
Current postal address if different from premises address		<i>4 GUNNERS VALE WYNYARD BILLINGHAM TS 22 5SL</i>		
Post Town		Postcode		
Daytime contact telephone number		<i>07803013050</i>		
E-mail address (optional)				

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

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

GENERAL DEALER

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?

(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 yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) TIMINGS STATED ON LEFT ARE SAME FOR BANK HOLIDAYS. 22:00		
Mon	06:00	22:00			
Tue	06:00	22:00			
Wed	06:00	22:00			
Thur	06:00	22:00			
Fri	06:00	22:00			
Sat	06:00	22:00			
Sun	06:00	22:00			
			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) N/A		

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

Name	Claire Cowell	
Address	15 Thackeray Road Thorney close SR3 4HT	
Postcode		
Personal Licence number (if known)	Applying for Personal Licence	
Issuing licensing authority (if known)		

N

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

O

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	06:00	22:00	<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	06:00	22:00	
Wed	06:00	22:00	
Thur	06:00	22:00	
Fri	06:00	22:00	
Sat	06:00	22:00	
Sun	06:00	22:00	

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

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

ENSURE ALL OFF-LICENSING LAWS ARE FOLLOWED ACCORDINGLY BY ALL STAFF.

b) The prevention of crime and disorder

- WE HAVE C.C.T.V IN THE SHOP
RECORDING KEPT FOR APPROX. 2 WEEKS.

c) Public safety

- HELP LOCAL AUTHORITIES WITH PROMPT INFO.
~~REGARDING~~ TO PREVENT CRIME + DISORDER, FOR EXAMPLE,
BY PROVIDING C.C.T.V. RECORDINGS.

d) The prevention of public nuisance

- ENSURING NO PERSON ~~TO~~ UNDER THE INFLUENCE
OF ALCOHOL IS SERVED

e) The protection of children from harm

- ENSURE ALL STAFF ARE AWARE + CAN CHALLENGE
ALL CUSTOMERS UNDER ~~THE~~ 18 YEARS OLD.
WE WILL OPERATE A CHALLENGE 25 SCHEME
AT THE PREMISES. ASKING FOR PASSPORT / DRIVING LICENCE
AS I.D.

Please tick yes

- 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 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 CONVICTION TO A FINE UP TO 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.**

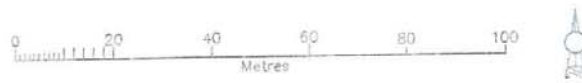
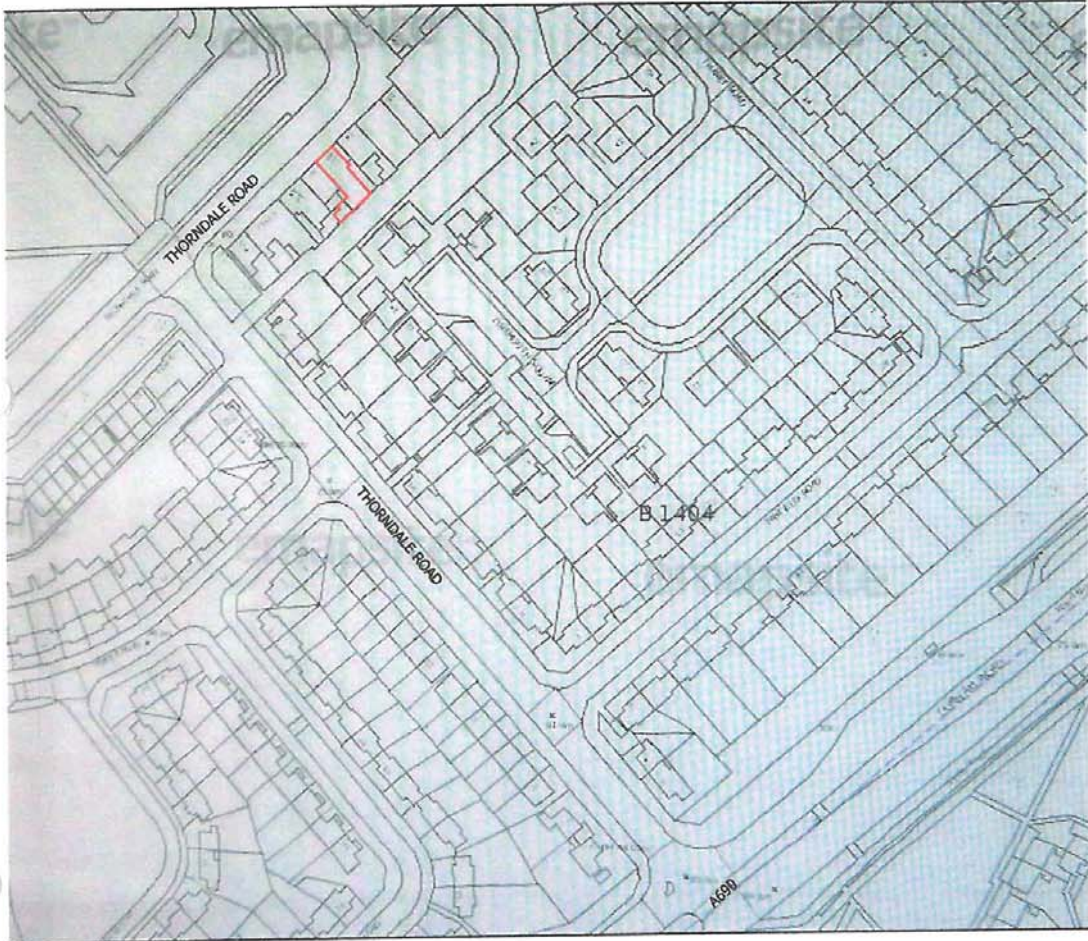
Signature	<i>Gunder Smith</i>
Date	<i>12/10/10</i>
Capacity	

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)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			



**22 THORNDALE ROAD
SUNDERLAND
SR3 4JT**

LOCATION PLAN 1:1250



GROUND FLOOR PLAN

CO2 EXTINGUISHER



LICENSED AREA



NON LICENSED AREA

LICENSING PLAN 1:100

22 THORNDALE ROAD
SUNDERLAND
SR3 4JT

Appendix 2

Your Ref: PJT/1D23811
Our Ref:
Fax: 0191 221 0514
Email: paul.taylor@hay-kilner.co.uk
DD:

The Licensing Department
Sunderland City Council

To be delivered



22 November 2010

Dear Sirs

22 Thorndale Road, Sunderland

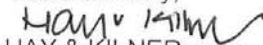
We act for J S Dulai, J K Dulai, B S Dulai and L K Dulai the proprietors of a business carried out by them from premises at 10-12 Thorndale Street, Sunderland. They have received notification of an application for a Premises Licence in respect of premises at 22 Thorndale Road, Sunderland. Our clients wish to object to the granting of the Licence.

Our clients have a Premises Licences in respect of their business premises at 10-12 Thorndale Street, Sunderland. The premises were licensed when our clients acquired the business approximately 7 years ago. There are other licensed premises in the immediately vicinity of the property in respect of which the application for the Licence has been submitted. We understand that there is a pub and a club within a quarter of a mile of the property. Furthermore there are two other shop premises which hold Premises Licences as well. On this basis our clients are of the view that there is no need or demand for additional licensed premises.

Our clients have spoken to the Police in the area with regard to the application. Our clients share the Police's concerns about the possibility of further public disorder being caused by the additional of another property with a Premises Licence in the area. Our clients understand that there have also been concerns expressed by HM Revenue & Customs the granting of this application.

Our clients have organised a petition against the issuing of the Licence which will be delivered to you together with this letter of objection.

Yours faithfully,


HAY & KILNER

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MR G. SINGH
46 TADCASTER ROAD
THORNEY CLOSE
SR3 4NU

DEAR SIR/MADAM

I AM THE OWNER OF NISA-LOCAL
SHOP IN TADCASTER ROAD.
WITHIN A MILE OF MY SHOP IS
COSTCUTTER WHICH LIKE MY OWN SHOP
SELLS WINES, SPIRITS, BEER ETC.
IT WOULD BE VERY BAD FOR THE
LOCAL BUSINESS IF ANOTHER SHOP
WAS GRANTED A ~~licence~~ licence
I THINK TWO SHOPS IN THE AREA
IS ENOUGH. IF ANOTHER SHOP
WAS GRANTED A licence IT WOULD
CREATE A LOT OF NEW PROBLEMS
SUCH AS MORE KIDS HANGING ABOUT
OUTSIDE THE SHOPS CAUSING TROUBLE
HASSLING ADULTS ASKING TO GET

THEM SERVED. ALSO THERE IS
A NISA-SHOP LOCATED AT THE
BOTTOM OF THE ESTATE. I THINK
THREE SHOPS ARE ENOUGH. THESE
SHOPS INCLUDING MYSELF CAREER
FOR EVERYBODYS NEEDS. I THINK
IF THIS WAS GRANTED THE WHOLE
COMMUNEY WOULD SUFFER.



Appendix 3

Appendix 4

33 Tonfield Road
Thorney Close
Sunderland
SR3 41B

to who it may concern

I would like to put
a complaint in about the local costcutters
on Thorndale Road in Thorney Close and
they have a petition on counter and
it is for the shop B&S Bargains on Thorndale
Road, cause they have put in for a alcohol
licence and when I went in the shop I was
standing behind someone and the man who
works in the shop said to the customer
will you sign this just to say you come in
the shop and also my mom and her friend
went in and they said it was for a shop
at Shiny row and also a lady called Joyce
from Telford Road was told it was for
a different shop than B&S and I think
it is all wrong the things they are saying
to people it should be a proper letter stating
what it is for and they don't have anything
on it for people to read people should be able
to read before signing so they know what they
are signing for.

Thank for your time
if you need any more information
just ask.

also he was asking the lady on Telford Road
to sign her friends name Sue her next door neighbour

Appendix 5

Sunderland City Council Licensing Authority
Civic Centre
Burdon Road
Sunderland
SR2 7DN

Dear Sir/Madam

Address: ~~22~~ Thornedale Road, Thorney Close, Sunderland proposed use of premises licence for retail of alcohol.

I am a regular visitor to Thorney Close local shops and value these shops and the important services they provide the local residential and business community. The shops are conveniently located within walking distance and I therefore do not have to travel by car.

I fully support the opening of the premises licence for retail of alcohol to compliment the other existing local shops. I understand that the proposed shop will close at 10pm.

As noted above, the application site is within comfortable walking distance and I would be likely to combine a visit to it, with a visit to other local shops and services.

The proposal will not cause harm to local residential amenity, visual amenity or highway safety, but will be a positive addition to local services available to local residents within walking distance.

I therefore hopefully support the application and request the council grant planning permission.

Yours Faithfully,

Signature..... ..

Print Name...

Date.....

Address....

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