

LICENSING SUB-COMMITTEE

AGENDA

**Meeting to be held in Civic Centre, Council Chamber on
Wednesday, 20th December, 2006 at 2.00 p.m.**

ITEM		PAGE
1.	Receipt of Declarations of Interest (if any)	
2.	Apologies for Absence	
3.	Licensing Act 2003 – Application for a Review of Premises Licence – Pahls Store, 44-45 Wraith Terrace, Ryhope, Sunderland.	1
	Report of the Director of Community and Cultural Services (copy herewith).	

**R.C. RAYNER,
City Solicitor.**

Civic Centre,
SUNDERLAND.

8th December, 2006

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If you require this, please telephone 0191 553 7994**

REPORT BY THE DIRECTOR OF COMMUNITY AND CULTURAL
SERVICES

LICENSING SUB COMMITTEE – 20 DECEMBER 2006

LICENSING ACT 2003 - REVIEW OF PREMISES LICENCE

PAHLS STORE, 44-45 WRAITH TERRACE, RYHOPE, SUNDERLAND

1.0 Introduction

- 1.1 An application has been received from Northumbria Police under Section 51 of the Licensing Act 2003 applying for a review of the above premises licence on the grounds of the prevention of crime and disorder, public nuisance and protection of children from harm (see Appendix 1 for copy of the application).
- 1.2 Once such an application has been received, the Council, in its role as the Licensing Authority, must advertise on, at or near the premises the fact that a review is to take place and invite representations from both Responsible Authorities and Interested Parties. This notice was displayed at the premises for the statutory period of 28 days commencing 17 October 2006.
- 1.3 This application was originally considered by members at a meeting on 7 December 2006 where it was resolved that the matter be deferred to 20 December 2006 following a request from the premises licence holder's solicitor.
- 1.4 For Members' information, the Premises Licence for the above premises is currently held by Mr Lakhbir Singh Pahl and the Designated Premises Supervisor is Mr Satnam Singh Pahl.

2.0 Representations

- 2.1 No representations have been received from either a responsible authority or interested party.

3.0 Policy Consideration

- 3.1 For Members' information, part 8 of the Licensing Act 2003 applies to this matter.
- 3.2 For Members' information, the provisions of sections 5.107 to 5.111 of the Secretary of State's Guidance (powers of a licensing authority on the determination of a review) apply to this matter: -

'The 2003 Act provides a range of powers for the licensing authority on determining a review that it may exercise where it considers them necessary for the promotion of the licensing objectives.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach.

Where the licensing authority considers that action under its statutory powers are necessary, it may take any of the following steps:

- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- to remove the designated premises supervisor, for example because they consider that the problems are the result of poor management;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response. For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual. Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises

supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.

Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Accordingly temporary changes or suspension of the licence for up to three months may be imposed. This could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. Accordingly, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for a review.'

4.0 Conclusion

- 4.1 Members are requested to consider the above matter.

Appendix 1

**Application for the review of a premises licence or club
premises certificate 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 Northumbria Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Pahls, 44-45 Wraith Terrace, Ryhope.	
Post town Sunderland	Post code (if known) SR2 OJX

Name of premises licence holder or club holding club premises certificate (if known)
Mr Lakhbir Singh Pahl 44-45 Wraith Terrace, Ryhope, Sunderland SR2 OJX

Number of premises licence or club premises certificate (if known)
00CMPREM61

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- | | |
|---|--------------------------|
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

- 2) a responsible authority (please complete (C) below) ☒
- 3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes
☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Northumbria Police Sunderland Area Command Gillbridge Avenue Sunderland SR1 3AW
Telephone number (if any) 0191-5636655
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Mr Lakhbir Singh Pahl is the Premises Licence holder for Pahl's licensed premises at 44-45 Wraith Terrace in Ryhope, Sunderland.

Mr Satnam Singh Pahl is the Designated Premises Supervisor for the premises.

This premises is licensed for the sale of alcohol with the condition of off sales only.

Northumbria Police will provide evidence of the number of incidents of reported disorder within the area of Pahl's licensed premises in Wraith Terrace, the number of stops of local youths and the number of alcohol seizures made in the immediate locality of Pahl's premises.

The witnesses, David Hall and Philip Cosford (Neighbourhood Nuisance Enforcement Officers on behalf of Sunderland Housing Group) will provide evidence directly linking Pahl's licensed premises to the availability of alcohol within the area and the cost to the area in social, environmental and monetary terms.

Northumbria Police will prove that alcohol obtained from Pahl's licensed premises is the source of numerous alcohol related incidents of Crime & Disorder and anti social behaviour, in the direct area surrounding the premises.

Northumbria Police therefore are requesting a Review of the Premises Licence on the grounds that the following Licensing Objectives are being undermined;

The Prevention of Crime and Disorder

Public Nuisance

Protection of Children from harm.

Northumbria Police seek the removal of the Premises Licence and the Designated Premises Supervisor.

Please provide as much information as possible to support the application
(please read guidance note 2)

See attached report/statements/video footage

Have you made an application for review relating to this premises before ☐ **Please tick yes**

If yes please state the date of that application

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature D/125/2775 G. Rankings G. Rankings

Date 16th October 2006

Capacity Licensing Inspector Sunderland

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Pahl's Off Licence
44, Wraith Terrace, Ryhope

Licence Holder – Mr Lakhbir Singh Pahl

Pahl's Off Licence is situated on Wraith Terrace, Ryhope in an area locally known as the Burdon Lane Estate. Pahl's is a general store licensed to sell alcohol for consumption off the premises. The area in which Pahl's is situated is an established housing estate consisting primarily of Sunderland Housing Group (SHG) owned properties. A map identifying the location of Pahl's Off Licence, together with other off licences within the area is attached. *Appendix A*. The licence holder, Lakhbir Singh Paul has been issued with a fixed penalty notice in respect of selling alcohol to a person under age, namely 16 years old in May 2005.

In late 2004, Sunderland Police commenced Operation Gryphon, the main intention of which was to address anti social behaviour amongst young people across the Sunderland Area Command. The operation is supported wholeheartedly by a number of organisations, including The City of Sunderland Council and SHG, both of whom are statutory partners of Northumbria Police since the introduction of the Crime and Disorder Act 1996. When officers come into contact with young people who are engaging in anti social behaviour, a form is completed, outlining the details of the young person in question, their parent/guardian details, their address and details of the anti social behaviour displayed. Any alcohol containers in the possession of persons under 18, or indeed persons who are over 18 but who are suspected of providing that alcohol to persons under 18, are seized and subsequently disposed of. Letters are subsequently sent to the parents/guardians concerned and if any youth is stopped three times under the operation, that individual and their parent/guardian receive a personal visit at their home address by the local Neighbourhood Beat Officer, to discuss their errant behaviour and possible repercussions in the event of their behaviour not improving. In the event of a fourth such stop, the individual concerned is visited at their home address in an attempt to address their behaviour by means of an 'Acceptable Behaviour Agreement' (ABA). If that persons home address is SHG owned, an officer from SHG drafts the ABA and attends the address together with a police officer in an attempt to agree the ABA which, if agreed, is signed by the individual themselves, their parent/guardian, the SHG officer and the police officer present. ABA's last for a period of twelve months, and in the event of an ABA being breached, although not legally enforceable, such breaches may be used by the police or other agencies when considering applying for an Anti Social Behaviour Order. Where individuals who reside in SHG owned properties either do not abide by their ABA's or refuse to sign up to an ABA and their anti social behaviour continues close to their home address, SHG consider the service of a Notice of Seeking Possession on the property (NOSP). This can ultimately lead to the tenants of that address being forced from their homes for breach of their tenancy agreement. It can clearly be seen therefore, that through a partnership approach, Northumbria Police and SHG are committed to tackling anti social behaviour.

On the map provided at *Appendix A*, an area is highlighted by marker pen. The area within that marked zone has provided the following figures since January 2005:

<i>No. of Stops</i>	<i>No. of Alcohol Seizures</i>	<i>No. of ABA's</i>	<i>No. of NOSP's</i>	<i>No. of Reported Incidents of Disorder</i>
51	41	26	11	280

These figures are without a doubt the worst in the immediate area and anecdotal evidence suggests alcohol to be the main cause of the problem in the area.

It is evident from the fact that youths are being stopped within the area who travel from as far afield as Marley Pots, Easington and Hendon, that something within the area is attracting them to socialise. From the evidence provided by the witnesses David Hall and Phillip Cosford, it is clear that the major factor drawing such youths to the area is the availability of alcohol. The availability of such alcohol and the associated disorder has resulted in an abundance of graffiti, litter, in particular empty cans and other vessels which had contained alcohol and arson to fences. Residents within the area have voiced their real fear of crime at the hands of youths and as a result of the outlined concerns, the area around Wraith Terrace has been subject of Local Multi Agency Problem Solving meetings (LMAPS) for a lengthy period. Such meetings are chaired by the police and involve a multi agency approach to dealing with identified problems. In respect of the Wraith Terrace area, that approach has involved the City of Sunderland Council, Sunderland Housing Group, The Youth Offending Team, Aurora Street Lighting, Environmental Services etc, who together with the police, have attempted a variety of approaches to reduce the disorder in the area. That multi agency approach has met with some success in reducing the problem, however, it is clear that the use of alcohol by under age youths is still ongoing and is the single most important factor in the disorder within the area.

In early 2006, local residents attended a meeting at which the local police, SHG representatives and local councillors were also present. Although only a small number of residents attended, which is attributed to the genuine fear of reprisals within the community, they included Mr Pahl, the owner of the premises in question. Local residents made it perfectly plain to Mr Pahl that they held him responsible for the availability of alcohol to young people within the area, which they saw as the main issue contributing to the disorder which was blighting their community. As a result of the poor attendance at the meeting, SHG carried out a local canvassing exercise, speaking to all of the households within the Wraith Terrace area. The results showed that 56% of those spoken with identified youths hanging around Pahl's Off Licence as being a major problem, whilst 30% spoke of problems being caused by the supply of alcohol from that off licence.

The witnesses David Hall and Phillip Cosford have provided statements in which they outline the contact made with them by local residents, who through fear of intimidation, choose to contact SHG rather than the police regarding the disorder in the area. David Hall has provided both video and still images as exhibits, showing the apparent sale of alcohol to local youths from Pahl's shop and the aftermath of such sales. The exhibits provided have been obtained from both overt and covert means. Those exhibits are all contained in the enclosed DVD. Phillip Cosford outlines in his statement, not only the impact upon local residents and the environment, but also the cost to SHG of the carrying out of repairs in the area, the cost of

cleaning up within the area and the loss of income within the area from a number of properties which are empty and which potential residents simply refuse to move into because of the outlined problems.

Northumbria Police can provide evidence of the number of incidents of reported disorder within the area of Wraith Terrace, the number of stops of local youths and the number of alcohol seizures made. The witnesses David Hall and Phillip Cosford can provide evidence directly linking Pahl's Off Licence to the availability of alcohol within the area and the cost to the area in social, environmental and monetary terms. Clearly alcohol consumption by young people within the area is the single most significant factor impacting upon anti social behaviour within the area. Despite the fact that Mr Pahl has been served with a fixed penalty notice for previously selling alcohol to persons under 18 years, the evidence available suggests that such sales are continuing. In order to address the disorder within the area, Northumbria Police request a review of the licence of Pahl's Off Licence.

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

Statement of: David Anthony Hall

Age if under 18:

(if over 18 insert 'over 18')

Occupation: **Neighbourhood Nuisance
Enforcement Officer**

This statement (consisting of 6 page(s) and a exhibits stored on a DVD burnt on 14.09.2006 by myself. The DVD containing 41 files contained in 2 folders named as Image files video Files, this statement signed by me today is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have unlawfully stated anything, which I know to be false, or do not believe to be true.

Signature:



Date: 14.09.2006

I am employed as a Neighbourhood Nuisance Enforcement Officer (NNEO), working for South Sunderland Housing Group (SHG) and am authorised by my employer to make this statement. I have Nominated Officer status which allows me access to Police records held by Northumbria Police, this status has been given to me under The Safer Estates Agreement under the heading: -Exchange of information.

The details of events and complaints referred to in this statement are taken from paper based records and computer database files used by SHG to monitor Anti Social Behaviour - tenancies/ breaches of tenancies, as well as data records held by Northumbria Police.

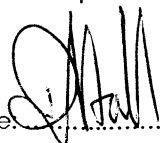
Sunderland Housing Group are committed to "Work together in conjunction with Northumbria Police and the City of Sunderland to defeat the culture of crime and anti-social behaviour, creating a safer community, a place where people want to live".

My following statement is in support of an application submitted By Northumbria Police regarding the off licence known as Phal's shop located on Wraith Terrace Sunderland.

In September 2004 "Operation Gryphon" was launched City wide to tackle Anti Social Behaviour (ASB) across the City of Sunderland this entailed all Community Based Police teams working in Partnership with support agencies - Sunderland Housing Group along with The City of Sunderland ASB team being lead agencies. Operation Gryphon utilised Enforcement Officers from both agencies to work with Police officers to combat disorder and challenge ASB i.e. inappropriate behaviour, vandalism, nuisance, underage drinking, and criminal activity using powers and tool available - Appropriate Behaviour Agreements (ABA's) and Notices of Seeking Possession. (NOSP).

In December 2004 using information collected from stop checks under Operation Gryphon of youths stopped by police officer, various hot spot areas had been identified in the Sunderland South Area. Wraith Terrace Ryhope was identified a Disorder Hotspot, due to underage drinking and vandalism and number of police incidents reported / recorder at this location.

Signature:



Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

In Jan 2005 a Joint visit of the area by Mr Petch an ASB officer working for the City of Sunderland along with myself unearthed various graffiti tags, these we matched up with names of local kids stopped by Police under Operation Gryphon. R.MD (Ryhope, Mad, Dogs) graffiti tag was associated with the names of most of the local youths tags. Youths were often stopped as individuals or as part of a group possessing Alcohol underage; this was again often after reports had been made to Northumbria Police of youths acting in a disorderly manner. Most reports occurring within 75meters from the off licence situated opposite or on the rear field of the old peoples bungalows numbers 38 & 43 Wraith Terrace Ryhope. It was clear by the amount of discarded empty cans and bottles alcohol could be attributed to being the root of the disorder problem.

Exhibits image files DH DAMAGE 01,

Rob Petch along with myself targeted youths identified by Police officers who they had stopped, youths who had been regularly in possession of alcohol, and in an attempt to resolve matters I arranged numerous interviews of these individuals with their parents present, some 15+ youths voluntarily entered into Appropriate Behaviour Agreements (ABA) agreeing not to consume or possess alcohol in a public place until legally permitted to do so, and not to engage in any ASB.

In February 2005

The problems at Wraith Terrace, (Crime, disorder, and underage drinking) was flagged as a hot spot and monitored monthly at a crime and disorder Partnership meeting called SEC 17 meeting (later to be known as L.M.A.P.S.), under the obligation of the Crime and Disorder Act (S.17) 1998 - a further 9 Youths signed ABA' s.

SHG properties predominantly old peoples bungalows numbers 38 & 43 were again targeted by gangs who would congregate at the rear field, or the public footpath between 37 & 38 Wraith. Damage sustained could range from all the wheelie bins being set fire, the youths burning fencing rails pulled off the rear fences of the bungalows, the fires on the rear field would be reported to Police thus causing an incident to be logged, resulting in Tyne + Wear fire services attending along with Police officers. SHG were placed in a position and soon became unable to allocate them due to the damage and disorder associated with the gangs of youths hanging around on a night. Repair costs to make good repairs often ran into £1000's.

When a disorder report was made to police control room, Police officer would allocated to the area however on arrival the youths would simply run off and officers would be unable to detain or identify offenders unless they attended in mass (6 or more officers). When the area was flooded with Police officers the area became quiet often for a week or so, SHG were in a position to attempt to carry out repairs in an attempt to allocate them. This was often short lived and tenants moving in were often threatened and soon moved out.

The following is only a short summary of incidents I'm aware of and in a position to formally include in my statement.

Signature: 

Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

May 2006 a Camera was concealed in a street light in order to monitor any problems, unfortunately this required intensive analysis of the hard disc recorder and was too time consuming to analyse on a weekly basis, images of the area are **Exhibits images DH 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15,**

26.09.2005

Anon caller to City of Sunderland's ASB hot line reports the following Mrs? Is concerned as youths are congregating around empty bungalow on Wraith Terrace, believes they are drinking alcohol and are urinating. Ripping the cottage apart, have broken tiles on the roof and taken the boards off the windows. They are burning parts of the house in a field next to the property. Worried they will break into the occupied house next door now they can get into this property. The youths range in age from 14 to 20 years old.

28.09.05 I attended the rear field of Wraith terrace behind no 38 – 43 the place was a right mess, hundreds of empty cans of larger / bottles at both Bolton Ave and Wraith Terrace leading to the rear Field 4 resent bonfire sites on Council property, 2 SHG properties with no rear fencing attributed to youth disorder / Arson, manhole covers damaged, and some tagging "R.M.D." Ryhope Mad Dogs. (Instructions were allocated to all support services to tidy up area, allocate repair orders to properties damaged. Police officers were allocated to paying extra attention to the area.

29.09.2005 I Worked 2pm -10.45pm shift - Whilst alone on the estate at a bout 5.00pm I visited this location and witnessed 6 Male youths +3 female youths drinking at the cut on Wraith Terrace between numbers 37 + 38 at a distance no greater than 80 meters, at that time I took some pictures however they turned out blurred. **Exhibit DH04**

The Same night I later attended the cut with Pc Jordan and witnessed approx 10 youths in the cut most of who were drinking. Later that night we stopped a local youth aged over 18, 30 meters from the cut and discussed the issue of youths underage drinking in a public place, and gave advice in relation to our concerns that local residents were being subjected to intimidation by this gang.

I later returned to the area with the Silks worth Police team, Pc Little & Pc Cains again as part of the shift we frequently visited the area called the "Cut" on most occasions the youths ran off shouting abuse - however they soon got sick of running off and in a later occasion we later spoke with 2 youths aged 16 who are known to me both youths were searched by Police officers due to a discarded drugs bong nearby. Both youths were spoken to and advice was given by police officers in relation to the ongoing disorder and damage in the area.

18.10.05 Myself along with Police officers from the local Community team interview local youths regarding A.S.B. and most signed ABA.

Signature: 

Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

A multi agency meeting was held at Sunderland Civic Centre involving Community Police team, representatives from Sunderland ASB team, street lighting, central security staff, cleansing, and highways, local Ward Councillors and trading standards. Specific targets were set out that although street lighting renewal wasn't on the currently renewal program - this was highlighted and later completed early March 06. - Trading Standards, representatives were shown evidence of underage drinking in the area.

16.12.2005 SHG arranged a Public meeting to discuss disorder in the community, this was held on the 14.12.2005.

14.12.2005- Residents attended a Public meeting along with the Shop owner of the Off Licence at Wraith Terrace, present were Police officers from the Local community Police team, representatives from The City Of Sunderland ASB, 5 Staff from Sunderland Housing Group, and Cllr Ross Wares, locals residents expressed their opinion of the problems at the meeting, problems associated with the sale of alcohol in then area and that the shop keeper on Wraith Terrace was partially to blame for the irresponsible sale of alcohol.

05.01.06 CCTV recordings were recovered from a hard disc recorder I had installed into one of the bungalows in order to identify youths causing damage to SHG property and those involved in disorder - refer to exhibits CCTV recordings **Exhibits VIDEO FILES "DH VID 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, + image files DH 01A, 02A, 03A. DH Litter 01, 02, 03, 04 + , DH Damage 02, 03.**

05.01.06 SHG again contacted residents via letters arranging another meeting for 11.01.2006

11.01.06 - At the second public meeting alcohol was identified as a problem along with specific properties belonging to SHG that were actively involved in youth related crime and disorder on Burdon Lane Estate.

12.01.06. I commenced possession proceedings against prolific offenders on the estate, via Notice Of Seeking Possession.

17TH & 18TH of January a team of Housing staff targeted over 156 houses and carried out interviews / and ASB surveys – a brief summary is contained in the statement from Mr **Philip Cosford.**

05.02.06 Sgt Graham Lockey 3874 informed me that a local known resident had reported to Police Disorder in Wraith Terrace outside Pahls off licence. SHG undertook the cleaning of the field on weekly basis. The costs being again attributed to alcohol sales in the area.

06.02.06 I contacted a local known resident and assured him we are doing as much as possible to address this problem the issues is that the kids are sitting on the wall and he

Signature: 

Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and (b); MC Rules 1981, r.70)

fears intimidation / abuse if they ask them to move on. The complainant stated the interest for the kids is the shop selling alcohol to them.

15.02.06 Sgt Lockey 3872 - advised me of a Police report of Disorder at Wraith Terrace. Local resident cannot identify any of the youths but stated her daughter had witnessed local kids trying to damage fencing that's just been painted.

30/03/2006 SHG received a complaint from a tenant stating that both her husband and daughter have just been assaulted by 3 Youths (FWIN - 1229- 23.03.2006) youths were seen to hang around in the top cut of Wraith Terrace near the shop, she only knows as Phals off licence. The tenant alleged the shop keep knowingly sell the alcohol to underage customers. The residents of Wraith Tce and surrounding streets have taken to locking themselves in their homes. As they are scared to go out. Tenant then went on to say yesterday a 70yr old man was attacked with his dog as he walked through the cut.

21.05.06 call to Police log 0570 - resident of Wraith terrace states her son aged 15 came home from a local property drunk stating he was intoxicated with alcohol which caller states was given to him by a underage youth.

02.07.2006 Police incident logs 0375 + 0390 2nd log relates to same incident as Resident reports that "people are trying to kick in the door to the premises 39 Wraith" CCTV recording this incident recorded large numbers of unidentifiable youths running around prior to this incident being reported to police, 3 police cars and 1 police van attend - no one was arrested however it is commented that all parties were extremely drunk and uncooperative with police officers.

On 03.07.06 SHG staff interviewed a resident of Wraith Tce who wishes to remain anon who stated that there was a gang of about 18-20 youths (girls and boys), on Saturday 2/07/06 night they were all drunk. Numerous police attended the incident from between 11pm & 2am. – Video evidence. Refer to **Exhibits - image File DH 15**

07.07.06 **101 calls to police** resident reports 20 persons at the rear field drinking and loud music coming from a local address – they are arriving at the back of the house.

11.07.06 following the previous 101 call I contacted the caller and arrange to discuss the installation of a cctv camera in order to monitor this problem.

14.07.2006 at 8.45 pm I was contacted by a local resident whilst I was at home they informed me of up to 20+ youth drinking on the rear field and acting in a rowdy manner, I later recovered from a digital recording device a video clip **Exhibit DH VID 12 FRIDAY 14.07.06.**

17.07.06 **101 call to police** complaint re youths gathering in the garden of a bungalow in Wraith Terrace every week, on any night 20 youths gather in the rear yard drinking, this usually starts around 6.00pm.

Signature: 

Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

20.07.06 I attended a eviction of a tenant on Burdon Lane Estate, on entering the Estate I drove past Pahls off licence on Wraith Terrace at 1.30pm and witnessed 4 youth who are known to me being under the age of 18 to be consuming alcohol from open cans 20meters from the front door of Pahls off licence at the junction of Wraith Terrace and East View.

21.07.06 at 9.30am - Mick Ross (Housing manager) contacted myself wishing to request that I report to Police Control Room on behalf of SHG Driver Cleaners staff, they had been allocated to Wraith Terrace to pick up litter on the back field - log 433 of 21.07.06 which was allocated to Pc 8968, the complaint was that "youths were unconscious and lying on the ground at the rear field, that staff cannot work in this location whilst these youths represent a risk not only to themselves but to passing members of the public, that these youths may also kick off with staff if approached. SHG staff was all pulled out of the area due to this. I also contacted a local resident, who confirmed 1 youth hadn't moved in 20 minutes.

21.07.06 at 12.30 Pc Bagley + Pc Hewitt and myself attended the rear field at about and discovered known local youths lying on the grassed area just feet away from the back gate of no 42, 100's of empty cans were lying all over the grassed area, some youths ran off with cans of beer when they were approached. **Exhibit image files, DH LITTER 05, 06, 07.**

I contacted the driver cleaners as the Field would require cleaning up, the litter problem at this location was becoming a serious problem, Whilst waiting for this work Police officers identified 2 known youths for dropping litter and gave them advice that they would be reported for the offence of "littering" via summons.

The current situation is that this problem for residents is still ongoing after 18 months; it is my belief that the underage consumption of alcohol is the key problem to Crime and Disorder. At this moment I personally feel Disorder goes un reported due to the fear of intimidation and being a victim of Crime, should residents challenge these youths who are often facially disguised by hooded track suits, they run the risk of intimidation, threats, or verbal abuse.

Taking into account every attempt s made by Sunderland Housing Group, along with Northumbria Police "Community Police Teams", and the City of Sunderland ASB team, constantly having to react to alcohol related disorder, damage and intimidation of residents at this location for the last 18 months, I can find no other solution than for Sunderland City Council to address the sale of alcohol in the area.

DA

Signature: 

Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and (b); MC Rules 1981, r.70)

Statement of: Phillip John Cosford

Age if under 18:

(if over 18 insert 'over 18')

Occupation: Neighbourhood Housing Co-ordinator

This statement (consisting of 4 page(s) and 3 exhibits, signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have unlawfully stated anything, which I know to be false, or do not believe to be true.

Signature:



Date: 13.09.06

I am employed as a Neighbourhood Housing Co-ordinator, working for the South Housing Company part of Sunderland Housing Group (SHG) and I am authorised by my employer to make this statement. I have Nominated Officer status which allows me access to Police records held by Northumbria Police, this status has been given to me under The Safer Estates Agreement under the heading: -Exchange of information.

The details of events and complaints referred to in this statement are taken from paper based records and computer database files used by SHG to monitor Anti Social Behaviour - tenancies/ breaches of tenancies, as well as data records held by Northumbria Police.

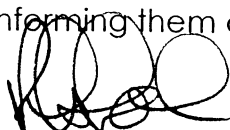
Sunderland Housing Group are committed to "Work together in conjunction with Northumbria Police and the City of Sunderland to defeat the culture of crime and anti-social behaviour, creating a safer community, a place where people want to live".

My following statement is in support of an application submitted By Northumbria Police regarding the off licence known as Phal's shop located on Wraith Terrace Sunderland.

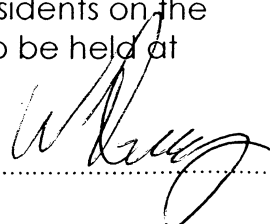
I have been the Neighbourhood Housing Co-ordinator for the Ryhope area since October 2005. When I came in to the post I was made aware by the Neighbourhood Housing Manager, Miss Jackie Almond, of the historical problems of anti-social behaviour and youth disorder on the estate. For many years the estate has suffered from a problem of youth disorder, which seems to be fuelled by a supply of easily available alcohol. Obviously this is having a detrimental effect on the quality of life for the residents on the estate. The bulk of the complaints indicated that main problem area was the cut situated between 37 and 38 Wraith Terrace, directly opposite Phal's shop (See Appendix One)

In December 2005 we embarked on a series of measures to gather information and address the problems on the estate. Letters were sent out to all the residents on the estate informing them of a public meeting on the 11th January 2006 to be held at

Signature:



Witnessed By:



WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

Ryhope Community Centre. The meeting was also attended by representatives from Northumbria Police, the City of Sunderland and the local elected councillor. The main issues raised were: -

- Gangs of youths drinking in the street
- The purchase of alcohol from the shop in Wraith Terrace
- Environmental attractions of the area for youth disorder (cuts, open spaces etc)
- The fear of crime

Disappointingly only 11 residents attended the meeting which highlighted the current feeling of apathy towards the problem and the fear of crime or reprisals.

Due to the lack of attendance from the community, on the 17th and 18th of January 2006 we carried out a door knocking exercise in the streets immediately surrounding the area we had been informed the youths were congregating. Over the two days we visited 156 properties and carried out face-to-face interviews with 79 residents (a copy of the questionnaire used during these interviews can be found at the end of this statement, Appendix Two).

The results of the survey confirmed the following: -


- 56% of those interviewed highlighted gangs of youths hanging around the shop as a major problem
- 30% mentioned problems caused by the supply of alcohol from the shop.


Other more specific comments were made by the respondents regarding the sale of alcohol from the shop such as "He'll sell drink to anyone he knows regardless of age".

The information from the interviews was collated and action was taken against individuals identified as being part of the group congregating around the shop. In all SHG served 11 Notices Of Seeking Possession and carried out formal tenancy breach interviews with a further 5 tenants.

A further public meeting was held on the 23rd of February to feed back actions taken to address the ASB problems such as:

- Improved street lighting
- The use of CCTV
- Improved vetting of prospective tenants
- Utilisation of Youth Offending for graffiti removal

Signature: 

Witnessed By: 

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and (b); MC Rules 1981, r.70)

Current Situation

The problems of ASB and youth disorder this area are still having a major impact on SHG.

Lettings: -

The Burden Lane Estate is a difficult to let area however due to the youth disorder Wraith Terrace poses its own particular problems. At present we have 5 empty properties in Wraith Terrace. Of the 5 empty properties 4 of them are 2 bedroom bungalows in a terraced row of 6 properties directly opposite the shop (numbers 38, 39, 41 and 43 Wraith Terrace). The Group recently advertised the availability of six 2-bedroom bungalows (4 in Wraith Terrace and 2 in surrounding streets of Fee Terrace and Forbes Terrace) on the Burden Lane Estate and received 133 applications expressing an interest. The 2 bungalows not in Wraith Terrace have been allocated and accepted however the properties in Wraith Terrace have been refused by applicants due to their location. I feel that this is a direct reflection on its vicinity to the shop and the youth disorder that revolves around that area. At present rent loss for these properties stands at £1507.68 and will increase at a rate of £232.92 per week until someone accepts them for a tenancy.

Also of the six bungalows opposite the shops the remaining 2 tenants have requested to be re-housed in alternative accommodation due to the youth disorder.

Repairs and Maintenance Costs

The repair and maintenance costs for properties in Wraith Terrace are increasing and a vast majority of this work is to address problems of securing empty problems and repairing damage caused through vandalism.

During the financial year 2004-2005 SHG spent £28,475 on repairs and maintenance in Wraith Terrace, however this increased dramatically to £43,093 for the year 2005-2006. This equates to an average of £1002.16 per property, however for the six bungalows opposite the shop the average cost per property is £2276.50.

Environmental Works

SHG have a constant problem of clearing rubbish in and around the bungalows in Wraith Terrace. Mr William Riley, Neighbourhood Cleaner Supervisor has stated that on average the Group allocate 15 man-hours per week to keep this area clean. This equates to a total cost £6136.00 per year to maintain this small area.

A true copy of Mr Riley's statement is enclosed (Appendix 3)

Signature:



Witnessed By:



WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)

Conclusion

In conjunction with Northumbria Police and the City Of Sunderland ASB team, Sunderland Housing Group have attempted to address the issues caused by alcohol related disorder. It is clear that the youth disorder in this area not only has a financial impact on Sunderland Housing Group but also affects the quality of life for the residents.

I accept that Phal's Shop cannot be held fully responsible for the youth disorder in this area however I strongly believe it is the availability of alcohol from this shop that attracts the youths to the area in the first place.

I would therefore urge Sunderland City Council to help address the issue of alcohol sales in this area and support the action requested by Northumbria Police.

Signature: Witnessed By: 

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980,ss5A(3)(a) and (b); MC Rules 1981,r.70)



ST. NERSON, 4085146, 37.5.17
Emperor House
2 Emperor Way
Sunderland SR3 3XR

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SHG Ownership
 Owner Occupier

Wraith Terrace
Ryhope



APPENDIX ONE

Signature:

Witnessed By:

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and (b); MC Rules 1981, r.70)

Burdon Lane Anti-Social Behaviour Visits

Name & Address of Interviewee

.....

Please describe what crime and anti-social behaviour is going on in your community??

Where is this taking place??

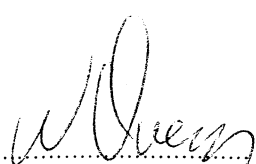
Do you know who is involved??

Name	Address	Date of incident	Details of incident

How can this be improved?? (eg environmental work)

APPENDIX TWO

Signature: 

Witnessed By: 
25

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and (b); MC Rules 1981, r.70)


Do you think that an action group of concerned residents would be beneficial and
If yes would you like to be involved?
If not why not?

We currently have a number of properties empty on the estate. In order to promote
community spirit we are hoping to allocate these properties to friends and family of
existing tenants (subject to usual checks).

Do you know anyone that requires housing and you think would make a suitable
tenant??

APPENDIX TWO (cont)

Signature:



Witnessed By:



Appendix D

WITNESS STATEMENT

(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and (b); MC Rules 1981, r.70)

Witness Statement

Statement of William Riley

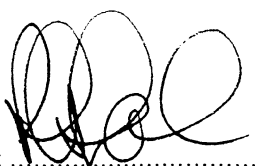
I am employed as a Neighbourhood Cleaner Supervisor for South Sunderland Housing Group.

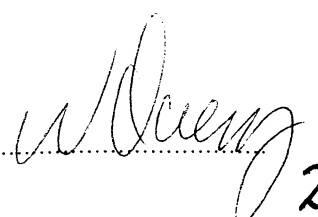
I have been asked to check and clear any rubbish or litter which has been dumped in the cuts, on the footpaths and the grassed areas around Wraith Terrace

My self and a team of at least three men visit Wraith Terrace every day to remove litter and rubbish. At the top end of Wraith Terrace behind bungalows 38-43 our main problem is the number of beer cans we have to remove each day. Monday is normally the day we remove most beer cans which can total into the hundreds, Tuesday to Friday we pick up at least a couple of dozen beer cans each day.

The cut between numbers 37 and 38 is also a problem, often strewn with litter and beer cans. The back garden of the empty bungalow 38 Wraith Terrace is used as a dumping ground for black refuse bags full beer cans.

With a three man team and myself we average at least 45 minutes each day keeping the area around 38-43 Wraith Terrace tidy. This totals 15 man hours per week but does not take into account the time it takes to travel to and from Wraith Terrace, the fuel costs involved and cost of disposing of the rubbish

Signature: 

Witnessed By:  27

Agenda

