

**REPORT OF THE EXECUTIVE DIRECTOR OF ECONOMY AND PLACE
LICENSING SUB-COMMITTEE – 9 NOVEMBER 2018**

**LICENSING ACT 2003 – CONSIDERATION OF AN APPLICATION FOR
THE GRANT OF A PREMISES LICENCE**

PAPA JOHNS, NEWCASTLE ROAD, SUNDERLAND, SR5 1NA

MR BHASKER DHAWAN

1.0 PURPOSE OF REPORT

- 1.1 To consider an application to grant a premises licence in respect of the above-mentioned premises.

2.0 DESCRIPTION OF DECISION

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

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

3.0 INTRODUCTION/BACKGROUND

- 3.1 Relevant representations have been received in relation to the application which is detailed at section 4.0.
- 3.2 A copy of the application form is attached as Appendix 1.

4.0 CURRENT POSITION

- 4.1 Written representations have been received from 12 interested parties. Copies of the representations are attached as Appendix 2.
- 4.2 Written representations have been received from the Environmental Health Pollution Section and the Development Management Section of the Council. Copies of the representations are attached as Appendix 3.

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 – Representations from interested parties.

Appendix 3 – Representation from responsible authorities.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

**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 Bhasker Dhawan
(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 <div style="font-size: 1.2em; margin-top: 10px;">146 New Castle Road Sunderland</div>			
Post town	Sunderland	Postcode	SR51NA
Telephone number at premises (if any)		01915485858	
Non-domestic rateable value of premises		£ Unknown (New Business)	

Part 2 - Applicant details

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

- | | |
|--|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> 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 (by ticking yes to one box below):

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 <u>Dhawan</u>			First names <u>Bhasker</u>		
Date of birth <u>25/04/1981</u>		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality <u>Indian</u>					
Current residential address if different from premises address		<u>63 Carley Road</u> <u>Sunderland</u>			
Post town <u>Sunderland</u>		Postcode <u>SR52RP</u>			
Daytime contact telephone number		<u>07903963813</u>			
E-mail address (optional)		<u>b.dhawan@icloud.com</u>			

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	1	1	2	0	1	8

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

DD		MM		YYYY			
1	1	1	1	1	1	1	1

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

It is a Pizza Delivery Franchise.
Takeaway & Delivery

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

☒

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

☐

In all cases complete boxes K, L and M

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon	11	12		
Tue	11	12		
Wed	11	12		
Thur	11	12	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Fri	11	02am		
Sat	11	02am		
Sun	11	02am		
			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)	

Fri			
Sat			
Sun			

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

Monitoring CCTV 24x7
(Very sure) Panic Alarm is also placed

c) Public safety

d) The prevention of public nuisance

Not Use Back Exit after 10pm to
prevent disturbance to the ~~neighbours~~ Residents
at the back.

e) The protection of children from harm

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. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

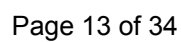
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>B. Dhawan</i>
Date	19/9/18
Capacity	Applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **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 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



Appendix 2

Original email sent 15th October 2018

To whom it may concern,

I am writing with regard to the application made by Bhasker Dhawan (Papa John's Pizza) 146, Newcastle Road, Sunderland SR5 1NA.

I wish to protest in the strongest possible terms about the increased opening hours applied for. The opening of Papa Johns has already caused many problems for residents and particularly myself and my family as we are the nearest house to the shop. There are several issues that should be taken into account

The biggest issue is the number of cars coming and going from the shop. We had so much trouble with parking that a residents parking scheme was introduced in this area. The name says it all- we are a residential area. It is made particularly difficult to drive out of the top of my street due to bad parking- from staff and customers- blocking the view. It is an accident waiting to happen.

The cars belong to both customers and staff and the issues with parking and also the noise made from the increase in vehicle activity at the front, side and back of the pizza shop is having a detrimental impact on the lives of myself and other members of the community.

The noise coming from car engines, loud exhaust pipes, doors slamming shut and music from inside the car as well as people talking continues until late at night already and would only get worse. This is grossly unfair on us as residents.

The hours that the shop were allowed to open initially have not been adhered to. The shop was supposed to close at 11pm and advertised in their printed leaflets that they were open until 12 am on a weekend. This was also advertised widely on social media including facebook. This makes me question whether the same would happen again. Of course, once the shop is closed for the day clearing up has to be done so yet more noise disturbance for the residents as the staff clear up and leave.

I have noticed, as have other people in the local community, that there are more groups of youngsters hanging around whilst waiting for their food. This can be particularly intimidating for older members of the community. Whilst I appreciate, the shop is not responsible for its customers behaviours. Unfortunately, there does seem to be an increase in undesirable behaviours whilst they are waiting. Evidence of broken alcohol bottles are more often to be found around the side of the shop and I feel that this is going to get worse if the shop opens for longer hours which is clearly not acceptable.

The cars park in the back lane too, this restricts access for other vehicles. This is not helped by the fact that 2 large industrial bins are left out all the time blocking one side of the lane and also a green wheelie bin which I understand belongs to the flat upstairs. It's strange that when other neighbours have left a bin out for more than 24 hours that they get a letter telling them they will be fined next time. It seems a very unfair system to me.

All in all I feel that residents have already put up with enough and ask that this Licensing application be denied. It has not been publicised well, the notice was placed right at the bottom of the window making it almost impossible to read unless you squatted down. I know an elderly neighbour mentioned that she couldn't bend to read it. By not placing it in a better position to read. It shows me another example of lack of consideration for the residents in the area, who may not even be aware that an application has been made.

I look forward to hearing a response from you in due course. However, may I request an acknowledgement of this email please so that I know this has reached the correct department ?

Thank you.

With reference to Papa John's, 146 Newcastle Road, Sunderland.

Dear Sir or Madam,

I wish to object to the application for extended hours by the above business on the following grounds.

- **Road safety**

Since the business has been open there have been many instances of dangerous and illegal driving. The delivery drivers regularly park at the eastern end of Grange Park Avenue, run across the road to pick up their deliveries and then drive illegally across the pavement onto Newcastle Road. Delivery drivers and customers regularly make illegal exits from Elizabeth Street onto Newcastle Road, driving the wrong way through the one-way section of Elizabeth Street and leading to a number of near-misses with cars travelling along Newcastle Road. Cars are often driven up onto the pavement between the cars parked in the lay-by and the shop doorway, endangering pedestrians and creating obstacles for wheelchair users and people pushing prams and buggies. Delivery drivers and customers regularly pull away from the shop in fast u-turns on Newcastle Road, tyres squealing. There is regular illegal parking within the zig-zag lines marking the approach to the pedestrian crossing.

- **Noise pollution**

Currently delivery drivers and customers regularly park near the shop and sit in their cars with windows (and sometimes doors) open and sound systems blasting out music. Sometimes this is just an irritant but at other times it is enough to make listening to a television almost impossible and to disrupt sleep. If the business is allowed to open later then there would be far more disruption to sleep due to this noise. For some reason people using this shop appear to prefer to slam their car doors rather than shut them so, even if there is no music, there is still noise. Noise is also caused by the angry sounding of car horns due to the near-misses caused by the incidences of dangerous and illegal driving. Again, life for locals in this residential area would be badly affected by an extension of hours.

- **Light pollution**

The shop is very brightly lit, much more so than the next-door pizza shop, and this is also a detriment to sleep for those of us who live opposite. Any extension to hours would extend the distraction from restful sleep by a commensurate time.

- **General nuisance**

This is a residential area, not an industrial estate. Customers using Papa John's regularly park inconsiderately on pavements and in front of driveways. Asking someone to move from blocking a driveway can lead to threats of violence. The shop has been using an illegally placed sandwich-board type of sign placed on the pavement at the point lowered for wheelchairs. Extending hours further into the dark nights would increase the risk of someone falling over this. The change in parking rules to resident spaces only would have no effect upon the inconsiderate parking as it would only cover 1 hour in the morning and 1 hour in the afternoon.

When the original application was made for Papa John's to open a business on these premises we went to the planning department for details and were told that the proposed closing time was ten o'clock at night but a fish and chip shop opened instead, closing reasonably early. When this closed after a very short time and Papa John's opened the closing time moved to 11 pm or later on weekdays and 12 pm or later on weekends

Dear Sir / Madam,

Regarding an application under the Licensing Act 2003 by Papa John's at 1426 Newcastle Road

Papa John's is situated opposite our house and since opening there has been a considerable increase in the number of cars parking in the vicinity. Many of these park in a haphazard way on or near the junction with Joanna Street and sometimes on the pavement outside Peter Johnson Funerals. However, the biggest potential hazard is caused by 'U'-turning on this part of Newcastle Road by both delivery drivers and customers.

The prospect of car doors slamming and car engines revving in the small hours of each week-end is daunting to say nothing of the bright lights left shining throughout the night since this business opened.

Of the six businesses which make up the row, three are 'fast-food', outlets and a fourth has an 'Off licence'. We are concerned that this application being granted will further adversely affect property values in the vicinity.

Sunderland City Council
Licensing Section
Jack Crawford House
Commercial Road
Sunderland
SR3 1RE

Date: 8th October 2018

Re: Application to extend licensing at Papa John's Pizza – 146 Newcastle Rd, SR5 1NA.

The current notice displayed at floor level in the window frontage notes a vague 'late night refreshment'. I had to contact the City & Neighbourhood Team to clarify this and the advice imparted was the application is to extend opening hours from the current 11:00 pm provision into the early hours. Times of 02:00 to 03:00 hours were quoted. It would have been helpful if the council's notice was more specific noting when the premises were requesting opening hours to be extended to and the notice displayed in a more prominent position.

This letter sets out my objections to the application.

- 1) The Council Compliance Team have previously written regarding breaches of the current licence provision at Papa John's since opening in July 2018. The proprietor has clearly ignored initial warnings and clearly has no regard to the licence provisions until forced to comply. The history of non-compliance and blatant disregard are indicative that the provisions of this application will also be flouted.
- 2) The proposed extended hours do not serve any local needs, or any local leisure service industry. This area is a residential area and it's very unlikely that there would be any significant customer footfall into the premises from 11:00 pm into the early hours as per the application request. Trade would be premised on online & inbound call ordering requiring delivery. This will result in significant disruption to residents whether they operate the deliveries from the front or rear of the premises. If customers are minded to drive and collect from the outlet, then similarly noise disturbance will carry more overtly during silent hours when residents will be at home, in bed and this will disrupt sleep.
- 3) I have already made a complaint about noise about Papa John's delivery drivers. I maintained a noise disruption diary from July 2018 for Environmental Services which sets out the noise disruption as my home is within yards of the rear of the premises. Myself and other residents, who use the rear bedrooms of our homes are within yards of the rear of Papa John's and our sleep will be disturbed if they are allowed to extend opening into the early hours.

- 4) There are issues with delivery drivers and inconsiderate parking culminating in some difficult encounters. Despite assurances from the proprietor about managing this and not using the rear of the premises for deliveries after 9pm, this has never been fulfilled. The constant change and take up of delivery drivers does not avail itself to managing this. I would urge the Licensing authority to disregard any assurances the proprietor may offer to support this application given the failure set out above and the history of non-compliance to the existing licence conditions.
- 5) The Council agreed to the original planning application as an A5 hot food outlet in 2016 despite a significant number of objections and a petition, and set the license provision so that the premises would close at 11:00 pm, recognising its location in a residential area. Since opening, those objections have come to fruition and the complaints against these premises (breaching the existing license provision / placing stand up boards on the pavement / complaints by multiple residents about noise disruption and litter) should be substantive enough for the council to attach enough weight to and encourage the licensing section to refuse the application. It is not unreasonable for residents to expect to have a level of uninterrupted sleep during the early part of silent hours, whether a weekday or weekend.
- 6) If the application was allowed, then a precedence is set allowing the other two A5 outlets (also providing delivery services) on the same parade of shops to also request extended opening hours. The potential for three hot-food A5 outlets adjacent to each other operating past their current licensing provision into the early hours would not be helpful, or conducive to the well-being of residents.

Regards

Ernie Humphrey

From:
Sent: 08 October 2018 09:51
To: Licensing
Subject: Re: We wish to object to the request by Papa John's on Newcastle Road Sunderland to extend their opening hours. Their delivery drivers and customers use our street to park at all hours already. Double / inconsiderate parking is the norm. Grass verges ate

For the attention of Ernie Humphrey: re Objection to extension of opening hours at Papa John's, Newcastle Road

Reasons for objection;

1. Noise and parking issues. Delivery drivers (especially) and customers already park outside our home as parking is difficult in this area and we do not have parking restrictions in our street. They are often very noisy. Slamming doors and revving engines is the norm as well as loud talking/ sometimes shouting. My husband has a chronic illness and needs his rest but has not had an unbroken nights sleep when Papa John's is open. The longer opening hours will make this unbearable. During the hot summer we could not leave our windows open because of the noise but were still woken regularly.
2. Parking. As stated above the Newcastle Road end of Grange Park Avenue seems to be regarded as a car park. Delivery drivers in particular (though not exclusively) frequently park inconsiderately and sometimes dangerously. Double parking and parking on corners appears to be the norm. Cars have also been seen driving through the bollards at the bottom of the street ie across the pavement to Newcastle Road. Longer opening times will exacerbate this problem
3. Traffic. Papa John's is a strong contributor to the excessive traffic in our small street. Cars are frequently driven far too fast down our street and screech to a halt, often at night. Again extending opening hours would make this worse. We fear somebody will get hurt if this is not stopped. Residents cars have already been damaged, including mine
4. Bullish attitude of some delivery drivers eg I called an emergency ambulance for my husband on 30th September. About 9 :15 pm a delivery driver hammered on my door and demanded I move the "van" (ie ambulance) from outside my house as he couldn't get passed and needed to pick up his next delivery. Just as worrying was the fact that he was driving but didn't recognise an ambulance!
5. Destroying grass verges. We used to have nice grass verges in our avenue but due to inconsiderate parking, frequently at night by customers and delivery drivers these are now pure mud. There is also quite a lot of litter. Again extending the opening hours will just add to the misery.

Kind Regards

Strange that as soon as I asked about the application Council staff knew I was talking about Pappa John?

I will ensure that we send a copy to Jack Crawford House

Because of changes to parking regulations we at the bottom of Grange Park Avenue have found it very difficult to park. This situation was made worse when Pappa Johns opened earlier this year.

The nuisance and noise from PJ customers and delivery vehicles is well documented and we have had numerous email conversations with Steven Dixon at the council

This situation will worsen when more resident bays are introduced on Newcastle Road.

Vans drive around at all hours

Vans regularly drive over the pavement on the PJ side of the road. This is dangerous.

Thankfully the council are putting additional bollards on the Grange Park side of the road as many drivers simply ignore the pavement and exit Grange Park, Pizza boxes in hand, onto Newcastle Road.

Many cars and vans are illegally parked during

restricted times in order to make deliveries and collections.

This is a residential area. Additional hours will lead to more traffic and increased noise.

I don't know how they gained permission to open in the first place - there is Already a pizza shop next door!

Given there is an obesity crisis in this country, and a big crisis in Sunderland (no pun intended) why are we allowing more fast food restaurants to open selling high fat/low cost food when there are enough already. How does this match with the Council's responsibility to promote healthy eating?

We knew nothing about the application to open for longer hours until informed by a neighbour. I immediately rang the council to ask where this application was published and what the process of objection was. I was told by a very polite young

man that he didn't know.

He helpfully went off and sought advice. All I needed to do was to email the council's licensing arm. I later find that I also need to put it in writing because a neighbour also rang to find out the process.

He said there should be a notice "somewhere" on PJs premises. I walked over there, but as the shutters were down no sign was visible.

FINALLY , last Friday night I was able to see the small sign, placed below eye level at the bottom of the window. I have photographs. Well hidden and impossible for a partially sighted person such as my husband to read.

We are beginning to think that there is a conspiracy against Grange Park and other local residents.

This is simply not good enough.

We hope that you will view the many objections favourably.

28th September 2018

Licensing

Jack Crawford Commercial
Sunderland
SR2 8QR

Dear Sir / Madam

I'd like to file an objection related to the application by **BHASKER DHAWAN** for the property **146 Newcastle Road, Sunderland, SR5 1NF** premise of **Papa John's Bakery**. It is my understanding that they are proposing to stay open later on a weekday and weekend. The reason for my objections is 3 fold.

Papa John's Bakery opened in early 2018, when they did so they opened with extended hours, breaking the restriction imposed by planning with there original planning application. Planning were required to visit the premises several times after they repeatedly flouted the rules.

During this time Papa John's stayed open as late as midnight on the weekends causing substantial nuisance to the local residents by the following;

- Due to the one way system on Elizabeth street and the limited parking on Newcastle Road, drivers (visitors and delivery) will pull down Elizabeth street and either park up in the back lane or speed down Joannah Street (a tight street only suitable for one car at a time.) This causes;
 - Increased noise pollution late at night. It is understandable this happening at reasonable hours, however we have a 2 year old and extending the hours to as late as 12 pm is unacceptable.
 - Increased risks of an accident, on more than one occasion we've come out to find damage to our cars caused in the night. On one occasion the damage was substantial enough to involved the police and require replacing a door. We are not the only residents in the street that this has happened to.
- Drivers would pull up in the backlanes, causing;
 - Restricted access for residents
 - Increased noise pollution

- They frequently beeped there horns (we assume to indicate they were ready to take a delivery)
 - Chatted amongst themselves
 - Played the radio in there car
- Create a hygiene problem, an increased amount of rubbish (cans, boxes, snack wrappers etc) have appeared since the drivers have started to loiter.
- An unfriendly and unwelcoming atmosphere.
- The parking situation in the area is limited, quite often returning from work in the week, visitors to Papa Johns are parked along Joannah's Street, in the back lane, along the curbs and occasionally just in the middle of the street. On more than one occasion we've not been able to park in the street at all and had to park several streets over and move the car later in the evening. During the daytime a permit zone is in affect, however this does not cover the evening. Extending these times can only exacerbate the problem. This creates the following related problems;
 - Random strangers hanging out in cars on the street and in the back lane as kids play.
 - Increased noise pollution in the area.
 - Strangers not familiar with the street creating larger obstructions in a narrow street where other strangers not familiar with the street feel it is acceptable to do 30 MPH

As mentioned earlier the planning department has already placed restrictions on their operating hours for the reasons mentioned above. Please see the planning application "16/02354/VAR" on Sunderlands Councils website.

From the application you can see that the decision was made not to allow the opening of the premise after 23:00 (Monday to Sundays). The reason for this was to "protect the amenity of the local residents"

In addition the extension would be against Sunderland City Councils Unitary Development Plan. Specially B2 and S12. "NORMALLY BE GRANTED [...] UNLESS THEY HAVE A DETRIMENTAL EFFECT ON THE ENVIRONMENT, RESIDENTIAL AMENITY" Which was deemed the case in this situation.

https://www.sunderland.gov.uk/media/19809/Unitary-Development-Plan/pdf/Unitary_Development_Plan.pdf?m=636470354227970000

Sincerely,

Papa John's Newcastle Road - application for extended opening

I WISH TO OBJECT IN THE STRONGEST POSSIBLE TERMS TO THIS APPLICATION.

This is a residential area already suffering the impact from the fast food outlets on Newcastle Road in terms of: -

Excessive and obstructive parking by staff and customers in surrounding streets.

Litter. Already an issue in surrounding streets and often deliberately discarded in gardens and bushes.

Anti-social behaviour. E.g. a recent incident whereby a gang of youths used one of the outlets as a place to hide from police.

We already experience noise from customers and delivery drivers until around 11 p.m. to extend this until the early hours is wholly inconsiderate to residents.

If this is granted for the Papa John's outlet then surely the pizza shop next door to it and the Chinese takeaway on the same block and perhaps even the off license will also be allowed late trading hours if they request it.

What possible benefit can this bring to our neighbourhood or our city? At a time when Sunderland is suffering from a health crisis as well as already having a bad reputation for its excessive number of fast food outlets this can only be further detrimental to the well-being of residents and the image of our city.

It's obvious that Papa John's are using this outlet as a factory and distribution hub. Why then does this need to be in a residential area? Surely it would be better placed on an industrial estate where there would be little disruption to residents who are just trying to lead quiet lives and contribute positively to their community.

I have lived in this neighbourhood for 17 years and in that time have witnessed increases in anti-social behaviour through littering, noise, obstructive and excessive parking and intimidating behaviour.

I beg the council to please consider the detrimental impact that this application, if upheld, will have on the lives of residents.

Yours faithfully

Papa John's Newcastle Road - application for extended opening

I WISH TO OBJECT IN THE STRONGEST POSSIBLE TERMS TO THIS APPLICATION.

This is a residential area already suffering the impact from the fast food outlets on Newcastle Road in terms of: -

Excessive and obstructive parking by staff and customers in surrounding streets.

Litter. Already an issue in surrounding streets and often deliberately discarded in gardens and bushes.

Anti-social behaviour. E.g. a recent incident whereby a gang of youths used one of the outlets as a place to hide from police.

We already experience noise from customers and delivery drivers until around 11 p.m. to extend this until the early hours is wholly inconsiderate to residents.

If this is granted for the Papa John's outlet then surely the pizza shop next door to it and the Chinese takeaway on the same block and perhaps even the off license will also be allowed late trading hours if they request it.

What possible benefit can this bring to our neighbourhood or our city? At a time when Sunderland is suffering from a health crisis as well as already having a bad reputation for its excessive number of fast food outlets this can only be further detrimental to the well-being of residents and the image of our city.

It's obvious that Papa John's are using this outlet as a factory and distribution hub. Why then does this need to be in a residential area? Surely it would be better placed on an industrial estate where there would be little disruption to residents who are just trying to lead quiet lives and contribute positively to their community.

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I beg the council to please consider the detrimental impact that this application, if upheld, will have on the lives of residents.

Yours faithfully


Objection to late night application

Papa Johns Pizza 146 Newcastle Road Sunderland. SR5 1NA.

To Whom it may concern.

I must object to the proposed changes to Papa Johns Pizza 146 Newcastle Road Sunderland. SR5 1NA.

It is my belief this premises had applied for a late-night refreshments request.

Living in the houses next 2 this business is unbearable now and further changes to the business status will only impact the quality of life in and around Grange Park Avenue and Newcastle Rd.

I object under public safety and public nuisance reasons.

The late license application is of grave concern. Currently, we face on a daily and nightly basis, delivery cars racing down Grange Park Avenue (which is actually a dead end), jumping the curb and on to Newcastle Road. Due to their speed and jumping curbs, this must be an existing public safety issue as someone very soon is going to get knocked over. In my opinion, extended opening hours will only escalate these behaviours as longer opening hours = longer problems..

In addition to the excessive speed and driving on curbs, the additional noise these delivery drivers and customers have brought to the area is intolerable and already constitute as a public nuisance issue. Once a quiet street is now besieged with music, banging of car doors and high raised voices from delivery workers running in and out of the premises. There is also between 11-15 staff working in this shop, parking is already an issue in this area. Again, this, in my opinion, will only escalate if the opening hours are extended.

This problem and the ensuing noise and anti-social behaviour has already been already documented in a meeting with Stephen Dixon in the Sunderland council Infrastructure and Transportation Department, just this week.

If this is extended, god only knows what issues most residents will wake up to in the morning (issues with car damage, litter etc), that if we can sleep at all with the banging of cars, engine noise etc.

This application MUST not be approved.

Re: Licence Extension-PapaJohns-146 Newcastle Road

Dear Licensing Committee,

I hereby register an objection to the application to extend the licence for the above premises beyond its current operating hours. The reasons are laid out below:

That since opening the owner has been a very poor neighbour. There were 13 objections and 0 letters of support. Of note I was not at that time an objector and had an open mind on the application. Of note the two previous A5 outlets have been good and inconspicuous neighbour's. The main problem post-opening is the delivery-heavy business model of the parent company-this has led to-

- Severe congestion of traffic to the rear of the shop parade-note the one-way system at the South end of the parade inadvertently adds to this congestion.

- the absence of a staff room and high staff numbers has led to noise nuisance at the rear of 146 Newcastle Road as staff use the rear lane for rest breaks. At times the rear lane has looked akin to an airport lounge. Of note the rear of the premises is only 5 metres from the back doors and windows of residential premises at the West end of Elisabeth and Joanna Street.

The lack of staff facilities and poor attitude of the owner has led to tensions with close neighbour's who had to forcibly move staff on to afford them any semblance of peace that residents can reasonably expect.

- the delivery-heavy model of this company has lead to a queue of cars at the rear of the shop parade and from a time where residents are putting their younger children to bed. Personally, I am unlucky to have my house directly face the rear lane and the noise nuisance of the car engines, door slamming and staff noise which has been deleterious to the health (physical and mental) of those within earshot of the premises. The rear access point of the premises is left open for extended periods adding to the noise nuisance.

- Fulwell has witnessed a number of serious crimes in the last year, one of which was a knife attack at one of the outlets at the parade in question (November 2017). I am concerned that by supporting further late-night outlets in a disparate manner not only increases risks of disorder, but makes deterrence and policing more stretched at a time of public funding cuts. Only 3 weeks ago there was a disturbance in this immediate area which Northumbria Police and Sunderland Council were informed about. Surely focusing the nighttime economy in fewer larger spaces such as Sea Road is a better way forward.

Personally I and my family dread further noise disruption, late night circulation of delivery cars and constant staff presence in the rear lane (unnerving after dark) that would be occasioned by the extension of trading hours.

A final observation. I received a reassuring email from your planning department that Sunderland's obesity reduction strategy had been heeded and future planning decisions would be guided by concerns over public health. That this A5 approval had preceded that imperative. Now, the rejection of extended hours would signal taking seriously there public health, wellbeing, social cohesion and public order obligations.

I would like to state my opposition to the extension of hours for Papa John's Pizza,

146 Newcastle Road, Sunderland, SR5 1NA. This site already causes a nuisance with noise from delivery vans which are both rowdy and fitted with noisy exhausts. I have already had many complaints from residents. We recently opposed an application from Domino's Pizza for a similar late license for the same reasons, nuisance to residents with successful results.

These are residential areas and have high density housing around the shop. It would cause an inordinate amount of distress to residents and should not be allowed. I am quite willing if necessary to petition residents in the area who agree with me wholeheartedly.

Yours Faithfully

Appendix 3

From:
Sent: 17 October 2018 12:33
To: Licensing
Cc:
Subject: Papa Johns, 146 Newcastle Road

Dear Licensing,

Thank you for your recent consultation regarding the above application. Public Protection and Regulatory Services has now had the opportunity to consider this application.

The premises operate as an established hot food takeaway (Papa Johns) and it is understood that this application consent to permit the operation of the premises until 02:00hrs Friday - Sunday, and 00:00hrs Monday - Thursday.

The hours of operation of the premises are currently restricted to 23:00hrs each day, by virtue of condition 3 attached to planning reference 16/02354/VAR. Condition 6 of this consent also prohibits the dispatch of hot food deliveries from the rear of the premises, in order to protect the amenity of nearby residents.

PPRS has received 2 complaints from residents living in close proximity to the above property regarding excessive levels of noise emanating from business activities and PPRS considers that this application has the potential to generate further complaints of public nuisance.

On this basis PPRS objects to the Application.

Please do not hesitate to contact me if you require any further information regarding this matter

Kindest regards

Public Protection and Regulatory Services
Economy and Place
Sunderland City Council
Jack Crawford House
Commercial Road
Sunderland
SR2 8QR

From:
Sent: 03 October 2018 10:23
To: Licensing
Subject: Application for Premises Licence at Pappa Johns Pizza, 146 Newcastle Road, Sunderland, SR5 1NA

Thank you for consulting the Development Management team regarding the recent application for a Premises Licence at the above address.

It is noted that the Licence is sought to serve late night refreshments up until midnight Monday to Thursday, and until 2am Friday to Sunday.

This is of some concern as the current planning permission (16/02354/VAR) for use of the premises as a hot food takeaway limits opening times to between 08:00 and 23:00. The condition was imposed in order to protect local residents from associated noise and disturbance, particularly later in the evening, to comply with planning policies B2 and S12 set out in the council's adopted Unitary Development Plan. Complaints were received from neighbours that the premises were being operated later than 23.00 when they first opened earlier this year, which were resolved following contact with the operator by the Planning Compliance Team.

Operating the extended hours proposed would amount to a breach of planning control and would likely result in enforcement action. To avoid this, the operator would need to first submit and secure planning permission to vary the hours of operation planning condition. Whilst each application is considered on its merits, there would be significant concerns regarding extending the hours of operation to the extents proposed.

The application is thus opposed for the reasons set out above.

Kind regards

Development Management
Economy and Place Directorate
Sunderland City Council