

APPENDIX 1

16/9/2022

North Tyneside Council

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 / apply for the review of a club premises certificate under section 87 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 Gills off licence Trading as Lifestyle express 13 Station road	
Post town Whitley Bay	Post code (if known) NE26 2QY
Name of premises licence holder or club holding club premises certificate (if known) Ms RISHANTHINI SUBRAMANIAM	
Number of premises licence or club premises certificate (if known) 00CK/20/1023	

Part 2 - Applicant details

I am

Please tick yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 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 Chief Inspector Paul Young 7688 Northern Area Command Wallsend police station Middle Engine Lane Wallsend NE28 9NT
Telephone number (if any) 101
E-mail address (optional) @northumbria.police.uk

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 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)

Northumbria Police request a review of the premises licence on the grounds of crime and disorder and the Protection of children from harm

Gills off licence/Lifestyle express, is situated on a busy street in Whitley Bay. There are other restaurants, shops, and retail outlets.

In August 2021, the Officers in Whitley Bay had started to receive complaints about youth anti-social behaviour around the area of Whitley Bay metro station and Station Road, an action plan was put in place, to target these areas. Towards the end of 2021, reports had been received by the Police that the youths were getting their alcohol from Lifestyle Express on Station Road. Please see attached statement from Sgt Preston 837.

On the 16th March 2022 an email was received by Northumbria Police from a concerned member of the community that under-age sales were taking place at the above shop, they report that "There seems to be a developing problem around Lifestyle Express on Station Road, Whitley Bay with numerous underage groups coming off the metro to get drink causing some issues particularly on a weekend". A further email was received on the 19th March 2022, reporting that illegal sales of alcohol were still occurring to youths.

May I request the Licensing committee to have regard to North Tyneside statement of Licensing policy 5.14

The Authority will fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 when carrying out licensing functions under the Licensing Act 2003 and will do all it can to reasonably prevent crime and disorder and the misuse of alcohol in the Borough of North Tyneside.

May I request the licensing committee to have regard to North Tyneside statement of Licensing policy 5.16

The Authority in exercising its licensing functions recognises the need to protect children and other vulnerable persons from being harmed by licensing activities.

On 25th March 2022 at 17:55 hours, a call was received by the police that underage sales were taking place now. "They are walking out with crates of alcohol, it's getting worse". Police attended the shop and found; POLICE ATTENDED AND UPON ENTERING THE MALE EMPLOYEE () APPEARED TO BE SELLING ALCOHOL TO AN UNDERAGE GIRL IN THE SHOP. HE QUICKLY HID THE ALCOHOL BEHIND THE COUNTER. STATED CCTV WAS NOT WORKING.
Please see attached statement from Sgt Preston 837.

On the 13th May 2022, a joint test purchase operation was conducted by Northumbria police and North Tyneside Trading Standards, where several shops were visited. One of the shops visited was Gills off licence/Lifestyle express, on Station Road, Whitley Bay. A 15-year-old person was sent into the shop to purchase alcohol. () sold alcohol to the young person and was given a fixed penalty notice (FPN). It is completely unacceptable to sell alcohol to children.

Please statement attached by PC Summers 3801.

May I request the Licensing committee to have regard to North Tyneside statement of Licensing policy 5.25

Once premises are licensed it is essential that they are maintained and operated so as to ensure the continued promotion of the licensing objectives.

May I request the Licensing Committee to have regard to Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) 11.23.

where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

May I request the Licensing Committee to have regard to Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) 11.27 and 11.28.

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises: for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.

Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Northumbria Police are very concerned at the lack of and poor management at this premise. It is totally unacceptable to sell alcohol to children.

Northumbria Police request a review of the premises with the recommendation that revocation is seriously considered.

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

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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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

7688

Date

15/9/22

Capacity

DCI 7688

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Mr N Kirkpatrick
Northern Area Command
Wallsend Police Station
Middle Engine lane
Wallsend

Post town

Newcastle upon Tyne

Post Code

NE28 9NT

Telephone number (if any) 101

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) neil.kirkpatrick@northumbria.police.uk

Notes for Guidance

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



Continuation Sheet of: SGT 837 Steven PRESTON

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Statement of: Steven PRESTON

Age if under 18: over 18 (if over 18 insert 'over18') Occupation: Sgt 837

This statement (consisting of 2 page(s) each 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 wilfully stated anything which I know to be false, or do not believe to be true.

Signature:

Date: 19/08/22

I am the Neighbourhood Police Sergeant for the Whitley Bay Area and have been a Police Officer for 16 years. I currently supervise a mixed team of Police Officers and Police Community Support Officers. We cover a large area to the East of North Tyneside Council's area including Whitley Bay and Shiremoor.

Part of my team's role is to build links in the Community to establish the issues that are causing concern. There are a number of ways we do this. Some examples would include uniformed patrols, Community drop in sessions, attending Local Councilor's surgeries, the use of social media and reviewing incidents that occur. Once I know what the issues are I can look at ways to tackle the identified issues. I work closely with North Tyneside Council's Community Protection Team to tackle issues that occur within the community.

In August 2021 the Neighbourhood Policing Team started to receive reports from a number of different sources that members of the public within the Whitley Bay Town Centre area were concerned about an increase in youth anti-social behavior linked to the Nexus Metro system. There was an increase in anti-social behaviour related calls to Police resulting in an increase in incidents being created for officers to attend. There was also an increase in emails from members of the public and local Councilor's to both the Neighborhood Police Mailbox and direct to myself reporting youth anti-social behavior. There was also a notable increase in incidents reported direct to the police control room regarding youth anti-social behavior notably around Whitley Bay Metro Station and Station Road.

Due to the number of reported incidents and complaints and the concerns regarding the supply of alcohol to young persons, the following actions were taken:

I held regular meetings with staff from North Tyneside Community Protection Team to discuss ways to address the youth ASB.

I allocated members of my team to undertake joint patrols in the Whitley Bay area on evenings when these offences were believed to be occurring.

The number of uniformed and plain clothes patrols were increased in the area at the appropriate times to tackle the issue. It was clear from these patrols that what was being reported by the public was actually happening. Large groups of youths were gathering in the area and seen to be going between Lifestyle Express and the Metro Station. The groups often had bottles with them and

Signature:.....

Signature witnessed by:.....

Continuation Sheet of: SGT 837 Steven PRESTON

some or all of the groups would make off on seeing a uniformed presence. Some youths were stopped with alcohol and taken home to their parents. A number of youths also received letters home outlining their behavior and what action would be taken against them if they were to be stopped in similar circumstances or found in possession of alcohol again. None of the people stopped would disclose where they got their alcohol from.

Towards the end of 2021 reports began to come to police attention concerning Lifestyle Express located on Station Road Whitley Bay, stating the premises was serving alcohol to youths. On Friday 25th March 2022 I attended the Lifestyle express at around 18:15hrs following a report to police that the shop was selling alcohol to underage youths. As I entered the store The member of staff [redacted] was present behind the till. There was a female youth at the counter who in my opinion looked no older than 15 years old. As I entered the store [redacted] appeared to hide a bottle of alcohol underneath the counter out of my view. The youth looked surprised that I entered. When asked about the sale of alcohol to underage youths [redacted] denied this. I asked the youth what she was purchasing and she said nothing and left the shop without purchasing anything. This was strange as she was at the till area when I entered. I asked [redacted] if I could view the stores CCTV system to enquiry about the allegation of sales to underage youths however he replied the CCTV system was not working.

By the end of April 2022 police were receiving reports almost daily via Crimestoppers, intelligence submissions and calls to the police control room that the premises was selling alcohol to youths.

As a result of this information a test Purchase Operation was set up.

On Friday 13th May 2022, a Test Purchase operation named Op Hayness was conducted by Northumbria Police across the North Tyneside area in partnership with North Tyneside Council Trading Standards. 2 male Police Cadets were used for the operation. The cadets were 15 years of age at the time

At around 1910hrs on Friday 13th May 2022 one Cadet entered Lifestyle Express store and purchased four cans of Budweiser from the store. The member of staff present who served the Police Cadet was [redacted] PC 3801 SUMMERS then entered the store and spoke with [redacted] PC SUMMERS explained that a juvenile had just been in the store and bought alcohol from him. [redacted] was then issued with a Fixed Penalty Notice to the value of £90

During the Test Purchase operation there were sales made by other premises within North Tyneside. The persons who made the sales were also issued Fixed Penalty Notices.

The sale of alcohol to children under 18 years is a criminal offence and a very serious matter. Alcohol consumption by minors can cause serious harm and can make a young person vulnerable to being the victim of a crime or exploitation, or the perpetrator of a crime or Anti-social Behaviour. It is vital that licencee's in the area are responsible and prevent alcohol getting into the hands of youths

Signature:.....

Signature witnessed by:.....

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN [] [] [] [] []

Statement of: Sara SUMMERS

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 3801

This statement (consisting of 1 page(s) each 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 wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: Sara Summers 3801 Date 22/08/2021

Tick if witness evidence is visually recorded [] (supply witness 'tails on rear')

I am Police Constable 3801 Summers of Northumbria Police and currently based at MIDDLE ENGINE LANE POLICE STATION within Northern Area Command. On FRIDAY 13th MAY 2022 while I was on a placement with Whitley Bay Neighbourhood Policing Team, I was one of the officers involved in a test purchase operation named OP Hayness. This was conducted in partnership with North Tyneside Council Trading Standards, who provided two representatives for the operation. There were also two 15-year-old police cadets involved in the operation, which focussed across the NORTH TYNESIDE area.

At about 1910hrs one of the Cadets entered LIFESTYLE EXPRESS STORE while I remained outside in plain clothes. The Cadet purchased four cans of Budweiser from the staff member [], who was present and serving inside the store. After the Cadet had exited the premises and confirmed the sale, I entered the store with PC 357 Garry WATSON and one of the representatives from Trading standards.

I cautioned and explained to [] that a juvenile had just entered LIFESTYLE EXPRESS and purchased alcohol from him. [] stated that he understood the caution and claimed that he thought the 15-year-old male was at least 25 years old. He confirmed this statement again after being shown a photo of the male taken after the incident. He stated that this was the reason why he had not challenged the male's age. I then issued [] with a Fixed Penalty Notice to the value of £90.

Signature:.... Sara Summers 3801 Signature witnessed by: N/A

Continuation of Statement of: Sara SUMMERS

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Signature:..... Signature witnessed by:.....