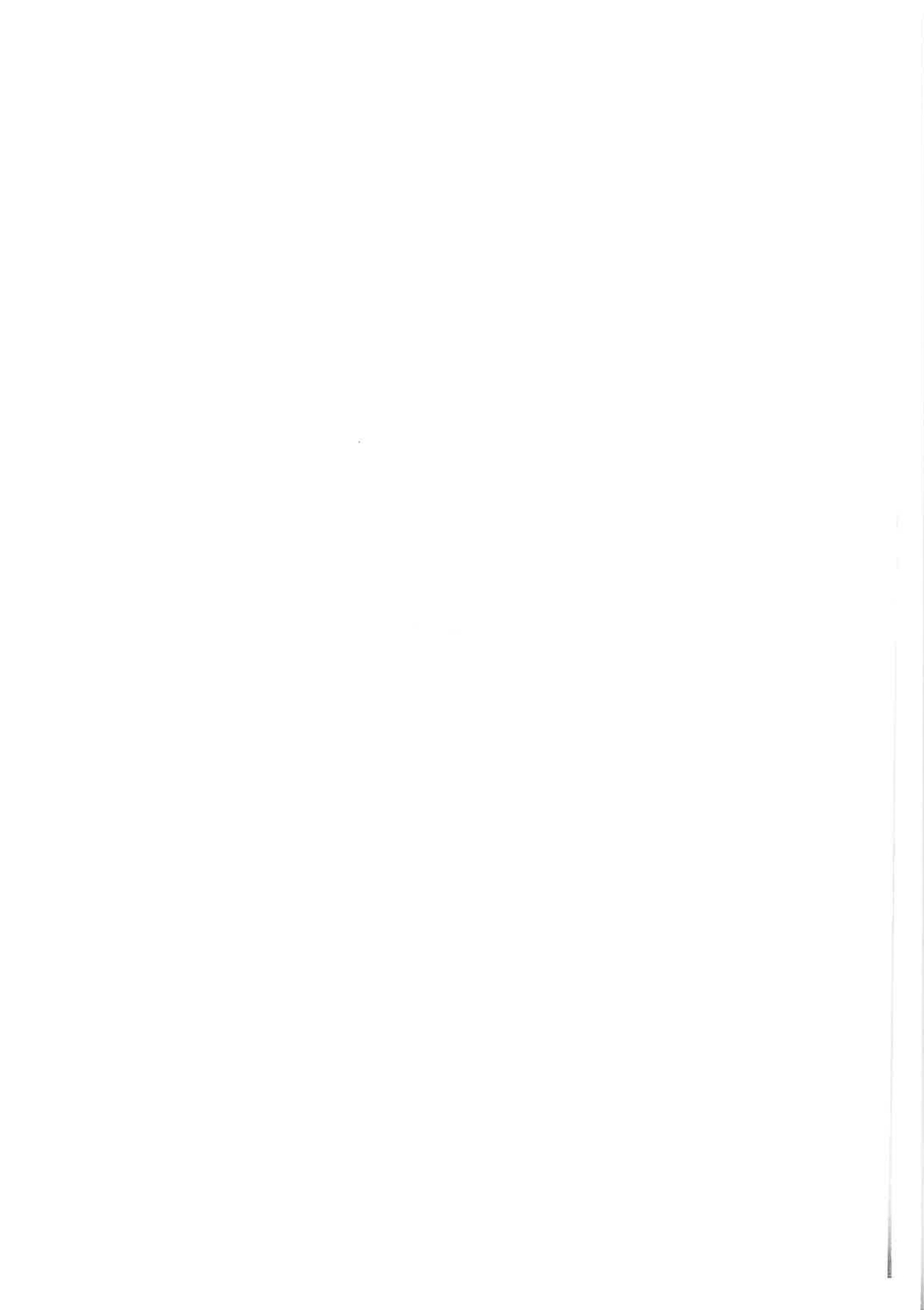


APPENDIX 5



RESPONSIBLE AUTHORITY REPRESENTATION



North Tyneside Council

Section 1 - Application Details

I wish to make a representation against the following Review Application:

Applicant's name (if known) : Chief Inspector Paul young 7688
Northern Area Command
Wallsend
NE28 9NT

Premises name and address: Gills Off Licence T/A Lifestyle Express
13 Station road Tynemouth Road
Whitley Bay
NE26 2QY

Application for a:-

Review of a Premises Licence.....

Review of a Club Premises Certificate

Section 2 - Details of the Responsible Authority making a representation

Name of Responsible Authority: The Local Weights and Measures Authority (North Tyneside Council)

Tel No: 0191 6436621

Address where you would like us to correspond with you:

Trading Standards
North Tyneside Council
Quadrant East
Cobalt Business Park
NE27 0BY

Please note that a full copy of your representation will be sent to the applicant and will be a public document at any hearing of this matter.

Please state under which of the licensing objective(s) your representation is being made:-

- Prevention of Crime & Disorder.
- Protection of Children from Harm

Section 3 - Objection Details

My representation is based on the following:

Please refer to the attached documents consisting of 4 pages

Signed

Dated

14/10/2022



North Tyneside Council

Public Protection Services
Trading Standards
Quadrant East
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY
www.northtyneside.gov.uk

RESPONSIBLE AUTHORITY REPRESENTATION RE:-

Gills Off Licence T/A Lifestyle Express 13 Station Road, Whitley Bay, NE26 2QY

Trading Standards Information

Trading standards have always adopted a proactive approach to reduce alcohol sales to children. Trading Standards work with retailers to ensure they are aware of their responsibilities under the Licensing Act 2003. We do this by offering 'best practice' oral and written guidance to support the business.

The primary role for Trading Standards Officers under the Licensing Act 2003 is to work in partnership with the Police to prevent the illegal sales of alcohol to children. The most effective method employed by Trading Standards to police such sales is mystery shopping using under-age volunteers. This is commonly known as 'test purchasing'. The test purchasing of alcohol and other age-restricted goods by Trading Standards is seen as a key tool to help prevent anti-social behaviour and/or the long-term damage to health caused by substance misuse.

Test purchasing that is undertaken by the Authority is intelligence led i.e., when information is received about a particular premises concerning the supply of alcohol to children. Officers will normally visit the identified premises and advise the licensee of the intelligence received and their responsibilities under the Licensing Act 2003. Officers will also advise of any improvements that can be made to ensure that alcohol is not sold to children e.g. reminding staff of the age verification policy.

As can be seen from the table below trading standards had received a large amount of intelligence regarding the sale of alcohol to minors from the premises trading as Lifestyle Express, 13 Station Road, Whitley Bay, NE26 2QY

Date	Intelligence Received	From
4/05/2021	Report of sale of alcohol to 16-year-old stepson	Public
29/06/2021	Underage sales of alcohol to 12-year-old	Public
11/03/2022	Underage youths and older individuals buying alcohol	Community Protection Officer
24/03/2022	Underage sales of alcohol	Public
13/04/2022	Underage sales of alcohol	Northumbria Police
4/05/2022	Sales of vapes and alcohol to minors	Public
3/05/2022	Sale of alcohol to minors	Community Protection Officer
13/05/2022	Test Purchase underage sale of alcohol	Trading Standards/Northumbria Police
15/05/2022	Sale of alcohol to minors	Public

The intelligence reports received in May and June 2021 would normally have resulted in a test purchase being carried out at the premises by trading standards. However, due to the restrictions of Covid this was not possible. On the 1 July 2021 a trading standards officer visited the premises and spoke with the licensee Rishanthini Subramaniyam. The officer advised of the information trading standards had received and offered best practice advice regarding preventing the sale of alcohol to minors and promoting the licensing objectives. confirmed that she had received a North Tyneside Age Aware pack (produced at Appendix 1) previously and was using an underage refusals pack.

Further intelligence in 2022 regarding sales of alcohol was received by trading standards from different sources. The premises was also identified as a premises that the police had received information regarding underage sales and anti-social behaviour.

On the 13th May 2022 a test purchase operation in partnership with Northumbria Police was carried out in Whitley Bay.

On this date a 15-year-old volunteer was sold alcohol in the form of a four pack of Budweiser by the sales assistant . No challenge was made to the volunteer as to his age, nor was any identification requested. The sales assistant was issued with a £90 Fixed Penalty Notice by Northumbria Police for the offence.

stated they didn't use a refusals register and also stated that the owner had told him they didn't need to display their licence details. Posters displayed at the premises stated that a 'Challenge 25' system was being operated at the premises (photograph attached at Appendix 2)

The test purchase carried out on the 13 October 2022 does, however, give some reassurance that the premises is responding positively to the recent improvements.

Finally, I would to draw the Committees attention to the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) specifically paragraphs:-

11.27 '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.

A letter dated 27th May was hand delivered to the only person present in the store, (attached as Appendix 3). The officer was shown the refusals register that they had started to use and had several entries in.

A email reply from [redacted], owner of Lifestyle Express was received on 28th May:-

Hi

I'm [redacted], owner of Lifestyle Express station road Whitley bay.

This email is regards to sell of alcohol to minor by my employee [redacted] on 13th May 2022.

It has come to a serious awareness that [redacted] has not been serious in his work when I wasn't in the premises. I do apologise for what has happened but just a apologise wouldn't fix what happened. I have been serious from day one I took this business. I have sat down [redacted] and he is in his final warning. I would never want a employee to ruin my personal license or my business!

On the 5 October 2022 officers from trading standards visited the premises. The purpose of the visit was to establish how the business was now operating. Officers spoke with the owner [redacted]. The officers were informed and shown that formal staff training had been carried out by TJR Licensing. Rishanthini advised that the employee [redacted] had been sacked on the 13 July 2022. She also advised that [redacted] had disposed of previous refusals register and had been stealing money from the business. [redacted] had also been switching off the CCTV.

Officers were shown new refusals register which commenced on 1 October and recorded 9 entries. They were also shown previous refusals register which recorded 12 entries for the period 13 July 2022–30 September 2022.

Posters were displayed on the premises stating that anyone looking under the age of 25 would be asked to prove they are 18.

On the 13 October 2022 a test purchase by a 21-year-old officer was carried out. The officer attempted to buy alcohol. He was asked for identification to prove he was 18. The officer provided his driving licence which was checked by the seller. He was then sold the alcohol.

Summary

As a responsible authority under the Licensing Act 2003, North Tyneside Council Trading Standards have concerns about the ability of the premises licence holder to uphold the licensing objectives i.e. prevention of crime and the protection of children from harm.

There are real concerns about the management of this premises. This is evidenced by the large amount of intelligence from the public, Northumbria Police and Community Protection officers regarding the sale of alcohol to minors. Clear advice and guidance was given to [redacted] in July 2021 on how to prevent underage sales to minors and how to promote the licensing objectives.

It is unfortunate that the improvements to the Premises have only come about because of the review application. They were not something that would have happened without the application having been made by the Police.

Appendix 1

Age Aware

If you work
somewhere that
sells age restricted
products such as
alcohol and cigarettes
please read this
information pack.

Included in this pack

- A fact sheet which sets out the relevant ages at which consumers can buy age restricted goods and what steps you can take to help prevent under age sales occurring
- Advice on how to refuse a sale
- Acceptable proof of age
- Refusal register advice
- Staff training advice



North Tyneside Council

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Age Aware

Introduction

If you own a store or work somewhere that sells age restricted products such as alcohol and cigarettes please read this information pack.

North Tyneside Trading Standards understand it can be very difficult for you to judge the age of a young person, but if you sell age restricted products to someone under the legal age you may commit a criminal offence.

The Licensing Act 2003 requires anyone selling alcohol to take steps to check a customer's age. If you hold a premise licence which allows you to sell alcohol then you must comply with any mandatory conditions on the licence which include having an age verification policy in place. You may also have additional conditions on your licence in relation to a specific age policy for the challenging of customers and the keeping of a refusal register to record any attempts to purchase alcohol. If conditions are not being complied with you could be liable to a fine and/or imprisonment under the Licensing Act 2003.

This guidance pack gives advice on what steps you should take to help prevent the sale of age restricted goods occurring.

It is particularly important to make sure you and anyone serving in your store always check for valid ID (as opposed to merely asking a customer for their date of birth) to check their age when supplying or selling age restricted goods to young people who may not be old enough to legally buy the goods for which they are asking. Remember if you make a sale you will be responsible.

THINK - NO ID NO SALE - IF IN DOUBT - REFUSE THE SALE!

One of the methods used by Trading Standards to check whether or not sellers of age restricted products such as alcohol and cigarettes are complying with the law is to use child volunteers to visit shops to attempt to purchase such products. Your store could therefore be visited in the future as part of such a test purchase operation. A failed test purchase could potentially lead to the seller and/or owner of the store being prosecuted, fined and in the case of alcohol, the premise losing their licence to sell alcohol or conditions attached to the licence following a licence review.

For further information on Age Restricted Products and Trading Standard legislation visit our website www.northtyneside.gov.uk under trading standard. Details of what we are doing to tackle under age sale and our enforcement policy is also available to view.

If you require any advice please call North Tyneside Councils Trading Standard Team on (0191) 643 6628 or e-mail us at tradingstandards@northtyneside.gov.uk

North Tyneside Councils Alcohol Licensing Team can be contacted on (0191) 643 2175.

This fact sheet is intended for retailers who sell:

Alcohol

Underage drinking has become a major problem in our communities. It often results in alcohol fuelled youth disorder and anti-social behaviour. There is also concern about the adverse health effects on children who drink alcohol.

It is illegal to sell alcohol to anyone under 18. It is also illegal for adults to purchase alcohol on behalf of under 18s, often referred to as proxy purchasing.

Anyone under 18 years old should not be allowed to sell alcohol.

Cigarettes

It is illegal to sell tobacco products to any person under the age of 18, even if they are for someone else, including their parents. Tobacco products include cigarettes, cigarette papers and cigars.

You must display an A3 sized statutory tobacco notice next to tobacco products.

Fireworks

Fireworks (including sparklers) must not be supplied to anyone under 18. However caps, party poppers, throwdowns and serpents can be sold to persons aged 16 and over. Remember, you also need to register with the Fire Brigade to stock fireworks.

Solvents & Butane Gas Lighter Refills

You must not supply to persons under the age of 18 substances which you believe may be inhaled for the purposes of intoxication. Products include glue, aerosols or any gas lighter refill canister containing butane.

Spray Paints

It is illegal to sell aerosol spray paints to anyone under the age of 16.

Knives

It is illegal to sell knives, knife blades or razor blades to anyone under the age of 18.

DVD, Video Cassettes and Computer Games

It is an offence to supply a DVD, video cassette or computer game to a person under the age specified on the British Board of Film Classification (BBFC) classification sticker or PEGI sticker. The age classification is required on both the product and its packaging. It is an offence to supply or offer to supply such a product if it does not bear the appropriate age classification. It is also an offence to supply or offer to supply such a product if it has not been granted an age classification.

Solvents & Butane Gas Lighter Refills

You must not supply to persons under the age of 18 substances which you believe may be inhaled for the purposes of intoxication. Products include glue, aerosols or any gas lighter refill canister containing butane.

Legal Liability

As the owner of the business you are likely to commit a criminal offence where an illegal sale takes place, even if you did not conduct the transaction yourself. A similar offence occurs when statutory notices fail to be displayed.

Individual employees, including part-time staff, can be prosecuted for under age sales. Penalties include fines, conditions attached or loss of licence and even imprisonment.

What You Can Do

Research conducted in North Tyneside with 10-17 year olds revealed that over 28% of this age group found it easy to buy alcohol and that alcohol was mainly obtained from local shops or from their parents.

As a retailer you have a responsibility to play your part by preventing young people from obtaining alcohol and other age restricted products from your store. It is a challenge to tell how old someone is, but add a busy store, large groups of people and threatening behaviour and the job becomes more difficult.

These are all factors that you and your staff will be subjected to as a retailer of age restricted products. However, you can protect your staff and yourself and uphold the law by following simple and steadfast policies on this issue.

Steps to Take to Prevent Sales

Be Cautious – It is very hard to tell a young person's age, so ensure that staff are checking even those that look older than 18. Challenge the existing perceptions of you and your staff about how old people look and check people that look older just in case. Some retailers call this Challenge 21. If the customer looks 21 or under, advise staff to check for proof of age. Your store may choose to go further and introduce a "Challenge 25" policy.

Be Consistent – Always check, even if you think you've served the customer before or you are pretty certain they are of legal age.

Be Clear – Display signage prominently in the store to inform customers that they will be asked for valid ID.

Be Courteous – If you have to refuse a sale try to have application forms on hand to offer the customer so they can obtain a proof of age card.

Be Conscientious – It is important that you and your staff maintain a refusals register. You should record date, time, appearance of the customer, items refused and staff name for every refusal. This will help to prove to Trading Standards that you and your staff are actively checking for correct forms of identification.

Be Careful – There is evidence that retail staff can often fail to challenge underage purchasers if they feel afraid of the consequences such as abuse and violence. Make sure you and your staff feel safe when serving and confident to challenge customers. We have included information on how to refuse a sale in this pack.

- Do not assume the age of a young person.
- Consider a 'Challenge 21 or Challenge 25' approach to age-restricted products.
- Always request sight of a reliable means of photo identification, such as a PASS accredited card e.g. Citizencard or a Passport or Driving Licence.
- Ensure both full and part time staff are aware of the age restrictions applicable to the goods you sell.
- Issue clear written instructions to your staff and keep records of training and instructions issued. A sheet is provided in this pack to record this.
- Display posters and till stickers to remind staff of legal requirements.
- Maintain a refusal register and record refused sales to both children and adults. There is a register provided in this pack.
- If possible, set up your till system to prompt sales staff when an age restricted product is sold.
- If you have CCTV, retain any images of attempted illegal age restricted purchases.

NO ID NO SALE - IF IN DOUBT - REFUSE THE SALE!

There can be serious consequences for businesses, licensees AND individual members of staff who break the law. Penalties include substantial fines and even imprisonment. Individual members of staff, both full and part time can be taken to court and prosecuted. Remember, it is better to be safe than sorry – if you sell an age restricted product, **YOU ARE RESPONSIBLE** as well as your employer and could risk prosecution. If you sell alcohol you could also face an on-the spot fine of £80.

How to Refuse a Sale

Refusing illegal sales of age restricted products is sometimes easier said than done, particularly when you are faced with persistent or intimidating customers

Be Alert – When people walk into your premises always acknowledge them. Legitimate customers feel instantly welcome and would-be troublemakers know that you've registered their presence.

Displaying Proof of Age material and proxy purchasing warnings in prominent places e.g. on the door and by the till can help make people think twice about trying to purchase products illegally.

Transfer Blame - If confronted with a potentially illegal sale, politely stress your legal obligations when refusing to serve someone. If faced with someone who looks under 21, ask them for proof of age – explain that it's nothing personal but that the law requires it. Tell the customer that it's the store policy to ask for proof of age from any one who looks underage.

You can use the same principle of de-personalising the situation when dealing with drunks and adults that you suspect are buying alcohol on behalf of a minor. Explain that the law prevents you from selling alcohol to them. If necessary, repeat that it's nothing personal and explain that you could lose your licence by serving them.

Stand Your Ground - Troublemakers can be persistent but by law you have to refuse to serve drunks, persons under the age of 18 and adults buying for minors. Always be polite and try to stay calm. Don't antagonise them by getting annoyed or aggressive. Don't shout because they'll probably shout back. Try to stay professional, apologise, tell them it's the law and that you'd be risking your licence if you sell them alcohol.

Keep Your Distance - People can sometimes get aggressive without warning. Learn to recognise potential aggression so that you can see it coming and act accordingly. Don't respond to aggression with aggression but try to stay calm. Apologise, try to keep your body relaxed and avoid prolonged eye contact. This signals that you don't want a fight and reduces the chance of the situation escalating.

If you suspect someone of being under-age:

- Politely apologise and explain your legal obligation.
- Ask for proof of age.
- Only accept valid proof of age i.e. PASS-accredited cards, passports or photo driving licence.
- If they don't have valid proof on them, suggest that they bring some from home and return with it.
- If they continue to pester you, apologise again and re-state your legal obligation.
- Blame the shop policy.

If you are faced with aggression:

- Keep your distance.
- Keep a barrier between you, move slowly and keep your hands down.
- Apologies and state your legal obligation.
- Try to keep calm and not retaliate.
- Ring the police.

Proxy Purchasing

You must also be aware of adults purchasing alcohol on behalf of a person aged under 18 years old. This offence is known as Proxy Purchasing. An example of this could be an adult attempting to buy several bottles of cheaper alcohol (e.g. Lambrini or Cider) soon after an attempted underage purchase.

Purchasing alcohol for anyone under the age of 18 could result in an £80 on-the-spot fine, or a court appearance to face a fine of up to £5000. It is vitally important that all alcohol retailers remain vigilant of this offence and never sell alcohol to someone they think might be passing it on to under 18s. It is important to record any attempted proxy purchases in your refusals book.

Acceptable Proof of Age

You should only ever accept ID cards with the PASS (Proof of Age Standards Scheme) logo. PASS is the UK's national guarantee scheme for proof-of-age cards. The PASS hologram is the hallmark indicating that the issuer has passed a stringent audit carried out by Trading Standards Officers and the card may be relied upon.

The hologram is forge proof and recognisable - and the scheme is supported by the Home Office, the Association of Chief Police Officers and the Trading Standards Institute. Over one million young people hold proof-of-age cards bearing the PASS hologram and numbers are increasing all the time. It is important to recognise that cards bearing the PASS offer the only reliable proof of age, other than passports and driving licences.

Check the PASS Hologram

- Look for the 3-D effect in the background of the hologram.
- Look for the small PASS text in the background.
- The PASS hologram must be flush with the plastic of the card - NOT stuck on top of the plastic.

Check the Photograph

- Ensure that the photograph is of the person presenting the card.
- The photograph must be printed directly on to the plastic of the card - NOT stuck on top of the plastic.

Check the Date of Birth

- Calculate the age of the person from the date of birth.
- Make sure they are old enough to buy the goods requested.
- The date of birth must be printed on to the plastic - NOT stuck on top of the plastic.

Check the Card

- Ensure that the card has not been tampered with or altered.
- Feel the card - it should be completely smooth.

Check the Person

- If you are still unsure of the person's age, your legal responsibility is to refuse to sell.
- If you refuse to sell items because you believe that the person is too young, once the person has left, report the incident to your supervisor or manager, and record the details in your refusals register.



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Examples of Acceptable Proof of Age

The PASS hologram on a card is the hallmark indicating that the card issuer has passed a stringent audit carried out by Trading Standards Officers and the card may be relied upon. Around 1.5 million young people hold proof of age cards bearing the PASS logo.

Although a proof of age card is the preferred document, where one is unavailable, a driving licence or passport may also be used to help establish proof of age.



www.citizencard.com
2004

Staff Training

In order to help prevent any under age sales of restricted goods you should provide your staff and anyone else who works in your store with training on how to deal with age restrictive goods.

You can use these guidance notes to help provide training.

Training should include:

- No/ID No Sale – Advising staff to ask for identification if in any doubt about a customer's age.
- Challenge 21 or Challenge 25– the need to build in a margin of error when assessing age.

A record of the training your staff has received should also be recorded on their own individual training record sheet such as the one in this pack. Training records should be kept in a safe place as enforcement organisations such as Trading Standard or the Police may wish to look at them.

Each member of staff should sign their own record:-

- To show when he/she has received training;
- What type of training they have had; and
- To show that they understand how to avoid making sales to young people

You should also provide your staff with regular refresher training which should also be recorded on a training record sheet.

If you carry out such training together with the other recommendations given under the heading "steps to take to prevent sales" in these guidance notes this will also help you to have a defence should a sale of an age restricted product occur.

North Tyneside Council Age Aware E-Cigarettes Guidance

Electronic cigarette products

An electronic cigarette is an electronic device that contains an eLiquid. Some eCigarettes can only be used once and are fully disposable, others have a non reusable eLiquid cartridge or a refillable eLiquid cartridge or tank.

eLiquids are sold in cartridges or bottles and are a mixture of substances that may or may not contain nicotine in differing concentrations and flavourings.

As the electronic device heats up the eLiquid it creates a fine vapour or mist that the user inhales.

Sales of electronic cigarettes

On 1 October 2015 it became illegal:

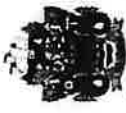
- for retailers to sell electronic cigarettes (e-cigarettes) or e-liquids to someone under 18
- for adults to buy (or try to buy) tobacco products or e-cigarettes for someone under 18

Staff should therefore be advised to treat the sale of e-cigarettes the same as other age restricted products.

Information & labelling

No-one may produce or supply an e-cigarette or refill container unless they meet the requirements set out below:

- each unit packet of the e-cigarette or refill container must include a leaflet with the following information:
 - instructions for storage and use, including a reference that the product is not recommended for use by young people and non-smokers
 - contra-indications
 - warnings for specific risk groups of people
 - possible adverse effects
 - addictiveness and toxicity
 - the producer's contact details (if the producer is not based in the EU then a contact person within the EU)
- each unit packet of the e-cigarette or refill container must include:
 - a list of all ingredients in descending order by weight
 - nicotine content and delivery per dose
 - batch number
 - recommendations to keep the product out of reach of children
- each unit packet and any container pack must carry the health warning 'This product contains nicotine which is a highly addictive substance'. It must appear on the front and back surfaces and cover 30% of that area



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City of Tyne and Wear Council

Refusals Register

If a customer fails to produce valid photo-ID which confirms his or her age, the sale should be REFUSED and recorded in a refusals register such as the one included in this pack, after the customer has left the premises.

Keep the register close to the counter but out of sight.

The sale should be REFUSED if the customer is unable to prove he or she is:

16 or older if the product is LOTTERY

18 or older if the product is TOBACCO, ALCOHOL, FIREWORK, SOLVENT or KNIVES.

All staff should know where this refusals register is kept. Staff should write an entry whenever an age-related sale is REFUSED.

If staff sell an age-restricted product to under 16s (lottery) or to under 18s (tobacco/alcohol/fireworks/solvents/knives) both management and staff are liable to conviction and a fine and/or prison (see guidance, right).

The manager should check and sign off each page of the register on a weekly basis, which should be kept in a safe place away from customers. The register may need to be produced in the event that the Police or Local Authority enforcement officers such as Trading Standards undertake test purchases or other enforcement activities, or in the event of legal action being taken against the owner of the premises and/or seller.

Maximum Penalties

18+

TOBACCO

£2,500 fine for selling tobacco to a person below the age of 18
£1,000 fine for failing to display the statutory notice

3 underage sales in a 2 year period may lead to a sanction resulting in the loss of either personal or business right to sell tobacco for 12 months, £20,000 for breaking a sanction (applies only in England and Wales).

CIGARETTE LIGHTER FUEL AND SOLVENTS

£5,000 and/or 6 months prison

ALCOHOL

£5,000 fine for selling alcohol to a person below the age of 18
£1,000 fine for allowing staff below the age of 18 to sell alcohol

FIREWORKS AND SPARKLERS

£5,000 and/or 6 months prison

18 AND R18 MOVIES AND GAMES

£5,000 and/or 6 months prison

KNIVES

£5,000 and/or 6 months prison

16+

NATIONAL LOTTERY AND SCRATCHCARDS

£5,000 and/or 6 months prison; Following a sale involving Trading Standards testing you may lose your terminal and on a third offence of Camelot's test purchasing they will remove your terminal.

PARTY POPPERS, CAPS, CRACKER SNAPS

£5,000 and/or 6 months prison

15+

15 MOVIES AND GAMES

£5,000 and/or 6 months prison

12+

12 MOVIES AND GAMES

£5,000 and/or 6 months prison



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Refusals Register

Date	Product	Time	Name of Person or Description	Observations	Staff Member
Examples: 04/05/15	Cigarettes	7:10pm	Subject with dog	Members and allowed to throw	L. Smith

Manager's Signature: _____

Date: _____





North Tyneside Council

Quadrant, The Silverlink North,
Cobalt Business Park,
North Tyneside, NE27 0BY
Tel: 0191 643 2104

North Tyneside Licensing Committee
North Tyneside Council
Quadrant East, The Silverlink North,
Cobalt Business Park,
North Tyneside, NE27 0BY

14 October 2022

**Review of Licence: Gills off license trading as Lifestyle Express,
13 Station Road, Whitley Bay.**

Dear Sir/Madam,

I am extremely concerned that the above licensed premises have sold alcohol to young people underage.

In August 2021, police officers in Whitley Bay started to receive complaints regarding youth anti-social behaviour around the area of Whitley Bay metro station and Station Road, by the end of 2021 reports had been received that the youths were purchasing their alcohol from Lifestyle Express on Station Road. Further emails were received from members of the community in March 2022 advising that underage alcohol sales were taking place at the above shop.

On the 25th March the police received a phone call from a member of the public informing them that underage sales at Lifestyle Express were happening presently. Police arrived at the premises to witness what appeared to be a male employee, (), selling alcohol to an underage girl. He quickly hid the alcohol behind the counter and said that the CCTV was not working.

On the 13th May a joint test purchase operation was carried out by Northumbria Police and North Tyneside Trading Standards; the test was carried out by a 15-year-old who was sent into the shop to purchase alcohol. (); made the sale and was given a fixed penalty notice.

These actions demonstrate a blatant disregard of the responsibility as a license holder to uphold the licensing objectives in relation to protecting children from harm and preventing crime and disorder.

The illegal sale of alcohol to young people underage is a crime and has multiple adverse effects. The use of alcohol in young people under 18 years is known to contribute to a range of poor outcomes and may adversely affect their development, with effects directly and indirectly on individual mental and physical health, educational attainment, family breakdown and offending behaviour. Whilst adolescence can be a period of risk taking and experimentation, young people do not have a mature understanding of the consequential effects of alcohol use which

can lead to behaviours which endanger themselves or others. They can place themselves in situations of vulnerability leading to exploitation, including sexual exploitation and anti-social behaviour.

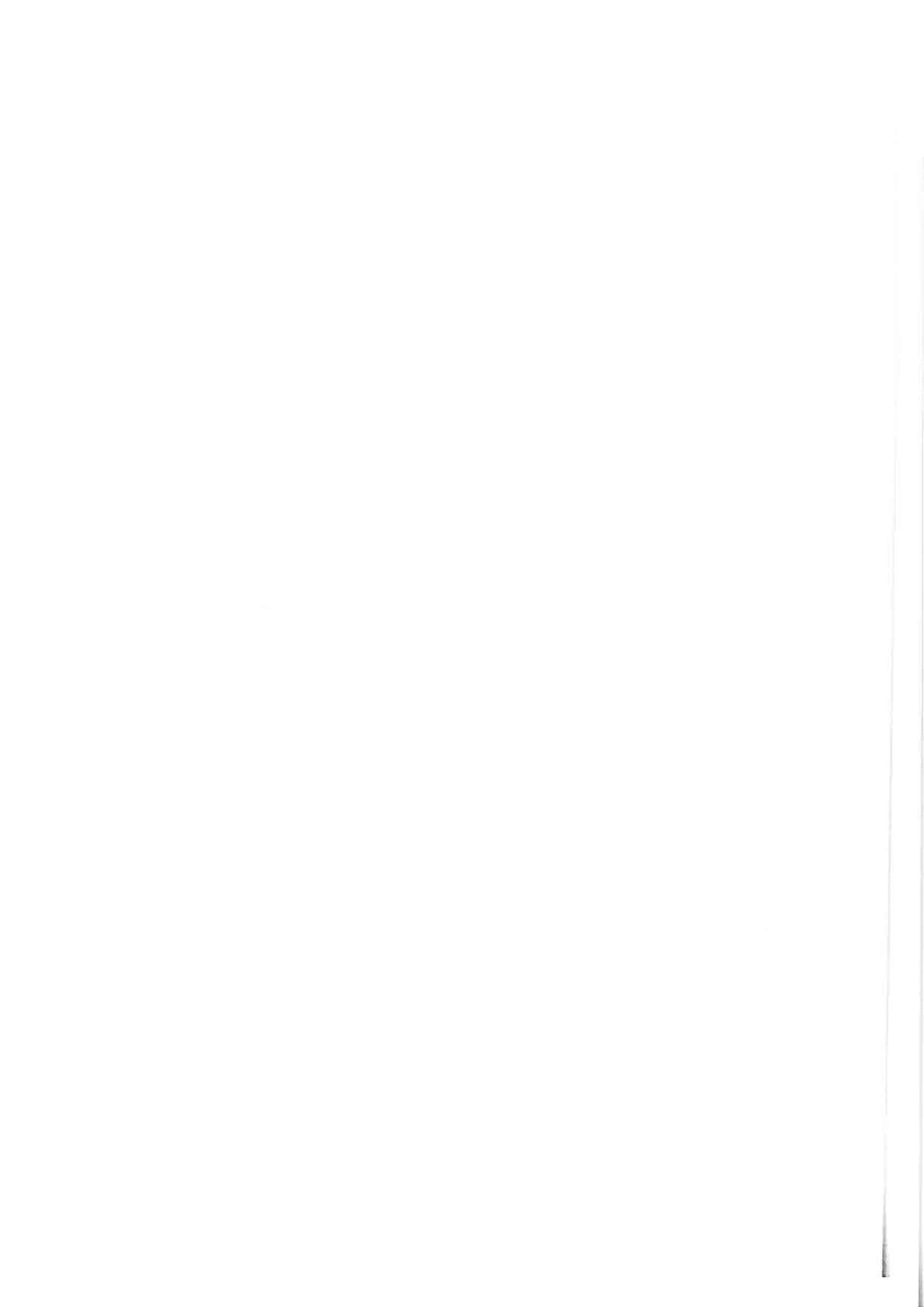
I support the request for a review of the premises licence by my Police colleagues on the grounds of the protection of children from harm and preventing crime and disorder. I ask that the Committee give serious consideration to revocation of this licence on the basis that this premises which is part of a national chain has behaved illegally and placed young people at harm.

Thank you for the opportunity to raise these concerns. Should you require any further detail please do not hesitate to contact me.

Yours sincerely,

Wendy Burke
Director of Public Health and Responsible Authority

Representation in support of the Premises



1

Susan Vert

From:
Sent: 03 October 2022 12:22
To: Liquor Licensing
Subject: Possible restriction of alcohol sales licence

EXTRNL

Dear Sir,

I am writing with reference to a possible licence to sell alcohol withdrawal for the Lifestyle General Store shop at 13 Station Road, Whitley Bay, Tyne & Wear, NE26 2QY.

As a long time user of the shop, and as a neighbour living at 3a Station Road I am writing to you to ask that you do not withdraw the shop owner's licence to sell alcohol as a result of recent investigations by yourselves and the Police.

As I understand it the current licence holder was not present on 2 occasions when her previous employee sold alcohol to underage customers. The employee, I believe, was rightly fined for the first offense and is awaiting punishment for a second.

I wish to make it clear that, after discussing these happenings with the owner, I am convinced that these events were not of her making, understanding or agreement. She was duped by a dishonest person whom she had hitherto trusted. I also believe her that she was not aware he had been caught and fined on the first occasion; something which perhaps shows a lack in a justice system, perhaps down to data protection, which prevents all interested parties to such happenings being able to take responsible post-event actions deemed necessary. I can confirm he has not been working at the shop for months now as she sacked him as soon as she found out.

So, she is left to pick up the pieces left broken by a crook who, she now believes had also been stealing from her. Now that trading has become "normal" with support from her close family she has been able to compare trading data of before and after the events.

Notwithstanding that I want the shop to continue trading fully, with her current full range of goods because if the shop remains viable I can count on it remaining open for my daily paper and milk etc, I also see in her a young, vibrant business owner eager to grow into more shops.

In short, please give her a chance to carry on because we, the customers, and we the UK PLC need people like her. We do not need the idiot crook who dropped her in it, and hopefully she will get some recompense from him, and hopefully the court can prosecute him successfully.

He did it and she was unaware. She is very nervous about the outcome of your decision so please do let her keep her licence to sell everything she does now.

Yours Sincerely

Susan Vert

From:
Sent: 03 October 2022 15:56
To: Liquor Licensing
Subject: Lifestyle station road whitley bay

EXTRNL

As a resident of station road and over 50 years of living in whitley bay the above shop has been there as long as I can remember , myself and I'm sure other residents rely on this shop daily , is a lovely girl and for her to have her license withdrawn would be such a shame because of someone else's mistakes , she is a valued member of our community and has made massive changes since the person in question left the shop , I hope you understand how valued this shop and are to our area , she has worked so hard to build this shop back up to standards thank you for your Time.
Sent from my iPhone

13th October 2022

Dear Sir/Madam,

I write in connection with the review of the premises alcohol license for Gills off Licence Trading as Lifestyle Express, 13 Station Road, Whitley Bay NE26 2QY. This issue was brought to my attention with owning the Freehold to 16 (Pranzo Trattoria & Deli), 16a, 14 (Sushi Me Rollin') and 14a Station Road. I also work in the office at 16a Station Road from Monday - Sunday from 8am to 9pm running our businesses Linux Internet, Elite Gymnastics and Gymnastics Express.

I wish to offer my full support to [redacted] not having her license revoked, for the reasons outlined below;

1. I have had several discussions with [redacted] and whole heartedly feel she is an innocent victim in this scenario. Since she was made aware about her employee, she took every course of action with immediate effect to remove [redacted] from any association and employment with her business.
2. We have also noticed along with my staff that there are no longer any youths waiting outside the newsagents and we've not seen [redacted] visit the street since his dismissal from Lifestyle Express.
3. Station Road was a very much-neglected street but now with my investment and other business owners we are attracting people back to Station Road. We are starting to give a good reason for people to come to this side of Whitley Bay. I do feel that the street needs a newsagent and without a premises alcohol license her business would not be able to exist and therefore will be a service that will be greatly missed and another empty property.
4. [redacted] would clearly struggle to survive without a license and she has learnt a big lesson in business and the responsibilities of holding an alcohol license that extends beyond her actions and in this case the actions of others. I do believe that having read the attached report that was published on the internet, that as the owner if she was made aware towards the end of 2021 or even March 2022 about her employee then any further issues could have been prevented.
5. [redacted] was not always on duty as they quite often swapped shifts with it being long hours and in hindsight (which we don't have at the time of the events). I now realise that there were some youths outside the shop when [redacted] was not on duty and I also spoke to [redacted] when in the shop and was also blindsided to what had been going on after reading the police report.
6. Myself and staff use the newsagents on a daily basis and we look directly at the newsagents and we never suspected anything so I'm confident that [redacted] has learnt her lesson in the respect of trust and has also put in the following system in point 7, that would protect children from harm.
7. I can inform you that she has recently had the CCTV system upgraded, and that it records for 28 days and provides a great clarity of footage inside and out. I would also like to mention they have gone under recent licensing training delivered at the premises for all staff in preventing underage sales and upholding the licensing objectives. Further, I would like to mention that the premises has offered a number of conditions to reinforce the licensing objectives, and those condition could be added to the premises licence if the licensing committee so determined.
8. We need to attract customers from the Coast to Newcastle. The newsagents on the street has become since [redacted] took over the core of the Station Road community and now we are all aware of this issue we will all play a part in being more observant to any potential issues to protect our businesses and her business.

I will certainly not be giving my support to a business that would generate problems for the street or local businesses and residents. I fully support [redacted] to continue to keep her licence and working hard to build her business. She has my full support, especially as she has taken the necessary action when made aware of the issue and now realises that she had been too trusting and will not make the same mistake twice.

Please feel free to contact me or ask if you need any further information.

Yours faithfully,

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Letter of support

Thu 13/10/2022 19:28

To: Liquor Licensing <liquor.licensing@northtyneside.gov.uk>

EXTRNL

I'm writing this letter of support as a fellow business owner.

I believe the owner of lifestyle express in Whitley bay shouldn't lose her alcohol licence. From what I understand a member of staff was caught selling alcohol. Once she was made aware they were dismissed.

She's done everything within her powers to resolve the issue and make things right. Once this member of staff was dismissed other discrepancies within her business have come to light and she now realises how bad this member of staff was that she trusted.

Selling alcohol within the shop makes up a massive part of her business.

I feel by taking away her license this will have a massive negative impact on her business. In turn causing her to close.

I believe she deserves another chance as the actions of her staff were out of control and she's done everything within her power to correct the situation.

I've only known the owner for a short period of time and she's a lovely person. Who works hard and wants the best for the community. She's devastated this has happened. All she wants to do is earn a living.

I believe under the circumstances she deserves to keep the licence. Now she and her parents are the only workers. Alcohol was never sold to any young person on there watch. I believe it never will. She takes pride in her shop. This is how she pays her bills and feeds her family. Don't take this away from her. She is a valued member of the community.

So I've written this to show my support for her and her family.

I hope you take on board the evidence and make the right decision.

Thank you.



Sent from my iPhone

