



## Representations on a Current Application for a Grant/Variation/Review of a Premises Licence or Club Premises Certificate under The Licensing Act 2003

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 (Insert name)

Wish to make representation about the application for variation/grant for a premises licence/club premises certificate (delete as applicable)

### PART 1 – PREMISES OR CLUB PREMISES DETAILS

**Postal Address of Premises or Club Premises, or if none, ordnance survey map reference or description**

Ravensworth Food Market, 3 Ravensworth Road, Birtley, DH3 1EE.

**Post Town** Chester-le-Street

**Post Code** DH3 1EE

**Name of premises licence holder or club holding club premises certificate (if known)**

Applicant is Michelle McCrory

**Number of premises licence or club premise certificate (if known)**

### PART 2 – DETAILS OF PERSON MAKING REPRESENTATION

Please  
Tick

- 1) A responsible authority (please complete (C) below)
- 2) A member of the club to which this representation relates (please complete (A) below)
- 3) Other persons (Please complete (A) or (B) below)

**(A) DETAILS OF INDIVIDUAL MAKING REPRESENTATION (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other Title (for example, Rev)

Surname

First Names

I am 18 years old or over Yes  (Please Tick)

|                 |                      |           |                      |
|-----------------|----------------------|-----------|----------------------|
| Current Address | <input type="text"/> |           |                      |
| Post Town       | <input type="text"/> | Post Code | <input type="text"/> |

Daytime contact telephone number

E-mail address (optional)

**(B) DETAILS OF OTHER PARTY MAKING REPRESENTATION (e.g Body or Business)**

|                  |                      |
|------------------|----------------------|
| Name and Address | <input type="text"/> |
|------------------|----------------------|

|                           |                      |
|---------------------------|----------------------|
| Telephone Number (If any) | <input type="text"/> |
| E-Mail address (optional) | <input type="text"/> |

**(C) DETAILS OF RESPONSIBLE AUTHORITY MAKING REPRESENTATION**

|   |
|---|
| Body responsible for the protection of children from harm<br>Saira Park, Local Safeguarding Children Board Business Manager<br>LSCB Business Unit<br>1 <sup>st</sup> Floor, Civic Centre<br>Regent Street, Gateshead<br>NE8 1HH |
|---|

|                           |                            |
|---------------------------|----------------------------|
| Telephone Number (If any) | (0191) 433 8010            |
| E-Mail address (optional) | sairapark@gateshead.gov.uk |

This representation relates to the following licensing objective(s)

|  | Please<br>Tick ✓                    |
|--|-------------------------------------|
| 1. <b>The Prevention of Crime and Disorder</b> | <input type="checkbox"/>            |
| 2. <b>Public Safety</b>                        | <input type="checkbox"/>            |
| 3. <b>The Prevention of Public Nuisance</b>    | <input type="checkbox"/>            |
| 4. <b>The Protection of Children From Harm</b> | <input checked="" type="checkbox"/> |

**Please state the ground(s) for representation**

Gateshead Local Safeguarding Children Board (LSCB) is the body responsible for the protection of children from harm.

There has been significant confusion regarding the ownership and management of this premises. There is evidence that this premises has not complied with licensing regulations and has not promoted the licensing objectives, one of which is the protection of children from harm.

The LSCB is concerned that measures put in place following previous convictions (4<sup>th</sup> April 2006, 11<sup>th</sup> December 2014 and 6<sup>th</sup> October 2015) were ineffective, a further failed test purchase took place in November 2017.

The licence was revoked following a hearing on 19<sup>th</sup> December 2017. At the same time, applications were considered to transfer premises licence and vary DPS to Mr & Mrs Hussain, both applications were refused.

Although this new application has been made in Michelle McCrory's name, it would appear that the management arrangements and operation of the premises will remain the same. The new applicant has not demonstrated how they will be able to effectively manage the premises, different to the previous owners, and how they will ensure they can actively promote the licensing objective in relation to the protection of children from harm.

The applicant failed to attend a meeting on 31<sup>st</sup> January. This would have given them the opportunity to address some of the issues and explain how they plan to promote the licensing objectives.

**Please provide as much information as possible to support the representation**

LSCBs are the key statutory mechanism for protecting children from harm and agreeing how the relevant organisations in each local area will cooperate to safeguard and promote the welfare of children, and for ensuring the effectiveness of what they do.

Gateshead LSCB is made up of a number of statutory partners including Gateshead Council, Gateshead Health NHS Foundation Trust, Newcastle Gateshead CCG, North East Ambulance Service, Northumberland, Tyne and Wear NHS Foundation Trust, Northumbria CRC, Northumbria Police, Tyne & Wear Fire and Rescue Service and CAF/CASS.

The protection of children and young people has always been a core commitment of all partners who work together in Gateshead to keep them safe.

The LSCB is aware of previous representation relating to the premises:

- On 16 June 2006, Local Weights and Measures Authority Trading Standards submitted an application to the Licensing Authority to review the premises licence for Ravensworth Food Market. The grounds for the review were ' Mohammed Shafiq, who has identified himself as a partner in the business with sole responsibility for the Ravensworth Food Store was found guilty of selling and storing counterfeit cigarettes'. This was contrary to the licensing objective of the prevention of crime and disorder.
- On 6 October 2015 Local Weights and Measures Authority Trading Standards submitted an

application to the Licensing Authority to review the premises licence for Ravensworth Food Market. The grounds for the review were 'on 11 December 2014 Mohammed Shafiq, a partner in the business, sold 4 cans of Carlsberg lager to a 15 year old volunteer, contrary to the Licencing Act 2003.

- On 2 November 2017 Local Weights and Measures Authority Trading Standards submitted an application to the Licensing Authority to review the premises licence for Ravensworth Food Market. The grounds for the review were 'on 24 October 2017, Mrs Linda Holt, an employee, sold 4 cans of Carlsberg lager to a 15 year old volunteer, contrary to the Licencing Act 2003.

Access to alcohol by young people and the resulting crime and disorder is a significant community problem that impacts on crime, and the fear of crime, within many areas of the Borough as well as being an issue that puts children and young people at risk themselves.

The vision of Gateshead LSCB is that every child should grow up in a loving and secure environment, which is free from abuse, neglect and crime, enabling them to enjoy good health and fulfil their social and educational potential. Evidence suggests that binge drinking in adolescence could limit opportunities for this to occur and therefore the LSCB is keen to ensure that licensees restrict access to alcohol by underage drinkers and have processes in place to ensure the protection of children from harm.

Research suggests that the adolescent brain may be uniquely sensitive to alcohol's effects due to the major changes in brain structure and function that occur during this developmental period. Studies have found that binge drinking by youths is also associated with alcohol-related violence and other anti-social behaviours.

A UK study found that binge drinking in adolescence was associated with an increased risk of health, social, educational and economic adversity continuing into later adult life. Alcohol intoxication can occur during binge drinking and the acute toxic effects are generally related to blood alcohol concentrations. There is evidence to suggest that the severe hypoglycaemia (low blood sugar) that can accompany alcohol intoxication and may result in coma occurs more commonly in adolescents than adults.

Deaths from alcohol poisoning appear to occur most often when relatively inexperienced drinkers consume very large amounts of alcohol in a short time.

**There is evidence that Ravensworth Food Market, 3 Ravensworth Road, Birtley, has previously failed to comply with the licensing objective of the protection of children from harm.**

**Licence objectives and laws were not being followed and children in Gateshead were at risk because of this.**

**The LSCB is not satisfied that this application provides sufficient information to show how the concerns presented at previous hearings have been addressed.**

Please  
Tick ✓

Have you made any representation relating to these premises before?

If Yes, please state the date of that representation

| Day |  | Month |  | Year |  |  |  |
|-----|--|-------|--|------|--|--|--|
|     |  |       |  |      |  |  |  |

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

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### **How We Collect And Use Information**

The information collected, on this form and from supporting evidence, by Gateshead Council will be used to process your application. The information may be passed to other Enforcement Agencies as permitted by law.


We may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties, or give information to them to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include Government Departments and local authorities.

We will not disclose information about you to anyone outside Gateshead Council nor use information about you for other purposes unless the law permits us to.

Gateshead Council is the Data Controller for the purposes of the Data Protection Act 1998. If you want to know more about what information we have about you, or the way we use your information, you can ask at Civic Centre, Regent Street, Gateshead, NE8 1HH

### **Part 3 – Signatures** (Please read guidance note 3)

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

|           |   |      |          |
|-----------|---|------|----------|
| Signature |  | Date | 05.02.18 |
| Capacity  | Saira Park, LSCB Business Manager   |      |          |

Contact name (where not previously given) and address for correspondence associated with this representation. (Please read guidance note 5)

|           |           |
|-----------|-----------|
| Post Town | Post Code |
|-----------|-----------|

|                           |  |
|---------------------------|--|
| Telephone Number (if any) |  |
| E-mail Address (optional) |  |

### **Notes for Guidance**

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

6. For further information about the Licensing Act 2003 please contact: The Licensing Act Section, Development & Public Protection, Civic Centre, Regent Street, Gateshead Tyne and Wear NE8 1HH  
Tel: 0191 433 3918 or 0191 433 3178

| <b>WITNESS STATEMENT</b>   |   | Form MG11T   |
|--|---|--|
| (CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)  |   |  |
| Statement of :   | <b>Inspector 7293 Michael Robson</b>      |  |
| Age if under 18:   | <b>Over 18</b>                            | (if over 18 insert 'over 18') Occupation: <b>Police Inspector 7293</b> |
| This statement (consisting of _____ 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: <b>7<sup>th</sup> February 2018</b> |  |
| Tick if witness is visually recorded <input type="checkbox"/> (supply witness details on rear)   |   |  |

I am the Neighbourhood Police Inspector for Central Gateshead. Within my role, I am responsible for crime and disorder issues within Gateshead, including Birtley. I also have policing responsibility for licensing matters.

On Thursday 25<sup>th</sup> January 2018, at Gateshead Police Station, I met with the applicant, Michelle McCrory.

During our meeting, she informed me that she has been a personal licence holder for about one year and obtained this through working at Birtley Football Club who have a licensed bar within the clubhouse. She stated she had no experience of working in the retail trade. Mrs McCrory added that her employment at the Ravensworth Food Store was solely dependant on the licensing application being successful and that she would only be employed for 16 hours a week. She stated she had another job (working in a Laundry company) and would actually only be working in the shop on a Friday and Saturday. This would be further reduced according to Birtley FC having a home fixture. She confirmed that she would not be employed in a management capacity.

Mrs McCrory confirmed that she would ensure that the staff training was completed and that the challenge 25 posters were prominent within the premises and that the CCTV was in good working order. She was unable to demonstrate how she would ensure staff complied when she wasn't in the shop as she had no authority over any member of staff.

Mrs McCrory stated she lived locally and understood the issues in the area with youths causing anti social behaviour. She stated she was aware that a recent test purchase had took place where a staff member had sold alcohol to a child. She was unaware of the longer term history of the shop.

Northumbria Police object to the application as the applicant is clearly only to be employed in order to obtain the licence, lacks experience and has no authority whatsoever to ensure that the licensing conditions will be adhered to.

|           |  |                        |  |
|-----------|--|------------------------|--|
| Signature |  | Signature witnessed by |  |
|-----------|--|------------------------|--|

