

OBJECTION

**APPLICATION TO TRANSFER THE PREMISES LICENCE AND VARY THE
DESIGNATED PREMISES SUPERVISOR:**

Anna's Mini Market Ltd, 112 Eastbourne Avenue, Gateshead, NE8 4NJ



VERA BAIRD OC
POLICE & CRIME COMMISSIONER



**NORTHUMBRIA
POLICE**

Northumbria Police Licensing
Central Area Command (Gateshead)
Eldon Square, Floor 1
Central Management Office
Eldon Court, Percy Street
Newcastle upon Tyne NE1 7JB
Tel: 0191/2219234

Anna Tychmann
25 Laburnum Avenue
Wallsend
NE28 8HQ

Date: 18th June 2018

Forwarded to :

The Licencing Authority: licensing@gateshead.gov.uk, rebeccasparrow@gateshead.gov.uk,

OBJECTION NOTICE UNDER THE LICENSING ACT 2003

APPLICATION TO TRANSFER PREMISES LICENCE

AND

APPLICATION TO VARY THE DESIGNATED PREMISES SUPERVISOR

PREMISES:

Anna's Mini Market LTD
112 Eastbourne Avenue
Gateshead
NE8 4NJ

Premises licence number: 00CH 04422

Northumbria Police wish to object to both applications to transfer the premises licence by Anna Tychmann and vary the designated premises supervisor to Imran Alam at the above named premises.

On 24th May 2018 Renata PAPPOVA the previous premises licence holder at Papp's Convenience Store, 112 Eastbourne Avenue NE8 4NJ consented to the transfer of the premises licence to Anna TYCHMANN. Mrs PAPPOVA and her husband later informed the police that they knew Mrs TYCHMANN had no Designated Premises Supervisor to nominate and warned her that she is not to sell alcohol until she appoints a DPS.

On 1st June 2018 Renata PAPPOVA and Peter MARALIK the previous DPS attended licensing section at Gateshead Council to report that they had no connection to the shop anymore.

On 2nd June 2018 PC 1223 GIBSON's attention was drawn to a vehicle driving past at speed. The vehicle stopped at a traffic lights junction half way across the centre line of the road. PC 1223 activated his blue lights indicating to the driver of the vehicle to stop. Despite this and the police vehicle being directly behind, the driver continued to drive stopping in a back lane of the applicant's address. The applicant Anna TYCHMANN was identified as the driver. At 02:05hrs of the above date she was cautioned and arrested on suspicion of driving motor vehicle whilst unfit through drink. The applicant Anna TYCHMANN was more than twice over the legal limit, with the station breath test reading 83ug.

Schedule 4 - Licensing Act 2003 identifies an offence under provisions of the Road Traffic Act 1988 contrary to S.5 driving etc. a vehicle with alcohol concentration above prescribed limit as a relevant offence to that Act.

On 2nd June 2018 PC 1790 Jackson visited the premises Papp's Convenience Store and witnessed alcohol being displayed in the fridge. He spoke to the new lease holder Anna TYCHMAN who told them that the alcohol on display was not for sale and that she was waiting for her licence to be granted. We can confirm that there has been no attempt made by the new lease holder on any other party to make an application to transfer the premises licence nor there has been a new DPS nomination made between the official transfer date 24th May 2018 and the officer's visit on 2nd June 2018.

It is an offence under the Licensing Act 2003 S.136 to carry out or to allow licensable activity to be carried out on premises without an authorisation, S.137 to expose alcohol for unauthorised sale and S.138 to keep alcohol on premises for unauthorised sale .

On 5th June 2018 Northumbria Police received an application to transfer the premises licence to Anna's Mini Market LTD, 112 Eastbourne Avenue, Gateshead, NE8 4NJ to Anna TYCHMANN.

On 5th June 2018 Northumbria Police received an application to vary the premises licence at Anna's Mini Market LTD. The applicant Anna TYCHMANN appointed Mr Imran ALAM as the new Designated Premises Supervisor.

Mr ALAM is a personal licence holder with Durham City Council and resides at an address in County Durham located 23 miles away from Anna's Mini Market LTD.

On 31st January 2018 PC T482 stopped a motor vehicle on Askew Road, Gateshead. The vehicle was at the time driving at speed. The driver identified as the proposed DPS Imran ALAM smelled of cannabis. Officer T482 conducted a routine vehicle check and found 3 small bags of cannabis ALAM stated he just purchased. ALAM was reported for possession of cannabis and warned regarding the manner of driving. He was given cannabis warning at road side.

It is the cumulative negative impact of the above named concerns which gives Northumbria Police rise to object under the “exceptional circumstances” criteria. We can have no confidence in the applicant’s ability to fulfil the requirements under the premises licence, to enforce the existing licensing conditions and to uphold the law.

We believe that such objection is proportionate and wholly justified as the licensing objectives and in particular the prevention of crime and disorder will become undermined should the transfer and the vary DPS be allowed.

Alan Pitchford
A/Chief Inspector 7372