

Licensing Sub-Committee Agenda



To:

Councillors Margaret Bird, Bernadette Khan and Pat Ryan

A meeting of the **Licensing Sub-Committee** which you are hereby summoned to attend, will be held on **Monday, 19 February 2018 at 10.30 am in F10, Town Hall, Katharine Street, Croydon, CR0 1NX**

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Michelle Gerning
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www.croydon.gov.uk/meetings
Friday, 9 February 2018

Members of the public are welcome to attend this meeting.
If you require any assistance, please contact the person detailed above, on the righthand side.

N.B This meeting will be paperless. The agenda can be accessed online at www.croydon.gov.uk/meetings

AGENDA – PART A

1. Appointment of Chair

To appoint a Chair for the duration of the meeting.

2. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Licensing Act 2003: Application for a Premises Licence

6. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B

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REPORT TO:	LICENSING SUB COMMITTEE 19 February 2018
SUBJECT:	LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE
LEAD OFFICER:	Executive Director, Place Department
CABINET MEMBER:	Cllr. Hamida Ali, Cabinet Member for Communities Safety & Justice
WARDS:	Fairfield
CORPORATE PRIORITY/POLICY CONTEXT:	
This report is specific to this application and has no implications on the Council's Corporate Policies.	
FINANCIAL SUMMARY:	
This application is being processed as part of normal duties carried out by the Department with no additional costs involved.	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

1.	RECOMMENDATIONS
1.1	The Sub-Committee is asked to determine whether to grant the application for a premises licence at the Basement Area, Q Park Car Park, Charles Street, Croydon, CR0 1TR.

2. EXECUTIVE SUMMARY

2.1 The purpose of this report is to advise the Sub-Committee that an application has been received for a premises licence under the Licensing Act 2003 (“the Act”). This application is the subject of representations, therefore a hearing is required.

3. DETAIL

3.1 A Protocol for Licensing Hearings and a Procedure for Licensing Sub-Committee Hearings has previously been agreed by the Licensing Committee (minute A/24/05 refers). The protocol has been subsequently amended by the licensing committee (minutes A/32/06, A/40/07 and A/07/12 refer).

3.2 The applicant and the parties making the representations have been notified of the hearing in accordance with the Licensing Act 2003 (Hearings)

Regulations 2005 and Licensing Act 2003 (Hearings) (Amendment) Regulations 2005 “the Regulations”. Information to accompany the notice of hearing was provided to the applicant and the persons making representations in accordance with “the Regulations”.

3.3 Appendix A to this report provides details of this application.

4. FINANCIAL CONSIDERATIONS

1 Revenue and Capital consequences of report recommendations

There are no direct financial implications associated with this report, subject to the risks at 4.2 & 4.3. This application is being processed as part of normal duties and therefore the work associated with it is contained within the departmental budget.

2 The effect of the decision

The decision of the Sub-Committee may be subject to appeal and/or Judicial Review

3 Risks

An appeal against a decision of the Sub-Committee or a Judicial Review of the application process may present financial risks to the Council with regard to any award of costs against it.

4 Options

The options available are: to grant the application, to vary the application, with or without further conditions, or to refuse the application.

5 Savings/ future efficiencies

None identified.

6 (Approved by: Zulfiqar Darr, Interim Head of Finance, Place & Resources)

5. COMMENTS OF THE SOLICITOR TO THE COUNCIL

5.1 The Solicitor to the Council comments that the sub-committee must determine the application, taking into account relevant representations, the Licensing Act 2003, the regulations made thereunder statutory guidance and the Council's own licensing policy.

5.2 (Approved for and on behalf of Jacqueline Harris-Baker, Director of Law & Monitoring Officer)

6. HUMAN RESOURCES IMPACT

- 6.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.
- 6.2 (Approved by: Adrian Prescod, HR Business Partner, for and on behalf of Director of Human Resources, Chief Executive's Department)

7. EQUALITIES IMPACT

- 7.1 The arrangements for the Licensing Hearings seek to ensure that all applicants and other interested parties receive a fair hearing and that the process is accessible to all groups within the community.

8. ENVIRONMENTAL AND DESIGN IMPACT

- 8.1 The effective implementation of the Licensing Act 2003 will contribute to an improved environment for local residents and other stakeholders.

9. LICENSING OBJECTIVES IMPACT

- 9.1 The licensing objectives contained in the Act are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance and
 - The protection of children from harm.
- 9.2 Officers comments and relevant representations on the impact of the application on these objectives appear in Appendix A to the application.

10. HUMAN RIGHTS IMPACT

- 10.1 The Human Rights 1998 (HRA) requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a public authority to act incompatibly with those Rights. **Article 6 (A6)** of the European Convention on Human Rights (ECHR) is the right to a fair trial. The key elements of this include:
- The right to a *fair* hearing;
 - The right to a *public* hearing;
 - The right to a hearing before an *independent and impartial tribunal*;
 - The right to a hearing *within a reasonable time*.
- 10.2 When hearing an application, the proceedings of a non-judicial body such as the Licensing Sub Committee, as opposed to an actual Court, need not meet

the full requirements of A6 where there is a right of appeal from the Licensing Sub Committee to a Court that does meet the full A6 standards and can consider all aspects of the case (even if that does not include a full re-hearing of the facts).

- 10.3 So, while it is good practice to make a hearing before the Licensing Sub Committee as A6 compliant as possible, it will not be a breach of the HRA if it is not. Further, the hearing of all applications is subject to the principles of Natural Justice and the requirement for decisions to be 'Wednesbury reasonable'.

11. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS

- 11.1 Protocols agreed in relation to Licensing Hearings are within the Council's Constitution and will be accessible as part of the Council's Publication Scheme maintained under the Freedom of Information Act.

CONTACT OFFICER: Michael Goddard, Licensing Manager, Place
Department ext. 61838

APPENDICES: Application Forms
Licensing Hearings and Protocol and Procedure

APPENDIX A

1. The Application

- 1.1** This report concerns an application by Cellar Door Promotions Ltd. for a premises licence at the Basement Area, Q Park Car Park, Charles Street, Croydon, CR0 1TR.
- 1.2** The application seeks the following licensable activities between the hours shown:-

The sale by retail of alcohol -

Monday to Sunday 0900 hours until 2300 hours

The provision of regulated entertainment*, namely –

Plays

Films

Indoor Sporting Events

Live Music

Performances of Dance

Recorded Music

Monday to Sunday 0900 hours until 2300 hours*

- 1.3** The relevant pages of the application are attached at Appendix A1
- 1.4** Would the Sub-Committee please note that, following discussions with certain responsible authorities, the applicant has amended their application to have additional conditions placed on the premises licence, should the application be granted. The relevant responsible authorities are the Police, The Council Pollution Team and the Council Safety Team and the agreed amendments/conditions are attached at Appendix A2.
- 1.5** *In addition, would the Sub-Committee please note that certain forms of entertainment are no longer regulated, subject to other criteria applying. The exemptions and their effects are set out in Chapter 16 of the statutory guidance to the Licensing Act 2003 produced by Home Office and a copy of Chapter 16 is attached at Appendix A3.

2. Promotion of Licensing Objectives

- 2.1** The applicant provides details in Section 18 on their application of the steps they intend to take to meet the four licensing objectives. These steps would in turn, where applicable, be made into conditions to be attached to the licence, if granted.

3. Relevant representations

3.1 Representations have been received on this application. Copies are attached at Appendix A4.

3.2 The applicant has been provided with a written copy of the representations made.

4. Policy Considerations

4.1 Under the terms of the Act, the Council has published a Statement of Licensing Policy. This is available on the Council website at www.croydon.gov.uk. Hard copies are also available from the Council's Place Department and copies of the policy will also be available at the licensing Sub-Committee hearing. The following paragraphs from the Statement are considered particularly relevant with regard to this application.

4.1 Nothing in the 'Statement of Policy' will:

- undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have each application considered on its individual merits, or,
- override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

4.2 Parties should be aware that, for a representation to be considered relevant, it must be one that is about the likely effect of the grant of a new licence/variation of an existing licence on the promotion of the four licensing objectives. Also, if the representation is made by an 'other person', it will not be relevant if the licensing authority considers it to be 'vexatious or frivolous', or in the case of a review, 'repetitious'.

4.3 Applicants and those making relevant representations in respect of applications or seeking a review of a licence or a certificate have the right of appeal to the Magistrates' Court against the decisions of the Council.

4.4 In considering all licence applications, the Council will take into account the character of the surrounding area, the impact of the licence on that area and the nature and character of the operation.

4.5 As part of any application for a premises licence/club premises certificate or a variation to an existing licence/certificate, applicants are required to submit an 'Operating Schedule', which must include the steps proposed to promote the Licensing Objectives set out in paragraph 2.2.

4.6 Part 5 of this Statement gives guidance to applicants on some of the matters applicants may wish to consider when preparing their Operating Schedules.

- 4.7** Licensing is about the responsible management of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions are likely to be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.
- 4.8** However, the Council acknowledges that it can only impose conditions where relevant representations have been received on an application and that such conditions must be considered necessary for the promotion of the licensing objectives raised by the representations. Where no relevant representations have been made, the application will be granted by the licensing authority in terms consistent with the applicants operating schedule.
- 4.9** When considering these conditions, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 4.10** The Council will not take 'need' into account when considering an application, as this concerns 'commercial demand' and is a matter for the planning process and the market.
- 5.2.1** Croydon Council is committed to reducing crime and disorder within the Borough and creating an environment where people feel safe.
- 5.2.2** In addition to the requirements under the 2003 Act for the Council to promote the licensing objective of preventing crime and disorder, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.
- 5.2.3** Licensed premises, especially those offering late night/early morning entertainment, alcohol and/or refreshment, can be a source of crime and disorder problems.
- 5.2.4** The Council considers that the promotion of the Licensing Objective to prevent crime and disorder also places a responsibility on licence holders to work in partnership to achieve this Objective.
- 5.2.5** The Council will expect applicants to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained so as to minimise or prevent crime and disorder in and around the vicinity of their premises and events.
- 5.2.6** The Licensing Authority recommends that for certain events (please see note below), a comprehensive risk assessment is undertaken by premises licence holders to ensure that crime and disorder and public safety matters are identified and addressed. Accordingly, for premises that wish to stage promotions, or events (as defined below) the Licensing Authority recommends that applicants address the Risk Assessment and debrief processes in their operating schedule.

The Licensing Authority further recommends the Metropolitan Police Promotion/Event Risk Assessment Form 696 and the After Promotion/Event Debrief Risk Assessment Form 696A as useful and effective tools for this purpose. Where the Risk Assessment forms are used to assess the likely risks from any promotion or event, the Licensing Authority anticipates that these will be completed in consultation with the Metropolitan Police. Risk assessments should be submitted to the Metropolitan Police not less than 14 days before any proposed event and debrief forms submitted within 14 days of the conclusion.

Forms 696 and 696A are available on the Metropolitan Police web site at (www.met.police.uk). It is recommended that electronic completion and transmission of the forms is undertaken by licensees. E-mail addresses for submission are ClubsFocusDesk-CO14@met.police.uk and ZD-licensing@met.police.uk. For information, the borough police licensing office telephone number is 020 8649 0167.

Note: Metropolitan Police Definition of a 'Promotion/Event'

This definition relates to events that require a Promotion/Event Risk Assessment Form 696.

Such an event will be deemed to be one that is:

- promoted / advertised to the public at any time before the event, and
- predominantly features DJs or MCs performing to a recorded backing track, and
- runs anytime between the hours of 10pm and 4am, and
- is in a nightclub or a large public house.

Licensees are advised to consult the local Metropolitan Police Licensing Unit to clarify whether their proposed event falls under the above.

5.2.7 Drugs, violence, anti social behaviour and theft of customers property are examples of crime and disorder issues which may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management and supervision of the premises, including associated open areas
- participation in responsible management schemes such as the Croydon 'Best Bar None' accreditation/award scheme
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder
- adoption of existing and future best practice guidance (e.g. Safer Clubbing, the National Alcohol Harm Reduction Toolkit and other recognised codes of practice including those relating to drinks' promotions, i.e. The Point of Sale Promotions published by the British Beer and Pub Association and cheap drinks deals/Happy Hours)
- acceptance of accredited 'proof of age' documentation, as recognised by the Council in consultation with the Police

- employment of sufficient SIA licensed door staff, i.e. within nationally accepted standards
- provision of toughened or plastic glasses
- provision of secure deposit boxes for confiscated items as recognised by the Council in conjunction with the Police
- provision of litterbins and security measures, such as lighting outside premises

Note: As this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases, but in some cases additional matters may need addressing.

5.2.8 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from Council Licensing Officers and Croydon Borough Police, as well as taking into account, as appropriate, local planning and transport policies, and, tourism, cultural and crime prevention strategies.

5.2.9 Where relevant representations have been made, the Council will consider attaching conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises and these may include conditions drawn from the model pool of conditions relating to crime and disorder contained in the statutory guidance to the Act and the following examples of conditions specifically with regard to a promotion/event.

1. The licensee shall undertake a risk assessment of any promotion/event (as defined below) using the MPS Promotion/Event Risk Assessment (Form 696) or an equivalent and provide a copy* to the Metropolitan Police Service and the licensing authority not less than 14 days before the event is due to take place.
2. Where an 'event' has taken place, the licensee shall complete an MPS After Promotion/Event Debrief Risk Assessment (Form 696A) and submit this* to the Metropolitan Police and the Licensing Authority, within 14 days of the conclusion of the event.

*submission of electronic documents by e-mail is preferred.

5.3.1 The Council is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

5.3.2 The 2003 Act covers a wide range of premises that require licensing, including, cinemas, concert halls, theatres, nightclubs, public houses, off licences, cafés/restaurants and fast food outlets/takeaways.

5.3.3 Each of these types of premises present a mixture of different risks, with many common to most premises and others unique to specific operations. These will range from fire safety, including fire precautionary and means of escape arrangements in all types of premises, to the use of scenery and pyrotechnics in theatres and special lighting effects in night clubs.

5.3.4 It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.

5.3.5 The following examples of influencing factors are given to assist applicants when addressing the issue of public safety during the preparation of their Operating Schedule:

- the number of people attending the premises
- the condition, design and layout of the premises, including the means of escape in case of fire
- the nature of the activities to be provided, in particular the sale of alcohol and including whether those activities are of a temporary or permanent nature
- the hours of operation and hours of opening if different
- customer profile (i.e. age, disability, etc)
- the use of special effects such as strobe lighting effects, lasers, pyrotechnics, smoke machines, foam machines, etc

5.3.6 Public safety issues may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management of premises
- provision of a sufficient number of people employed or engaged to secure the safety of everyone attending the premises or event, i.e. number of door supervisors within nationally accepted standards
- appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises or event
- suitable customer-care policies for assisting lone customers taken ill/ injured/etc at the premises
- provision of effective CCTV in and around premises
- provision of toughened or plastic glasses
- implementation of crowd management measures
- regular testing (and certification where appropriate) of procedures, appliances, systems, etc, pertinent to safety codes and standards

Note: As this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases, but in some cases additional matters may need addressing.

- 5.3.7** Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from the Council's Health and Safety Officers and the London Fire and Emergency Planning Authority.
- 5.3.8** The Council will consider attaching Conditions to licences and permissions to promote safety, and these may include Conditions drawn from the Model Pool of Conditions relating to 'Public Safety' and 'Cinemas and Fire Safety' contained in the Statutory Guidance to the Act.
- 5.4.1** The Council recognises the need to protect the amenities of people living, visiting and working in the vicinity of licensed premises, whilst balancing the rights of businesses to develop.
- 5.4.2** Licensed premises, especially those operating late at night and in the early hours of the morning, can give rise to a range of public nuisances which may impact adversely on local communities.
- 5.4.3** These concerns mainly relate to noise and disturbance, light pollution, noxious smells, litter and anti-social behaviour and due regard will be taken on the impact these may have.
- 5.4.4** The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and examining any steps that might reduce the risk of nuisance.
- 5.4.5** The Council recognises that longer licensing hours for the sale of alcohol will avoid concentrations of people leaving premises at the same time, necessary to reduce the friction at late night fast food outlets, taxi ranks/minicab offices and other sources of transport that can lead to disorder and disturbance.
- 5.4.6** The Council will not set fixed trading hours within designated areas ("zoning") as it recognises this could lead to significant movements of people across boundaries at particular times seeking premises opening later and would lead to the peaks of disorder and disturbance the Council is trying to avoid. Additionally, this would seemingly treat residents in one area less favourably than those in another.
- 5.4.7** However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

5.4.8 The Council acknowledges that the Guidance issued under section 182 of the Licensing Act 2003 states that shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

5.4.9 However, there is local concern about crime and disorder associated with shops licensed to sell alcohol off the premises. Accordingly, while the Council will treat each case on its individual merits there will be a presumption that permitted hours for the sale of alcohol will be restricted to between 8am and 11.30pm on Sunday to Thursday and 8am to midnight on Friday and Saturday in respect of shops in residential areas or within one of the four relevant Cumulative Impact Zones where representations are made by the police and/or local residents and where premises are shown to be a focus of crime, disorder or nuisance. Applications to vary the permitted hours for the sale of alcohol off the premises within the above hours shall similarly be treated on their merits

5.4.10 The Council will expect applicants to demonstrate in their Operating Schedule that they have identified satisfactory measures and will implement and maintain these so as to prevent public nuisance, having due regard to the style, characteristics and activities of their particular premises and events.

5.4.11 The following examples of influencing factors are given to assist applicants when addressing the issue of the prevention of public nuisance during the preparation of their Operating Schedule:

- the location of the premises and proximity to residential or other noise sensitive premises
- effective and responsible management and supervision of the premises and associated open areas
- the hours of opening
- the nature of the activities to be provided and their location within the premises, the customer profile, whether the activities are temporary or permanent and whether they are to be held inside or outside
- the design and layout of the premises and in particular the presence of noise limiting features
- the number of people attending the premises
- the availability of public transport
- a 'wind down' period between the end of the licensable activities and the closure of the premises
- a 'last admission time' policy

5.4.12 Public nuisance issues may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management and supervision of the premises, including any outside areas

- appropriate instruction, training and supervision of staff to prevent public nuisance
- adoption of current best practice guidance (i.e. Good Practice Guide on the Control of Noise from Pubs and Clubs produced by the Institute of Acoustics), including designing shop fronts so as to limit noise nuisance from premises, i.e. from opening windows or continental-style concertina doors
- control of opening hours for all or part (i.e. garden areas) of the premises – including other times when deliveries take place/rubbish and bottles are binned – and the operation of generating plant and equipment
- installation of acoustic insulation, suitably controlled, sited and silenced ventilation or air conditioning systems and sound insulation and limiting devices
- managing people, including staff and traffic, arriving and leaving the premises, including patrolling entrance queues
- managing the departure of customers
- liaising with transport providers
- siting and operation of necessary external lighting, including security lighting, with the possible nuisance to nearby properties
- suitable arrangements for collection and disposal of litter, including bottles, so as to minimise disturbance to nearby properties
- no flyposting of events/careful distribution of flyers, including by promoters
- effective ventilation systems to prevent nuisance from odour

Note: As this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases, but in some cases additional matters may need addressing.

5.4.13 Additionally, when preparing their Operating Schedules applicants are recommended to seek advice from Council Pollution Enforcement Officers.

5.4.14 The Council will consider attaching Conditions to licences and permissions to prevent public nuisance, and these may include Conditions drawn from the Model Pool of Conditions relating to 'Public Nuisance'.

5.5.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, to buy food and/or for entertainment.

5.5.2 Although the 2003 Act details certain age and/or time limitations on the admission of accompanied or unaccompanied children to certain types of licensed premises, the Council recognises that additional limitations may have to be considered where it appears necessary to protect them from physical, moral or psychological harm.

5.5.3 The Council will consider the merits of each application before deciding whether to impose conditions limiting the access of children to individual premises.

5.5.4 While no policy can anticipate every situation, the following are examples of premises that will raise concern:

- where entertainment or services of an adult or sexual nature is commonly provided;
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

5.5.5 It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature and the Council acknowledges that any such proposal will require careful discussion with the applicant and responsible authorities. However, as a guide (notwithstanding the implications of the re classification of lap dancing type venues brought about by section 27 of the Policing and Crime Act 2009), the provision of topless bar staff, striptease, lap-table or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language would be included in any such considerations.

5.5.6 When dealing with a licence application where limiting the access of children is considered necessary, the Council may consider any of the following options, in combination where appropriate:

- limitations on the hours when children may be present;
- limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
- limitations on the parts of premises to which children might be given access;
- age limitations (below 18);
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

5.5.7 The Council will not impose conditions on licences or certificates requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee. However, where applicants volunteer prohibitions and limitations in their operating schedules

and no relevant representations have been made to the Council, these will become conditions attached to the licence/certificate conditions and will be enforceable as such.

The Home Office has produced Statutory Guidance under Section 182 of the Licensing Act 2003.

At Chapter 10 of the Guidance, paragraph 10.8 states:

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

- 4.2** All relevant parties have been made aware of the date, time and location of the Sub Committee meeting.
- 4.3** An ordinance survey extract map of the area with the application premises shown at the centre is attached at Appendix A5.

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A1

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	UNDERGROUND2018	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	[REDACTED]	
* Family name	[REDACTED]	
* E-mail	[REDACTED]	
Main telephone number	[REDACTED]	Include country code.
Other telephone number		

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number	06081618	
Business name	CELLAR DOOR PROMOTIONS LTD	If your business is registered, use its registered name.
VAT number	GB 143 2319 42	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business	<input type="text" value="DIRECTOR"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
Building number or name	<input type="text" value="REDACTED"/>	
Street	<input type="text" value="REDACTED"/>	
District	<input type="text"/>	
City or town	<input type="text" value="LONDON"/>	
County or administrative area	<input type="text" value="UNITED KINGDOM"/>	
Postcode	<input type="text" value="REDACTED"/>	
Country	<input type="text" value="United Kingdom"/>	

Section 2 of 21**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="UNDERGROUND BASEMENT OF Q-PARK SURREY STREET CAR PARK"/>
Street	<input type="text" value="CHARLES STREET"/>
District	<input type="text"/>
City or town	<input type="text" value="CROYDON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CR01TR"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="87,000"/>

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

limited

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
 dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
 dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
 dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

Premises: Underground Basement of Q-Park Surrey Street Car Park, Charles Street , Croydon. CR0 1TR
 The site is currently used for and will continue to be used for storage and the waste management of the Surrey Street market traders. The periphery of the area is well served by public transport, including West Croydon / East Croydon Station and Tramlink. Over 22 bus routes serve central Croydon, which is easily accessible to the site. We are applying for a Premises License to use the underground basement of the car park as a location for a proposed pop up event space. The application

Continued from previous page...

requests that the Premises Licence approves will be utilised from Monday to Sunday (principally 3 days a week out of the seven mentioned, once a month). The format will operate as a pop up dry use event space . The ambition is to also encourage social use of the site on the weekends (at our discretion) - such as talks as an example. The peak time use of the site will be in the evenings where events, which will eventually form part of Croydon's 'Borough of Culture' bid programme, will take place at dusk once the sun has set and utilisation of the basement of the car park is at its lowest. This application includes a request that we be permitted to supply alcohol (on-site). Alcohol will be contained within this underground space. The road network to the site consists of access to the main Q park itself and the delivery entrance to the Overton's Yard.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 09:00

End 00:00

Start

End

Will the performance of a play take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performances (if any) would be ad hoc and will not be for the duration of the times mentioned above. We wish to engage with local Croydon Borough schools, Croydon College and BRIT school. Music (if any) may be amplified. We will adhere to any sound restrictions imposed following a sound test with Croydon Environmental Health Noise Pollution Team. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours.

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes
- No

Standard Days And Timings

MONDAY

Start 09:00

End 23:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 09:00

End 23:00

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Screenings (if any) will only occur at the times specified. Audio for the film screenings will either be transmitted through a PA system or played through wireless headphones. We will adhere to any sound restrictions imposed following a sound test with Croydon Environmental Health Noise Pollution Team. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours. In 2015 we operated a roof top cinema and bar at Dingwall Road Car Park, Croydon, in 2016 we operated at NCP Fairfield Croydon and in 2017 we operated at Centrale Car Park in partnership with The Croydon Partnership (Westfield/Hammerson)

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Continued from previous page...

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Standard Days And Timings

MONDAY

Start 09:00

End 23:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 09:00

End 23:00

Start

End

WEDNESDAY

Start 09:00

End 23:00

Start

End

THURSDAY

Start 09:00

End 02:00

Start

End

FRIDAY

Start 09:00

End 04:00

Start

End

SATURDAY

Start 09:00

End 04:00

Start

End

SUNDAY

Start 09:00

End 00:00

Start

End

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performances (if any) would be ad hoc and will not be for the duration of the times mentioned above. We will adhere to any sound restrictions imposed following a sound test with Croydon Environmental Health Noise Pollution Team. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours.

Continued from previous page...

State any seasonal variations for indoor sporting events

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

We wish to engage with the local colleges Croydon College and BRIT school. Music will be amplified. Any noise levels will be pre-agreed and adhered to with the Croydon Pollution Team following a sound test. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours. Performances (if any) would be ad hoc and will not be for the duration of the times mentioned above. Music will be amplified. Any noise levels will be pre-agreed and adhered to with the Croydon Pollution Team following a sound test. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Pop Up events within the space may be DJ led in content. Music will be amplified. Any noise levels will be pre-agreed and adhered to with the Croydon Pollution Team following a sound test. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours. Both Directors of Cellar Door Promotions Ltd have completed a BIIAB Level 2 Award for Music Promoters qualification. Performances (if any) would be ad hoc and will not be for the duration of the times mentioned above.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 09:00

End 00:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performances (if any) would be ad hoc and will not be for the duration of the times mentioned above. Music will be amplified. Any noise levels will be pre-agreed and adhered to with the Croydon Pollution Team following a sound test. One dedicated mobile phone will remain on site and shared with the Croydon Pollution Team so that the site manager can always be reached during operational hours.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes
- No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes
- No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes
- No

Continued from previous page...

Standard Days And Timings

MONDAY

Start 09:00

End 22:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 09:00

End 22:00

Start

End

WEDNESDAY

Start 09:00

End 22:00

Start

End

THURSDAY

Start 09:00

End 01:00

Start

End

FRIDAY

Start 09:00

End 03:00

Start

End

SATURDAY

Start 09:00

End 03:00

Start

End

SUNDAY

Start 09:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises
- Off the premises
- Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

With specific relevance to screenings:

1. Tickets must be bought online prior to the event.
2. Some of the pop up events will have age restrictions, identification (ID) may be required before entry is granted to individuals. Where no ID is available and the operator/staff have reason to believe the customer is under age, entry will not be granted and the person directed to cease the course of seeking entry.
3. Staff will be well trained in requesting ID where the customer appears under age. SIA staff will be on site to provide a visible presence.
4. Where alcohol is being served, this will be in plastic cups so as to avoid any incidents with glasses.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. There will be no irresponsible promotions that encourage excessive drinking.
2. Staff will be well trained in respect of licensing laws.
3. A summary of the Premises Licence will be displayed onsite.
4. The applicant will ensure that the premises is responsibly managed and supervised at all times to ensure that the appropriate steps are taken to promote the licensing objectives.
5. The right of admission will be reserved.
6. It will be a condition of entry that that all bags are searched. The decision to search will not be by means of random selection. Any person(s) refusing to be searched will be refused entry (SIA staff will not require permission from managers to conduct searches).
7. Any disabled persons onsite will be identified in advance through ticketing registration. Upon arrival, they will be briefed on the safe evacuation procedure. A partner scheme whereby those registered as disabled will be permitted to bring one guest free to provide assistance throughout their visit. The number of free passes will be restricted to 5 tickets in order that numbers can be managed in the event of an emergency evacuation.
8. Cash transactions must only be dealt with by staff members who are authorised to undertake such responsibilities. All cash collected must be held securely in a till that is secured in a manner that prevents it from being taken away from the point of sale. Cash should never be left unattended for any period of time.
9. Any cash amounts over £500 must be held in a time delayed (minimum 5 minutes) drop safe that has an anti-fish mechanism. This safe will be secured to a semi-permanent structure (e.g. bar or counter) to prevent it being taken away in the event of a robbery.
10. No cash will remain on the premises.
11. Management will not permit furniture to be moved from their designated area. In addition, the management will carefully monitor furniture within the site to manage the inappropriate use of chairs e.g. Used as weapons.
12. CCTV will be installed to capture head and shoulders of all patrons entering the site. CCTV will also cover areas where licensable activities occurs.

Continued from previous page...

13. SIA staff must wear high visibility vests/jackets where appropriate.
14. An age verification scheme, Challenge 25, to be used.
15. Plastic bin liners to be used for the disposal of waste. Staff to ensure the premises and curtilage are kept clear and free of waste and detritus associated with licensable activity.
16. Alcohol must be decanted from glass bottles or metal containers into polycarbonate tumblers or plastic wine goblets. Alcoholic drinks sold or supplied for consumption on the premises will be made available to customers in the following measures:
 - (i) beer or cider: 1/2 pint, pint
 - (ii) gin, rum, vodka or whisky: 25ml or 50ml and
 - (iii) still wine: 125ml, 250ml
 where these measures are displayed in a menu / price list on site and available to customers.
17. Patrons are not permitted to bring alcohol to the venue or take delivery of alcohol.
18. All staff to assist in the quiet dispersal of patrons at the conclusion of each event.

b) The prevention of crime and disorder

1. The applicant will do their utmost to regulate behaviour whilst operating the site and will seek to manage and provide guidance to visitors as they come in and also disperse into the immediate vicinity.
2. The applicant will obtain guidance from the Croydon Counter Terrorist Team on any changes to terrorist threat levels.
3. All incidents will be reported to the Site Manager and any follow-up procedures implemented.
4. Staff will be either static or patrolling. Security staff will be made available under the direction of the site Manager. All security personnel will be SIA licenced, CRB checked and fully insured.
5. Any incidents will be managed in coordination with the security present on the site. Where a criminal offence occurs, this will be reported to the police.
6. In the unlikely event that a customer is believed to be intoxicated or under the influence of drugs, they will be dealt with by an appropriate first aider trained to recognise common drug induced problems such as anxiety, paranoia and heatstroke.
7. Under no circumstances will anyone suffering from the ill effects of drug use be ejected from the premises. They will be taken to one side to a calm environment for the first aider to administer care to the individual privately and discreetly.
8. Access to free drinking water will be made available to any customer seen to be intoxicated by either drugs or alcohol.
9. First aid will only be administered with the individual's consent. If the individual is unconscious or is unable to give consent due to their injury or state, consent will be assumed and treatment commenced.
10. If the individual is under 18, consent will be sought from a parent or guardian.
11. Paramedics will be called for any person who is unconscious or who becomes unconscious.
12. The applicant's Drugs and Alcohol policy will be displayed on site.
13. Wine / spirits and bottled beers must be dispensed into plastic cups.
14. The applicant/management will operate a proof of age scheme and will display relevant literature.

c) Public safety

1. Basic fire prevention practices will be employed as an essential part of the applicant's good fire safety programme and will include -
 - A small area cordoned off for those wishing to smoke a cigarette. This prevents patrons from going down into the car park and smoking undetected and discarding their cigarette butts. We feel it is important to control the smoking environment but away from the main event area.
 - Removal of waste periodically to avoid a build-up of combustibles. Good housekeeping will be maintained by staff present
 - Exits, passageways and stairways will be kept completely clear
 - Electrical wiring to equipment will be protected from abuse
 - Combustible/flammable liquids will not be stored on the premises
 - Fire extinguisher accessible to staff and easily identifiable
2. In the event of a small fire, without risk to oneself or others an attempt will be made to extinguish with a fire extinguisher (held onsite) before a call is placed to 999. In the event of a large fire, a call is placed to 999 and evacuation procedures will take effect.
3. All fires to be reported to London Fire Brigade.

Continued from previous page...

4. In the case of a medical emergency, onsite staff will, in the first instance, attend to any first aid requirements before being referred to the onsite First Aid cover. If onsite First Aid cover is unable to deal with the requirement, they will contact the London Ambulance service and inform security staff.
5. A logbook will be kept onsite to detail any accidents/reported trips, fall and near misses.
6. The ticketing process will request notification of special considerations to ensure that acceptable plans can be made for those requiring ease of wheelchair access.
7. Food hygiene certificates and HACCP information will be made available for Croydon Council Environmental Health for inspection
8. Public liability insurance to be displayed at all times on site

d) The prevention of public nuisance

1. Bin sacks will be moved at the end of each evening for collection.
2. Recorded music to be played through a PA System with volumes not to exceed pre-agreed levels following a sound test with the Croydon Pollution Team.
3. Security will participate in the local Croydon pubwatch scheme (or equivalent) to keep abreast of anyone deemed to be in the town centre and a threat to public nuisance

e) The protection of children from harm

1. When hosting family friendly events and films, staff to be vigilant and request ID from customers purchasing alcohol to verify the customer's age and to ensure that alcohol is not sold to minors. No individuals under the age of 18 will be allowed onto the site after 20:00 - The admittance of children for the exhibition of any film shall be in accordance with any British Board of Film Classification or Croydon Council age restriction pertaining to that film.
2. Only a passport or driving licence will be accepted as proof of ID.
3. A refusal book will be kept on the premises where staff can record details of all persons refused alcohol.
4. If a child is reported as lost, security will be alerted immediately.
5. If a child is reluctant to go with a parent or collecting adult, security will advise the site manager who will contact the police.
6. Upon collecting a child or young person, the parent or guardian's proof of identity will be seen and a note of the child's and parent's name recorded in writing
7. All staff/personnel will be advised in person of the description of the child and will be aware of any unaccompanied children.
8. If found, a lost child will not be moved but the security team will be alerted via radio communications. If the parent cannot be found / no one claims the child, the police will be advised and will take over care of the child at the end of the event.

Section 19 of 21**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees are calculated on the valuation of the premises. The value can be found on voa.gov.uk Fees range from £100 - £315 please phone Licensing team to confirm 020 87605466 Rateable Value (commercial) £0 - £4,300= £100 £4,301 - £33,000= £190 £33,001 - £87,000=£315 £87,001 - £125,000=£450 £125,000 and over=£635

Please note there is a surcharge of 1.65% if you pay by credit card. There is no surcharge for debit card▲

* Fee amount (£)

315.00

DECLARATION

[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)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

CELLAR DOOR PROMOTIONS LTD

* Capacity

CREATIVE DIRECTOR

* Date

19 / 12 / 2017
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/croydon/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

OFFICE USE ONLY

Applicant reference number	UNDERGROUND2018
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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The Applicant has agreed to amend the application so that all licensable activities will cease at 2330 hours each day.

No DJ led events will be held.

No live band events to be held.

Any event where attendance is more than 250 Police must be notified 14 days in advance and will have a total veto on such events

Proposed Q-Park conditions.

The premises licence holder shall ensure –

- 1, Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
- 2, An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any refusal of the sale of alcohol.
 - g. Any visit by a relevant authority or emergency service.
- 3, All bar staff are trained in the relevant requirements of the Licensing Act 2003, alcohol sales, proof of age, and conflict management. The training will be refreshed prior to events where alcohol will be sold. Staff training records should be maintained and made available on the request of police or other authorised person.
- 4, Operate an anti-drugs policy in conjunction with a search and seizure policy. This will also include storage and disposal procedures. Signage will be displayed throughout the premises.
- 5, Operate a weapons policy in conjunction with search and seizure policy. This will also include storage and disposal procedures.
- 6, Ensure that polycarbonate drinking vessels are used for all alcoholic and soft drinks served to customers and that all drinks supplied in glass bottles will be decanted into polycarbonate serving or drinking vessels from 2000 hours.
- 7, Ensure that non-alcoholic drinks are available for retail sales at all times when the sale of alcohol is authorised at the premises by the Premises Licence.

8, Comply with the reasonable requests of the Metropolitan Police in respect of the prevention of crime and disorder.

9, Ensure that customers prevented from leaving the premises with bottles or open containers.

10, Ensure that a dispersal policy is in operation at every event.

1. Install and maintain a CCTV system to the reasonable requirements of the Metropolitan Police, covering the entrances, exits, internal and external areas of the premises and retain images for a minimum of 28 days and deliver CCTV images to Police or Council Officers, in useable, form on request;

2. Door-supervisors:-

- Ensure that there is a minimum of two door-supervisors deployed at the venue after 2000hrs and thereafter at a ratio of 1:100 customers.
- Ensure that this number is only varied, based on risk, as agreed from time to time in writing, with the Metropolitan Police.
- Ensure that records are kept by the DPS, at the premises, of the following details of any door-supervisor employed at the premises: -
 - ⇒ Name and date of birth
 - ⇒ Full 16 digit SIA badge number
 - ⇒ Dates and times employed
- These records shall be made available, in useable form, to the Metropolitan Police or authorised officers of the Security Industry Authority upon request;

1. An identification scanning device capable of recording and checking identity documents must be in use at the premises from 2000hrs on Thursday, Friday and Saturday nights, *Christmas Eve, New Year's Eve and Sundays before a Bank Holiday* (and on other occasions the use of the Id Scanner is to be risk assessed). All customers must have their ID scanned as a condition of entry where acceptable forms of identification are:

- a. Passports
- b. National identity cards
- c. Driving licences
- d. Military ID cards
- e. Cards bearing the PASS hologram.

From 2000 hours a secure smoking area should be used and will be under observation by staff.

Concerns of the Pollution Team

Due to the premises being close proximity to residential properties, the Pollution team is minded to require mitigation measures and conditions to the licence to address any potential noise impact on local residents.

Conditions/Restrictions

This will be a format which will be easily embedded and enforceable if there are future problems.

You are advised to submit a Noise Assessment Management Plan (NAMP) to include;

- 1 The licensee will ensure that there is no external music played at the premises.
- 2 All licensable activities will cease at 2300 hours any day
- 3 No live Music or DJ led events at the premises
- 4 The licensee will ensure that all planning conditions thereof are adhered to.
- 5 Any recorded music noise levels (MNL) measured or predicted from the premises shall not from the façade of noise sensitive premises exceed 55dB(a) over a 15 minute period
- 6 The licensee will ensure that patrons are managed to ensure that noise from exiting and entering the premises is kept to minimum.
- 7 The licensee will ensure that there is close and regular liaison with the landlords and residents within close proximity of the premises to address complaints and concerns.
- 8 The licensee will ensure that no noise nuisance be caused to local residents and business from any activity associated with the premises licence.
- 9 Doors closed during events.

Completed by: Eddie Adjei
 Position: Senior Pollution Enforcement Officer
 Date: 11th January 2018

Q Park Public Safety Conditions

1. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
2. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
3. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
4. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
5. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
6. Should any queue form of persons waiting to gain entry to the premises, such queue shall be properly organised and monitored so as to mitigate any impact on the public highway.
7. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
8. All non-structural and moveable items not associated with an event must be removed from the venue or appropriately barred to prevent access. All combustion sources such as vehicles, fork lift trucks and gas not associated with the event should be removed from the venue during the event.
9. The licence holder shall notify the Croydon Police Licensing and Croydon Council Events Officer 10 working days prior to each event taking place.

10. When requested by the Events Officer at Croydon Council an event management plan should be produced. This will be required for any events that are deemed higher risk by the Council and the Safety Advisory Group Partners. As a minimum an event safety management shall include; site plans, stewarding/security plans, crowd management plans, medical plan, fire plan, specific safety policies and risk assessments.
11. The premises licence holder shall nominate one person for every event to act as safety co-ordinator who is authorised by the premises licence holder to act on their behalf to carry out reasonable requests made by the Safety Advisory Group at Croydon or to carry out reasonable requests made by authorities during visits. The details of this person must be provided in advance of an event.
12. Where an event safety management plan is required pre-event planning meetings shall be arranged in conjunction with the Council, the Metropolitan Police, London Ambulance Service and London Fire Brigade for the event. These meetings shall be additional to the SAG.
13. The communication system in place for the event space shall ensure the effective operation of the site under both normal and emergency conditions.
14. Notify the Metropolitan Police and the London Borough of Croydon with a minimum 20 days notice of any proposed large event and any change to the calendar of events.
15. The capacity on event days within the venue (including staff) shall be set at 499.

16. Regulated entertainment

Types of regulated entertainment

- 16.1 Schedule 1 to the 2003 Act sets out what activities are regarded as the provision of regulated entertainment and when they are licensable and those activities which are not and therefore exempt from the regulated entertainment regime. Changes to regulated entertainment are due to take effect on 6 April 2015. Therefore, up until that date you should refer to chapter 16 of the guidance published in October 2014.
- 16.2 The descriptions of entertainment activities licensable under the 2003 Act are:
- a performance of a play;
 - an exhibition of a film;
 - an indoor sporting event;
 - a boxing or wrestling entertainment;
 - a performance of live music;
 - any playing of recorded music;
 - a performance of dance; and
 - entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.
- 16.3 To be licensable, one or more of these activities needs to be provided for the purpose (at least partly) of entertaining an audience; has to be held on premises made available for the purpose of enabling that activity; and must also either:
- take place in the presence of a public audience, or
 - where that activity takes place in private, be the subject of a charge made with a view to profit.
- 16.4 Guidance around what constitutes audiences and private events is at paragraphs 16.11-16.14.

Overview of circumstances in which entertainment activities are not licensable

- 16.5 There are a number of exemptions that mean that a licence (or other authorisation¹⁸) under the 2003 Act is not required. This Guidance cannot give examples of every eventuality or possible entertainment activity that is not licensable. However, the following activities are examples of entertainment which are not licensable:
- activities which involve participation as acts of worship in a religious context;
 - activities in places of public religious worship;
 - education – teaching students to perform music or to dance;
 - the demonstration of a product – for example, a guitar – in a music shop;
 - the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;

¹⁸ The word 'licence' is typically used as a reference to all forms of authorisation

- Morris dancing (or similar)¹⁹;
- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity²⁰;
- Incidental film – an exhibition of moving pictures if it is incidental to some other activity²¹;
- A spontaneous performance of music, singing or dancing;
- Garden fetes – or similar if not being promoted or held for purposes of private gain;
- Films for advertisement, information, education or in museums or art galleries;
- Television or radio broadcasts – as long as the programme is live and simultaneous;
- Vehicles in motion – at a time when the vehicle is not permanently or temporarily parked;
- Games played in pubs, youth clubs etc. (e.g. pool, darts and table tennis);
- Stand-up comedy; and
- Provision of entertainment facilities (e.g. dance floors)²².

16.6 As a result of deregulatory changes that have amended the 2003 Act²³, no licence is required for the following activities:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500²⁴.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
- Boxing or wrestling entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises,

¹⁹ Including any live music or playing of recorded music as an integral part of a performance of Morris dancing or similar activity.

²⁰ See paragraphs 16.57-16.61

²¹ See paragraphs 16.65-16.68

²² This was previously licensable under the 2003 Act until the commencement of the Live Music Act 2012.

²³ The Live Music Act 2012 ("2012 Act") <http://www.legislation.gov.uk/ukpga/2012/2>; Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013 ("2013 Order") <http://www.legislation.gov.uk/uksi/2013/1578/contents/made>; The Legislative Reform (Entertainment Licensing) Order 2014 ("2014 Order") <http://www.legislation.gov.uk/uksi/2014/3253/introduction/made>, and the Deregulation Act 2015 ("2015 Act").

²⁴ But see paragraphs 16.47 -16.48 in relation to dance that is adult entertainment and remains licensable.

provided that the audience does not exceed 500²⁵.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace²⁵ that does not have a licence, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500²⁷.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment)

²⁵ Provided that a number of other important conditions are satisfied (see paragraphs 16.38-16.43).

²⁶ The Live Music Act 2012 provides that if premises are licensed under the 2003 Act, they cannot also be treated as a workplace for the purpose of the 2012 Act.

²⁷ Provided that a number of other important conditions are satisfied. see paragraphs 16.38-16.43.

taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

- 16.7 The deregulatory changes mean that, for example, an indoor sporting event that takes place between 07.00 and 23.30 on a particular day is licensable in respect of activities taking place between 07.00-08.00 and 23.00-23.30. Similarly, where the audience for a performance of dance fluctuates, those activities are licensable if, and for so long as, the number of people in the audience exceeds 500. If organisers are uncertain as to audience sizes or if audience migration is likely²⁸, it might be easier and more flexible to secure an appropriate authorisation. Examples of where a Temporary Event Notice (TEN)²⁹ could still be required include if the activity is the playing of recorded music or the exhibition of a film that requires an authorisation; or if the entertainment is not authorised by an existing licence or certificate and its conditions.
- 16.8 Of course, anyone involved in the organisation or provision of entertainment activities – whether or not any such activity is licensable under the 2003 Act – must comply with any applicable duties that may be imposed by other legislation relevant to the event (e.g. in areas such as crime and disorder, fire, health and safety, noise, nuisance and planning).³⁰ Any such person should take steps to be aware of relevant best practice, and may find responsible authorities a useful source of expert support and advice.
- 16.9 The various effects of the changes made to entertainment licensing by the set of deregulatory changes between 2012 and 2015³¹ are described in greater detail in subsequent paragraphs:
- Music entertainment, see in particular paragraphs: 16.20-16.21; 16.26-16.33; and 16.36-16.44;
 - Plays, dance, and indoor sporting events, see in particular paragraphs: 16.34-16.35 and 16.45-16.48;
 - Local authority, hospital and school premises, see in particular paragraphs: 16.16-16.20
 - Community premises, see in particular paragraphs: 16.21-16.24 and 16.34-16.35
 - Circuses, see in particular paragraph 16.25
 - Boxing or wrestling entertainment, see in particular paragraphs: 16.49-16.51.

²⁸ See paragraph 16.12

²⁹ See chapter 7

³⁰ See paragraphs 16.70-16.72 in relation to other licensing regimes

³¹ An entertainment activity may meet the conditions of more than one exemption

General circumstances in which entertainment activities are licensable

16.10 An authorisation for regulated entertainment is always required for entertainment activities that take place before 08.00 or after 23.00, unless exempted under any other provision of the 2003 Act, as amended³².

Audience

- 16.11 For the purposes of regulated entertainment, the term "audience" refers to any person for whose entertainment (at least in part) any licensable activities are provided. An audience member need not be, or want to be, entertained: what matters is that an audience is present³³ and that the purpose of the licensable activity is (at least in part) intended to entertain any person present³⁴. The audience will not include performers, together with any person who contributes technical skills in substantial support of a performer (for example, a sound engineer or stage technician), during any associated activities. This includes setting up before the entertainment, reasonable breaks (including intervals) between activities and packing up thereafter. Similarly, security staff and bar workers will not form part of the audience while undertaking their duties.
- 16.12 More than one entertainment activity (or for a single activity, more than one performance or event) can be held concurrently, provided that the audience for each such performance or event does not exceed the threshold at which such a performance or event becomes licensable. In some circumstances, there will be a clear distinction between performances or events; for example, their taking place in separate rooms or on separate floors. However, organisers will have to ensure that audiences do not grow or migrate, so that the audience exceeds the relevant limit for any one performance or event at any time. If there is the possibility of audience migration, it might be easier and more flexible to secure an appropriate authorisation.

Private events

- 16.13 Events held in private are not licensable unless those attending are charged for the entertainment with a view to making a profit (including raising money for charity). For example, where a party is held for friends in a private dwelling featuring amplified live music, if a charge or contribution is made solely to cover the costs of the entertainment, the activity is not regulated entertainment. Similarly, any charge made to the organiser of a private event by musicians, other performers, or their agents does not of itself make that entertainment licensable – it would only do so if the guests attending were themselves charged by the organiser for that entertainment with a view to achieving a profit. The fact that this might inadvertently result in the organiser making a profit would be irrelevant, as long as there had not been an intention to make a profit.
- 16.14 Schedule 1 to the 2003 Act also makes it clear that before entertainment is regarded as

³² See examples at paragraph 16.5

³³ In some circumstances, such as un-ticketed live music events, a degree of judgement may be required as to whether persons are part of an audience. Factors to consider could include whether a person is within the perimeter of the premises, the audible range of the performance, and their visibility of the entertainment. In order to meet the definition of an entertainment activity in the 2003 Act, the activity must take place in the presence of an audience and be provided for the purpose, or for purposes which include the purpose of, entertaining that audience.

³⁴ For example, a darts championship competition hosted in part to entertain an audience could be a licensable activity, but a pub game of darts played for the enjoyment of the participants is not licensable.

being provided for consideration, a charge has to be:

- made by or on behalf of a person concerned with the organisation or management of the entertainment; and
- paid by or on behalf of some or all of the persons for whom the entertainment is provided.

Circumstances in which entertainment activities are no longer licensable

16.15 No licence is required for certain entertainment activities on specified premises, as follows:

Local authorities, hospital healthcare providers and school proprietors: cross-entertainment activity exemption

16.16 No licence is required for any entertainment provided by or on behalf of a local authority, health care provider, or school proprietor to the extent that it takes place on defined premises, between 08.00-23.00 on any day provided that:

- for entertainment provided by, or on behalf of, a local authority it takes place on premises in which that authority has a relevant property interest, or is in lawful occupation;
- for entertainment provided by, or on behalf of, a health care provider it takes place on any premises forming part of a hospital in which the provider has a relevant property interest, or is in lawful occupation; and
- for entertainment provided by, or on behalf of, a school proprietor it takes place on the premises of the school.

16.17 This Guidance cannot give examples of every eventuality where entertainment is not licensable under this exemption through being provided "by or on behalf of". It will depend on the facts in each case. However, the following are examples of activities that are not usually considered to be licensable under this exemption:

- Any entertainment activity hosted by a local authority on their own premises, where there is a significant relationship between the local authority and the provider of the entertainment (e.g. principal and agent);
- Any entertainment activity organised on a local authority's behalf on that local authority's premises by a cultural trust in discharge of a local authority's discretionary power to arrange entertainment provision and support for the arts, including festivals and celebrations.
- Any entertainment activity organised by a healthcare provider on their own hospital premises in partnership with a hospital charity;
- Any entertainment event on school premises organised by the Parent Teacher Association (PTA) to benefit the school.

16.18 It is for the local authority, health care provider or school proprietor to determine whether, and on what basis, they can (or wish) to provide entertainment activity under this exemption, including consideration of issues around fundraising, profit making, governance or use of public funds. However a pure hire of premises by a third party³⁵

³⁵ But see paragraph 16.20

does not constitute the provision of an entertainment event "on behalf of" a local authority, healthcare provider, or school proprietor and nor does commercial entertainment which the local authority³⁶ merely facilitates through providing a public space³⁷.

- 16.19 All the terms used in this exemption, such as "local authority", "health care", "health care provider", "hospital", "school", "school premises", "school proprietor", "domestic premises" and "relevant property interest" are defined in the 2014 Order³⁸.

Local authority, hospital and school premises: third party music entertainment

16.20 No licence is required for a performance of live music or the playing of recorded music on local authority, hospital or school premises, that are not domestic premises, between 08.00-23.00 on any day provided that:

- it is performed in front of an audience of no more than 500 people; and
- a person concerned in the organisation or management of the music entertainment has obtained the prior written consent³⁹ of the local authority, health care provider or school proprietor (as appropriate) for that entertainment to take place. It is for these "trusted providers" to determine whether, or not, they wish to make their premises available for music entertainment by a 3rd party and on what terms they deem it appropriate.

Community premises: music entertainment

16.21 No licence is required for a performance of live music or the playing of recorded music on community premises⁴⁰, between 08.00-23.00 on any day provided that:

- the community premises are **not** authorised, by a premises licence or club premises certificate, to be used for the supply of alcohol for consumption on the premises⁴¹;
- the music entertainment is in the presence of an audience of no more than 500 people; and
- a person concerned in the organisation or management of the music entertainment has obtained the prior written consent⁴² of the management committee of the premises, or if there is no management committee, a person who has control of the premises in connection with the carrying on by that person of a trade, business or other undertaking, or failing that a person with a relevant property interest in the premises.

³⁶ Or healthcare provider or school proprietor.

³⁷ The exemption would similarly not apply, for example, to a commercial company operating on premises belonging to a local authority under a long term lease.

³⁸ See footnote 20

³⁹ This requirement is designed to ensure that those responsible for the premises hosting the entertainment have considered and approved the effect of the event on other users of their premises and the wider community.

⁴⁰ The definition of community premises is covered in paragraphs 4.56-4.60 of this Guidance. A community premises is likely to be multi-functional and 'other similar building' within the definition cannot be stretched to ordinarily include a public house, a bingo hall, or other business premises or private property.

⁴¹ Where a community premises is licensed for the supply of alcohol by a premises licence (or exceptionally a club premises certificate), then any performance of live music or the playing of recorded music on relevant alcohol licensed premises may be subject to the conditional deregulation described in paragraphs 16.26-16.33.

⁴² See footnote 36

Community premises: exhibition of film

16.22 No licence⁴³ is required for an exhibition of a film on community premises⁴⁴ between 08.00-23.00 on any day provided that:

- the film entertainment is not provided with a view to profit⁴⁵;
- the film entertainment is in the presence of an audience of no more than 500 people;
- the admission of children is subject to such restrictions as are necessary to comply with the recommendation issued by the BBFC or relevant licensing authority regarding the admission of children; and
- a person concerned in the organisation or management of the exhibition of the film has obtained the prior written consent⁴⁶ of the management committee of the premises, or if there is no management committee, a person who has control of the premises in connection with the carrying on by that person of a trade, business or other undertaking, or failing that a person with a relevant property interest in the premises.

16.23 Under this exemption, one condition is that the film entertainment is not being provided with a view to profit⁴⁷. An entry charge does not of itself make the film entertainment licensable; it is whether the organiser intended to make a profit (that includes raising money for charity). A charge or contribution that is made solely to cover the costs of the film screening⁴⁸ is consistent with 'not being provided with a view to profit'. The 'not with a view to profit' condition applies solely to the activity of exhibiting the film under this exemption. A charge with a view to making a profit may legitimately be levied for any other activity or event that is distinct from film admission, such as the provision of refreshments, film talks, or a social event.

16.24 This community film exemption is also conditional on those responsible having in place operating arrangements that ensure that the age rating for the film is implemented by means of a suitable child admission policy⁴⁹. How this is achieved is a matter for the organisation or social group exhibiting the film. For example, they may operate a membership subscription scheme which pays for entry to all titles in a season and is limited to adults. It could be a children's film club with a policy of only showing films that are suitable for all by being rated 'U' by the BBFC. Alternatively, the organisers could sell tickets to the public and ensure that children are only permitted to attend in accordance with any age rating for the film – i.e. a door admissions policy linked to proof of age.

⁴³ However, see paragraph 16.70 in relation to copyright

⁴⁴ See footnote 37

⁴⁵ See paragraph 16.23

⁴⁶ See footnote 36

⁴⁷ 'not provided with a view to profit' is the inverse of 'with a view to profit' mentioned in paragraph 16.13

⁴⁸ Legitimate costs of a film screening would include overheads directly relevant to providing the film entertainment (e.g. premises hire, film hire, equipment etc.)

⁴⁹ See 3rd bullet point in paragraph 16.22

Travelling circuses

16.25 Where types of entertainment are present in a performance by a travelling circus⁵⁰ they will not be licensable provided that certain qualifying conditions are met⁵¹. The qualifying conditions are that:

- the entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- the entertainment takes place between 08.00 and 23.00 on the same day;
- the entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- the travelling circus has not been located on the same site for more than 28 consecutive days.

Live music

16.26 Live music is licensable:

- where a performance of live music – whether amplified or unamplified – takes place before 08.00 or after 23.00 on any day;
- where a performance of amplified live music does not take place either on relevant licensed premises, or at a workplace that is not licensed other than for the provision of late night refreshment;
- where a performance of amplified live music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises⁵²;
- where a performance of amplified live music takes place at relevant licensed premises, or workplaces⁵³, in the presence of an audience of more than 500 people⁵⁴; or
- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act when imposing a condition on a premises licence or club premises certificate as a result of a licence review⁵⁵.

16.27 In any of the above circumstances, unless the performance of live music is appropriately authorised by a premises licence, club premises certificate or TEN, allowing it to take place could lead to enforcement action and, where relevant, a review of the alcohol licence or certificate.

16.28 A public performance of live unamplified music that takes place between 08.00 and 23.00 on the same day no longer requires a licence under the 2003 Act in any location. An exception to this is where a specific condition related to live music is included following a review of the premises licence or club premises certificate in respect of relevant licensed premises.

⁵⁰ 'Travelling circus' is defined in the 2014 Order as meaning a circus which travels from site to site for the purpose of giving performances. Musical entertainment at a travelling fairground is likely to be incidental to the main attractions and rides that are not themselves regulated entertainment.

⁵¹ There is no audience limit for this exemption, but the conditions are designed to ensure that deregulation does not have unintended consequences for the licensing objectives – e.g. only bona fide travelling circuses qualify.

⁵² See Chapter 3 of this Guidance

⁵³ See paragraph 16.31

⁵⁴ The 2014 Order substituted "500" for "200" that was in the 2012 Act

⁵⁵ See paragraphs 16.55-16.56

16.29 As a result of the amendments to the 2003 Act, section 177 of the 2003 Act now only applies to performances of dance⁵⁶.

Key terms used in relation to live music

16.30 Under the live music provisions, “music” includes vocal or instrumental music or any combination of the two. “Live music” is a performance of live music in the presence of an audience which it is intended to entertain. While a performance of live music can include the playing of some recorded music, ‘live’ music requires that the performance does not consist entirely of the playing of recorded music without any additional (substantial and continual) creative contribution being made. So, for example, a drum machine or backing track being used to accompany a vocalist⁵⁷ or a band would be part of the performance of amplified live music. The performance of a DJ who is merely playing tracks would not be classified as live music, but it might if he or she was performing a set which largely consisted of mixing recorded music in a live performance to create new sounds⁵⁸. There will inevitably be a degree of judgement as to whether a performance is live music (or recorded music) and organisers of events should check with their licensing authority if this consideration is relevant to whether the activity is authorised by a licence or certificate. In the event of a dispute about whether a performance is live music or not, it will be for the licensing authority initially and ultimately, for the courts to decide in the individual circumstances of any case.

16.31 A “workplace” is as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and is anywhere that is made available to any person as a place of work. It is a very wide term which can include outdoor spaces, as well as the means of entry and exit.

16.32 A “relevant licensed premises” for the purposes of this chapter is one which is authorised to sell or supply alcohol for consumption on the premises by a premises licence or club premises certificate. Premises cannot benefit from the deregulation introduced by the 2012 Act by virtue of holding an authorisation for the sale or supply of alcohol under a TEN.⁵⁹

Recorded music

16.33 No licence is required for recorded music where it takes place on premises which are authorised by a premises licence or club premises certificate to be used for the supply of alcohol for consumption on the premises. However, recorded music remains licensable:

- where the playing of recorded music takes place before 08.00 or after 23.00 on any day;
- where the playing of recorded music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;⁶⁰
- where the playing of recorded music takes place at relevant licensed premises in the

⁵⁶ See paragraph 2.13. Post the 2013 Order. Section 177 can be relevant to a performance of dance after 23.00 on any day

⁵⁷ Karaoke is generally classed as a performance of live music

⁵⁸ This would include ‘scratching’

⁵⁹ TENs are covered in chapter 7

⁶⁰ See Chapter 3 of this Guidance

presence of an audience of more than 500 people; and

- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act (as amended).⁶¹

Plays and dance

16.34 No licence is required for a performance of a play or dance to the extent that certain qualifying conditions⁶² are satisfied. However a performance of a play or dance remains licensable:

- where the performance takes places before 08.00 or after 23.00 on any day; or
- where the performance takes place in the presence of an audience of more than 500 people.

Indoor Sport

16.35 No licence is required for an indoor sporting event to the extent that certain qualifying conditions⁶³ are satisfied. However an indoor sporting event remains licensable:

- where the event takes places before 08.00 or after 23.00 on any day;
- where the event takes place in the presence of more than 1000 spectators.

Licence conditions

Live Music or recorded music

16.36 Any existing licence conditions⁶⁴ (or conditions added on a determination of an application for a premises licence or club premises certificate⁶⁵) which relate to live music or recorded music remain in place, but are **suspended** between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- if the music is amplified, it takes place before an audience of no more than 500 people; and
- the music takes place between 08.00 and 23.00 on the same day.

16.37 Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will be suspended, for example "during performances of live music all doors and windows must remain closed". In other instances, it might not be so obvious: for example, a condition stating "during performances of regulated entertainment all doors and windows must remain closed" would be suspended insofar as it relates to music between 08.00 and 23.00 on the same day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.

16.38 More general licence conditions (e.g. those relating to overall management of potential noise nuisance) that are not specifically related to the provision of entertainment (e.g.

⁶¹ This would be by way of imposing a condition on a premises licence or club premises certificate as a result of a licence review, see paragraphs 16.55-16.56

⁶² See paragraphs 16.6 and 16.45-16.48

⁶³ See paragraph 16.6

⁶⁴ In relation to relevant licensed premises, see paragraph 16.32

⁶⁵ See paragraphs 16.39-16.40

signage asking patrons to leave quietly) will continue to have effect.

- 16.39 Chapter 9 of this Guidance sets out how a licensing authority must determine applications for a new licence or to vary an existing premises licence. Licence conditions imposed, in accordance with paragraphs 9.41 to 9.43, for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and/or the activities are taking place between 23.00 and 08.00.
- 16.40 These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.
- 16.41 Where a performance of live music or the playing of recorded music on relevant licensed premises is not licensable, it remains possible for anyone to apply for a review of a licence or certificate, if there are appropriate grounds to do so.⁶⁶

Beer gardens

- 16.42 Beer gardens are often included as part of a premises licence or club premises certificate. Live amplified music that takes place in a beer garden is exempt from licensing requirements, provided the beer garden is included in the licence or certificate applying to the relevant licensed premises, and the performance takes place between 08.00 and 23.00 on the same day before an audience of 500 people or fewer.
- 16.43 Where a beer garden does not form part of the relevant licensed premises and so is not included in plans attached to a premises licence or club premises certificate, it is nevertheless very likely that it will be a workplace⁶⁷. Paragraph 12B of Schedule 1 to the 2003 Act says that a performance of live music in a workplace that does not have a licence (except to provide late night refreshment) is not regulated entertainment if it takes place between 08.00 and 23.00 on the same day in front of an audience of no more than 500 people. Note that the exemption in paragraph 12B does not apply to the playing of recorded music.
- 16.44 However, a licensing authority may, where justified⁶⁸, impose a licence condition that relates to the performance of live music in an unlicensed beer garden being served by any associated premises licence or club premises certificate. Provided such a condition is lawfully imposed, it takes effect in accordance with its terms.

Plays, dance and indoor sport

- 16.45 Where qualifying conditions are satisfied⁶⁹, any current licence condition that relates to a performance of a play or dance, or an indoor sporting event for which a licence is no longer required will (except in the circumstances described in the next paragraph) have no effect.
- 16.46 Where, however, these non-licensable activities take place at the same time as other

⁶⁶ See paragraphs 16.55-16.56 and chapter 11.

⁶⁷ A beer garden is one example of a potential workplace, see paragraph 16.31. Whether other outdoor spaces (such as seating adjacent to a premises, a smoking shelter, or a car park) constitute a workplace, part of the licensed premises, or neither, will be a matter of fact in each case.

⁶⁸ Including on a licence review

⁶⁹ See paragraph 16.6

activities for which a licence is required (e.g. the sale or supply of alcohol for consumption on the premises), conditions included in a licence may nevertheless apply to the non-licensable activities in the circumstances set out in paragraphs 16.52 and 16.53 (conditions relating to other non-licensable activities).

- 16.47 Dance that is sufficiently sexual in nature continues to be regulated. Performances of dance which are “relevant entertainment” within the meaning of the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) are not deregulated, regardless of the size of the audience or the time of day. “Relevant entertainment” is defined in the 1982 Act as a live performance or live display of nudity that, ignoring financial gain, can be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience.⁷⁰
- 16.48 In almost all cases where a performance of dance is potentially licensable as both the provision of **relevant** entertainment (under the 1982 Act) and **regulated** entertainment (under the 2003 Act), the 1982 Act disapplies the entertainment licensing regime in the 2003 Act in favour of its stricter regime for the control of sex establishments. However, an authorisation under the 2003 Act rather than the 1982 Act will continue to be required where:
- the premises are not licensed as a sex entertainment venue under the 1982 Act, and
 - relevant entertainment has been provided at those premises on no more than 11 occasions in any 12 month period, with none of those occasions lasting longer than 24 hours or taking place within a month of any other such occasion.

Boxing or wrestling entertainment and conditions relating to combined fighting sports

- 16.49 An indoor boxing or wrestling entertainment cannot also be an indoor sporting event, and any contest, exhibition or display that combines boxing or wrestling with one or more martial arts (‘combined fighting sports’) is – whether indoors or not – a boxing or wrestling entertainment.
- 16.50 Where a premises licence or club premises certificate purports to authorise a boxing or wrestling entertainment or combined fighting sports as an ‘indoor sporting event’, the 2013 Order provides that the authorisation will be treated as having authorised those activities as a boxing or wrestling entertainment. Those activities will continue to be subject to any relevant conditions attached to that authorisation.
- 16.51 A contest, exhibition or display of Greco-Roman wrestling, or of freestyle wrestling, between two participants (regardless of their sex) does not require a licence provided that certain qualifying conditions are met. They are that:
- it takes place in the presence of no more than 1,000 spectators;
 - it takes place between 08.00 and 23.00 on the same day; and
 - it take place wholly inside a building and the spectators present at that entertainment are accommodated wholly inside that building.

⁷⁰ Home Office Guidance is available at: <http://webarchive.nationalarchives.gov.uk/20100413151441/http://crimereduction.homeoffice.gov.uk/crimereduction057a.pdf>

Conditions relating to other non-licensable activities

- 16.52 If appropriate for the promotion of the licensing objectives, and if there is a link to remaining licensable activities, conditions that relate to non-licensable activities can be added to or altered on that premises licence or club premises certificate at review following problems occurring at the premises. This has been a feature of licence conditions since the 2003 Act came into force. A relevant example could be the use of conditions relating to large screen broadcasts of certain sporting events which, combined with alcohol consumption, could create a genuine risk to the promotion of the licensing objectives. It is also not uncommon for licence conditions relating to the sale of alcohol to restrict access to outside areas, such as unlicensed beer gardens, after a certain time.
- 16.53 Similarly, while karaoke no longer needs licensing as the provision of entertainment facilities⁷¹ (and will generally be classed as a performance of live music⁷²) it might, for example, be possible on review to limit the use or volume of a microphone made available for customers on an 'open-mic' night (which encompasses more than just live music), if a problem had occurred because of customers purchasing alcohol for consumption on the premises becoming louder and less aware of causing noise nuisance later in the evening. Another example might be a condition restricting access to a dance floor at certain times, where the presence of customers in close proximity who had been consuming alcohol on the premises had led to serious disorder. In the first instance it is for the licensing authority to satisfy itself that a particular condition is appropriate and lawful in each case.

Removing licence conditions

- 16.54 A licence holder who wishes to remove conditions relating to activities that are no longer licensable⁷³ may apply to the licensing authority for a licence variation. In the course of considering such applications, licensing authorities should remove such conditions unless there are sufficiently serious and specific concerns about the effects of hosting deregulated entertainment activities along with the remaining licensable activities taking place in the premises.

Licence reviews: Live and recorded music

- 16.55 On a review of a premises licence or club premises certificate, section 177A(3) of the 2003 Act permits a licensing authority to lift the suspension⁷⁴ and give renewed effect to an existing condition relating to music. Similarly, under section 177A(4), a licensing authority may add a condition relating to music as if music were regulated entertainment, and as if that premises licence or club premises certificate licensed the music. In both instances the condition should include a statement that Section 177A does not apply to the condition.
- 16.56 An application for a review in relation to relevant premises can be made by a licensing

⁷¹ As a result of the 2012 Act

⁷² Karaoke is generally classed as a 'performance of live music', and provided that it is genuinely taking place, it is not likely to be classed as the 'playing of recorded music'

⁷³ A licence holder may favour removal if the previously licensable activity has "grandfather" conditions that are out of date, or unclear. Where such a condition in relation to live or recorded music is suspended, then the licence holder may wish to avoid any prospect of the condition being given renewed effect (were a suspension to be lifted following a licence review).

⁷⁴ See paragraph 16.38.

authority, any responsible authority or any other person. Applications for review must still be relevant to one or more of the licensing objectives and meet a number of further requirements⁷⁵.

Incidental music

- 16.57 The performance of live music or playing of recorded music is not regulated entertainment under the 2003 Act if it is 'incidental' to another activity "which is not itself a description of entertainment falling within paragraph 2" of Schedule 1 to the 2003 Act.
- 16.58 The incidental music exemption can apply to an indoor sporting event or a performance of a play or dance for which no licence is required, as it takes place between 08.00 and 23.00 on the same day and before an audience which does not exceed the relevant limit. This is because such an activity is no longer a description of entertainment within the meaning of paragraph 2 of Schedule 1 to the 2003 Act. This means that, while a performance of live music or the playing of recorded music cannot be incidental to a boxing or wrestling entertainment⁷⁶ such music may be within the scope of the incidental music exemption for an indoor sporting event or performance of a play or dance for which no licence is required.
- 16.59 Whether or not music is "incidental" to another activity will depend on the facts of each case. In considering whether or not live or recorded music is incidental, one relevant factor could be whether, against a background of the other activities already taking place, the addition of music will create the potential to undermine the promotion of one or more of the four licensing objectives of the 2003 Act. Other factors might include some or all of the following:
- Is the music the main, or one of the main, reasons for people attending the premises and being charged?
 - Is the music advertised as the main attraction?
 - Does the volume of the music disrupt or predominate over other activities, or could it be described as 'background' music?
- 16.60 Conversely, factors which would not normally be relevant in themselves include:
- the number of musicians, e.g. an orchestra providing incidental music at a large exhibition;
 - whether musicians are paid;
 - whether the performance is pre-arranged; and
 - whether a charge is made for admission to the premises.
- 16.61 In any disputed case, it will be for the licensing authority initially and, ultimately, for the courts to consider whether music is "incidental" in the individual circumstances of any case.

⁷⁵ See Chapter 11 for more information about reviews under the 2003 Act.

⁷⁶ And as such, the music entertainment needs to be authorised under the 2003 Act. This would include music during a Greco-Roman or freestyle wrestling entertainment. While, depending on the circumstances, the Greco-Roman or freestyle wrestling may, or may not be licensable, it is still within the 'description' of a 'wrestling entertainment'.

Busking

- 16.62 Busking or street performance is the practice of performing in public spaces for money. Performances are not limited to music or singing and can take the form of a wide range of activities that people find entertaining.
- 16.63 Busking is generally **not** licensable under the 2003 Act as:
- it often occurs in a place that is not a premises made available (at least in part) for the purposes of providing entertainment⁷⁷;
 - the entertainment is usually incidental to another activity, such as shopping or sightseeing, as there are few circumstances in which anyone would go out specifically to watch buskers; and
 - any unamplified live music is not licensable between 08.00 and 23.00⁷⁸.
- 16.64 Local authorities may have policies on busking, including codes of conduct or permit regimes and occasionally byelaws and legislation specific to a local authority – although many localities have no policy or restrictions.

Incidental film

- 16.65 An exhibition of a film within the meaning of paragraph 15 of Schedule 1 to the 2003 Act is not regulated entertainment if it is 'incidental' to another activity "which is not itself a description of entertainment falling within paragraph 2" of Schedule 1 to the 2003 Act.
- 16.66 The incidental film exemption can apply to an indoor sporting event or a performance of a play or dance for which no licence is required as it takes place between 08.00 and 23.00 on the same day before an audience which does not exceed the relevant limit. Such activities would no longer be a description of entertainment within the meaning of paragraph 2 of Schedule 1 to the 2003 Act. This means that, while any exhibition of moving pictures cannot be incidental to a boxing or wrestling entertainment⁷⁹, such film displays may be within the scope of the incidental film exemption for an indoor sporting event or performance of a play or dance for which no licence is required.⁸⁰
- 16.67 Whether or not an exhibition of moving pictures is "incidental" to another activity will depend on the facts of each case. In considering whether or not film is incidental, one relevant factor could be whether, against a background of the other activities already taking place, the addition of an exhibition of moving images will create the potential to undermine the promotion of one or more of the four licensing objectives of the 2003 Act. This would mean that if the BBFC or the relevant licensing authority has given an age rating to a film, video, or music video, then to qualify for the "incidental film" licensing exemption, the admission of children to the premises will need to be restricted in accordance with the appropriate age rating. But that is one aspect of one relevant factor. Other factors to consider in assessing whether film is incidental might include some or all of the following:

⁷⁷ See paragraph 16.3

⁷⁸ See paragraph 16.28

⁷⁹ And as such, the film display needs to be authorised under the 2003 Act. This would include moving pictures during a Greco-Roman or freestyle wrestling entertainment. While, depending on the circumstances, the Greco-Roman or freestyle wrestling may, or may not be licensable, it is still within the 'description' of a 'wrestling entertainment'.

⁸⁰ For indoor sporting events, it takes place between 08.00 and 23.00 in front of an audience which does not exceed 1,000.

- Is the film the main, or one of the main, reasons for people attending the premises and being charged?
- Is the film advertised as the main attraction?
- Does the screening of the film predominate over other activities, or could it be described as 'background' images?
- Does the appearance of moving pictures within another entertainment activity, for which no licence is required (e.g. a performance of a play or dance⁸¹), undermine the promotion of the licensing objectives?

16.68 In any disputed case, it will be for the licensing authority initially and, ultimately, for the courts to consider whether film is "incidental" in the individual circumstances of any case.

Entertainment activity provided as part of childcare

16.69 Entertainment activity that is provided as part of childcare will generally not be licensable. This includes entertainment activity in a nursery or private home. In addition, paragraph 5 of Schedule 1 to the 2003 Act includes a licensing exemption for an exhibition of a film where the main purpose is to provide education. Education will generally include all forms of pre-school child and day care. Furthermore, an exhibition of a film, or the playing of live or recorded music, will generally be incidental to the activity of childcare and so the incidental music and film exemption in paragraph 7 of Schedule 1 will also apply⁸². This will generally be the case for any entertainment activity organised as part of wraparound childcare⁸³, including breakfast clubs, after school clubs or holiday clubs linked to the child's school or based in the local community.

Other Licensing regimes

Copyright

16.70 The deregulation of licensing for the provision of entertainment under the 2003 Act does not remove the requirement for licences for the use of copyright works. Entertainment activities as described in paragraph 16.2 may require music and screening licences for example. The acquisition of such licences will make the entertainment compliant with the Copyright, Designs and Patents Act 1988.⁸⁴

Leafletting

16.71 The deregulation of entertainment licensing does not remove the prohibition on the unauthorised distribution of free printed matter in an area that has been designated under Schedule 3A of the Environmental Protection Act 1990⁸⁵. The organisers of the event or entertainment may need to obtain consent from the relevant principal litter authority before giving out free printed promotional material (leaflets, flyers, cards etc.) in a public place in certain areas.

⁸¹ See paragraph 16.34

⁸² See paragraphs 16.57-16.68

⁸³ Childcare for school aged children around traditional school hours

⁸⁴ Further information concerning how to acquire such licences can be found on <http://www.copyrightthub.co.uk>

⁸⁵ <http://www.legislation.gov.uk/ukpga/1990/43/schedule/3A>

Child performers

16.72 Child performance legislation⁸⁶ requires that a licence must be obtained from a child's home local authority before a child can take part in certain types of performance and activities. A licence may be required whether or not any payment is made for the child to perform. The deregulation of entertainment licensing does not alter the regulations on when children can take part in performances⁸⁷.

⁸⁶ Children and Young Persons Act 1993 and 1963; The Children (Performance) Regulations 1968 as amended.

⁸⁷ The Children (Performances) Regulations 1968

At

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

-----Original Message-----

>>> From: [REDACTED]
>>> Sent: 07 January 2018 15:36
>>> To: LICENSING <LICENSING@croydon.gov.uk>
>>> Cc: [REDACTED]
>>> Subject: Conversion of Q car park to a night club

>>>
>>> To whom it may concern,
>>>

>>> I just felt it my duty to voice the very real concerns I have about the currently approved licence for the conversion of Q car park on Charles Street to a 7 day a week venue.

>>>

>>> My concerns span my reasons:

>>> - firstly, this basement is currently being used by the market workers Surrey street market is historic and a lovely part of Croydon promoting a great sense of community. If they weren't able to use this space I fear it would make it much more difficult for the market workers, potentially lessening the number of stalls and the interest in the stalls as workers will be forced to park elsewhere or forfeit their stalls. I think this would be a great loss of community, particularly as this helps to promote acquisition of fresh foods and supporting small local businesses

>>> - secondly, there are vast numbers of residents living in this area, already the overnight disruptions are plentiful, even if you are only considering the noise implications. With the licence being 7 nights a week and opening until 4am when do you expect the residents to sleep? The noise would not only be from people by foot but also those using their cars to go to and from the venue. I also worry about where these people will queue, surely not in Matthews yard? This is a protected area and the disruption to the residents would be vast if this is where people to gather when trying to get in or when crowds are dispersing (which can take 30-45mins on occasion) or waiting for cabs. These collections of people even if the atmosphere is friendly, will be noisy.

>>> - I also worry about the safety of the residents who have parking in Q car park. I also heard one of the developments have problems with trespassers and homeless people gaining access to their homes through the car park. This is unacceptable and if a venue is built surely this risk will only heighten, including the safety of people's cars and the potential impact or potential harm on children who live in those buildings.

>>> - I also worry that this kind of venue will further encourage a culture of drinking and I fear taking drugs. All it takes is for you to walk down George street and you can smell weed on almost a daily basis and can see evidence of drugs. There are

constantly people coming up to you asking for money (I don't know if all of them are homeless) but it is obvious that they are on something or at the least intoxicated from how they move, speak, act, their pupils etc... it can be really scary. A venue that is open 7 days a week and until 4am is going to attract people who enjoy drugs and I feel the licence although mentions that drugs will not be accepted on site, have very little in the lease as to how they are going to stop its use. It really concerns me, I want to feel safe, I want people to visit and enjoy Croydon and I just feel this venue being a night venue will attract the wrong crowds.

>>> - in addition to the anti-social behaviour already witnessed around Croydon, there was a recent stabbing on Surrey Street, I think for the safety of the residents and visitors to Croydon we need to focus on tackling crime and reducing fear in the borough, not supporting these kind of crowds by approving such an establishment.

>>> - finally parking is already a problem in Croydon, Surrey Street on the weekends, overnight, is over taken by cars, parking there. Second to the size of the venue this has potential to only increase parking problems and disruptions to the residents trying to sleep. It also has the potential to increase driving and drink related accidents (not exclusive to drunk driving) but people safety with increased traffic in the area, 7 days a week, 365 days a year.

>>>

>>> I really hope the council will rethink accepting this licence and consider those already living/working in this area. And instead of thinking about the money benefit to the borough, think of the bigger picture and what kind of atmosphere/ culture we want to encourage in the local area, including the protection of the residents already there. If we want to expand Croydon, we have to make it a place people want to live, and I fear this venue will be detrimental on many counts. In summary my fears are: increased number of people, increased traffic and parking issues, increased drink/drug related incidents, increased risk to personal safety and health including those of children, increased detrimental effects on those already living locally, reduced public safety, increase in noise nuisance, loss of community atmosphere and detrimental effect on house prices/attracting new people to the area.

>>>

>>> I look forward to your response

>>> Kind regards

>>> [REDACTED]

A4

From: [REDACTED]

Sent: 15 January 2018 18:00

To: LICENSING <LICENSING@croydon.gov.uk>

Subject: Opposing the Application for Night club to open at Q- Park basement off Surrey Street.

Good afternoon,

I have been notified of the application to open a night club at Q Park Basement off Surrey Street and would like to raise the following concerns.

I am a resident of the [REDACTED] Overtons yard which is directly opposite the Q Park basement and horrified to find out the possibility of a club opening next to where I live.

I have already made noise complaints before regarding the noise levels at the night club [REDACTED] on certain nights being particularly loud despite my windows being fully closed. And the thought of having an additional night club which would be open 7 days a week is a very stressful.

I feel Overtons yard is neglected enough as it is, the empty cans, broken bottles, fast food waste left and corners of the buildings where they're used as toilets after [REDACTED] on a weekend night is already a disgrace. Customers of [REDACTED] park their cars beyond the railings they put up each evening which what seems to be for "VIP persons" also rev engines and blare their own music out the cars at 6am when it closed.

Whilst I'm a 100% for the regrowth of night life for Croydon, this chosen location is extremely poor. The high st has recently been pedestrianised in an attempt to enhance the night life and Cellar Door want to open a night club next to two blocks of flats and not to forget the residents above the commercial properties. It just doesn't make sense. There are empty building where clubs and bars once were on the High Street and along St Georges walk.

Have Cellar Doors even considered the building wall to the basement also has holes. The amplifications effects to the local area?

With the operations of the fruit and veg market which start at 5am, and the new market on Sundays with occasional music events (which I'd also like to mention the sound bounces I can hear clearly form my flat when its on) the local resident will now experiences 24 hour 7 days week impact which is completely unfair.

Additionally, as a young female who lives alone for my own welling and safety I feel this very intimidating the thought of a club entrance outside the entrance to my flat. And lastly, being a home owner, if this goes ahead, the value to my property will likely drop and I will struggle to find any buyers in the future.

Please can you confirm receipt of this email and if you would me to follow up with anything, I will be happy to help.

Kind Regards,

A4

From: Surrey House
Sent: 25 January 2018 03:52
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Proposed Night Time Venue - Bridge House

Good Morning.

I am writing with regards to the application for a nightclub venue underneath the Bridge House just off of Surrey Street, from myself and on behalf of the Surrey House Residents Association.

Collectively this has been discussed between the members of the residents association and we are writing to inform you that we are strongly opposed to this application.

The area around Surrey Street already has a large number of Bars, Clubs and night time venues.

The residents already have to put up with a significant amount of anti-social behaviour at all hours of the day and night. By granting a licence for this venue we feel that this would be exacerbating the existing problem. Bearing in mind the times they have requested we would be dealing with noise and activity during the early hours of the morning, we would have to deal with the litter and vandalism such as people using the streets and door ways around the area as human toilets which they do already. The safety of existing residents would be compromised due to alcohol fuelled violence (we have already had to endure recent stabbings on Surrey Street) and the general welfare and quality of life of existing residents would be severely compromised.

It is for these and a myriad of other reasons that we are strongly opposed to this.

Regards - [REDACTED]
Chair - Surrey House RA
[REDACTED]

A4

From: Helen Pollard

Sent: 07 January 2018 12:06

To: LICENSING <LICENSING@croydon.gov.uk>

Subject: RE: Licensing Applications Received Week 52-Fairfield ward.

I would like to object to this application for a licence. There has been no discussion with local residents or market traders who currently use the space. The hours proposed would cause serious disturbance to local residents including children. The noise from the nightclub, and the noise from people arriving and leaving the venue would cause serious disturbance. Many families live in the surrounding flats and some children already have difficulty sleeping due to the noise and disturbance caused by the Granaries night club.

There is bound to be an increase in crime in the area as nightclubs attract people who consume alcohol, sometimes to excess and there is every possibility there could be more incidents like the recent stabbing in Surrey Street.

Please do not grant this licence.

Thanks

Helen Pollard

From: [REDACTED]
Sent: 06 January 2018 18:47
To: LICENSING <LICENSING@croydon.gov.uk>
Cc: Pollard, Helen
Subject: Objection to liscensing application for underground basement of Q Park

I have recently learned that a liscensing application has been submitted for the underground basement of q park Surrey street car park.

I wish to object to this application

My details are

[REDACTED]
[REDACTED]
[REDACTED]

Croydon

I wish to object on the basis noise which would directly affect me being a resident who would be living directly [REDACTED] the venue. I have a young baby and it is not acceptable that the bar would be open late at night every night. Most people work monday to friday and would have their sleep disrupted by a bar opening until 2am on Thursday and midnight on Sunday.

We are is already subjected to ridiculous amounts of noise from people leaving existing clubs in the area already (eg [REDACTED]). There is no need for further venues and for residents to be subjected to further noise.

There is already a problem with surrey street being used as a free car park on Friday and Saturday nights and a new liscensed venue would only exacerbate this and extend problem to other nights of the week. These cars blare out music and beep their horns at all hours of the night.

Furthermore the police already have issues controlling the anti social behaviour that results from people leaving clubs on Friday and Saturday nights. Just a few weeks ago 5 men were stabbed after a mass brawl on surrey street after leaving a local club. We do no need another licensed venue to add to anti social behaviour.

Please let me know if you require further details.

Kind regards

[REDACTED]

A4

-----Original Message-----

From: [REDACTED]

Sent: 04 January 2018 10:00

To: LICENSING <LICENSING@croydon.gov.uk>

Subject: Objection to application Underground Basement Q-Park

Dear licensing team,

I would like to express my objections to the application of the following premises:
Underground basement of Q-Park CR0 1TR submitted by Cellar Door Promotions Ltd.

I live right [REDACTED] the proposed premises at [REDACTED] and the opening of the venue would affect our life terribly making our homes unsuitable for habitation. We are already affected by the noise nuisance from nearby nightclubs and the anti-social behaviour fuelled by provision of alcohol. I have a small baby, as do many others in nearby residential flats and feel excessive noise could affect not only the comfort and enjoyment of our living, but also the wellbeing of my family.

Please let me know if you need any further information and I will look forward to hearing about the outcome of this case.

Best regards,

[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 15 January 2018 10:10
To: LICENSING <LICENSING@croydon.gov.uk>
Cc:
Subject: Proposal for Cellar Door Promotions at Bridge House and Q-Park Car Park

Dear Sir/Madam,

I am writing to object to the proposal to open a bar or night club on the site of Bridge House & Q-Park Car Park.

I have lived in [REDACTED] (which directly connects to the car park) since 2011 with my wife and recently with my baby. You may not be aware that the residents here already have to deal with threatening anti-social behaviour on a regular basis. Due to the public access walkways to Q-Park, groups of teenagers congregate in the car park on various levels and also in the communal areas of Bridge House (despite it having locked doors as a private residential building).

The trespassers drink alcohol and smoke weed. Several times police and the fire brigade have had to be called to deal with these trespassers and the damage/vandalism they cause. The police have told me themselves this place is very hard to police due to the various stairwells and fire escapes people can easily access because of the direct connection between Q-Park's 4th floor and Bridge House's 2nd floor.

If you do not believe my concerns about the threat to residents of Bridge House, I advise you to contact the following parties...

- HML Andertons Managing Agent
- MJB Security
- Fairfield Halls Local Community Support Officers team
- Moat Housing Association

We, the residents, have worked closely with all of the above parties to try and keep this site safe and secure.

Openly inviting large crowds to this site to drink alcohol and go clubbing is a terrible idea. Patrons from the club (and those who are unable to get in the club) will undoubtedly end up hanging around the car park and the communal areas of Bridge House. The number of trespass incidents and anti-social incidents would increase dramatically.

All of this is in addition to the noise and disruption a nightclub would cause the residents living here. As a new father of a one-year old baby, I implore you to not allow any kind of bar or club to open on this site.

Thank you kindly for your time.

Regards,

[REDACTED]

A4

From: [REDACTED]
Sent: 12 January 2018 12:35
To: LICENSING <LICENSING@croydon.gov.uk>
Cc:
Subject: Petition against new nightclub off Surrey Street

Dear Sir/Madam.

I was recently alerted to the news of a new nightclub proposal under QPark on Surrey Street and have signed the petition against it.
I wanted to write formally to state my negative outlook on this.

As a resident of nearby Fellmongers Yard. I can vouch that we live with constant disruption from [REDACTED] and occasionally [REDACTED] pub. This amounts to littering, antisocial behaviour i.e. sex, violence and urination/defecation in adjacent parts of the street and it's caused a huge amount of upset to the local residents, particularly the recent stabbings on Surrey street.

I urge the council to think about the level of need for this in the area (particularly pre-Westfield's) when so many other issues are at breaking point with no positive solutions in place.

Regards.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 22 January 2018 22:09
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Night-club application - "Underground 2018" - Bridge House, in Q-Park basement

Dear Licensing Team,
I am writing to express my objections, in the strongest possible terms, to the licence application of Cellar Doors Promotions for Underground 2018 (Q Park Car Park, Surrey Street).
The residents of the area already suffer from persistent noise problems, particularly on Thursday, Friday and Saturday nights, as a result of drunken clubgoers returning home, or returning to cars parked nearby, along with all the associated shouting, screaming, vomiting, fighting, etc., in addition to problems with loud street drinkers in the area. As things stand, sleep for residents in hundreds of flats in the area is often disturbed, with all the associated knock-on effects in terms of health and quality of life. This proposal can only add to the current problems, quite possibly dramatically, given the proximity of the location to residential areas containing many, many families, and the fact that we would be subject not just to the noise from an increased number of drunken revellers, but also loud music and basslines until late at night.
I trust you will not be approving the licence.

Yours faithfully,
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 23 January 2018 13:36
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Objection to "Underground Nightclub" in Q-Park

I've recently become aware of the application for a premises licence for the "underground nightclub" in Q-Park.

This application greatly concerns me as I'm a local resident that already has to put up with the high level of noise from clubbers parking late at night in Scarbrook Road who then return to their vehicles, usually in noisy drunken groups, after visiting clubs such as [REDACTED] (as late as 4am/5am).

Any nightclub, particularly one opening until 4am, in this location is only going to result in increased noise and disturbance for residents from clubbers arriving and leaving, not to mention the potential for noise from the club itself (I can't imagine the Q-Park acoustics will do residents living near to the car park any favours whatsoever).

Please register my objection to the application for a premises licence for this nightclub.

Regards

[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 23 January 2018 11:29
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Underground 2018

Dear Sirs

I wish to object most strongly to the application for Underground 2018 pop up night club in the basement of the Q Park car park in Surrey Street, Croydon.

We own a property in Scarbrook Road and residents already suffer massive inconvenience and stress due to anti-social behaviour in the area. This pop up nightclub is obviously going to add another level of stress and noise to residents.

I cannot believe that the council are even considering giving approval to this proposal but I plead with you that you refuse this application and preserve the sanity and health of local residents.

Kind regards

[REDACTED]

Property Manager

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MAYOR OF LONDON

For Reliable Heating

[REDACTED]
South Croydon, Surrey [REDACTED]

A4

From: [REDACTED]
Sent: 25 January 2018 08:43
To: LICENSING <LICENSING@croydon.gov.uk>
Cc:
Subject: RE: Planning Application - Underground Basement of Q-Park, Surrey Street Car Park, Charles Street, Croydon CR0 1TR

[REDACTED]
[REDACTED]
[REDACTED]
Croydon, [REDACTED]

London Borough of Croydon
Place Department, Licensing Team,
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon, CR0 1EA

25th January 2018

Dear Sir/Madam,

PLANNING APPLICATION
Underground Basement of Q-Park, Surrey Street Car Park, Charles Street, Croydon CR0 1TR
UNDEGROUND2018

I am writing to register my objection to the application for a premises licence by Cellar Door Promotions Ltd for Underground Basement of Q-Park, Surrey Street Car Park, Charles Street, Croydon CR0 1TR. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behavior.

Underground Basement of Q-Park, Surrey Street Car Park, lies within the Croydon City Center Area where there are already many establishments which provides these services. The application proposes that alcohol will be sold for consumption between 9:00am and 11pm Mon to Wed, 9:00am and 2am Thurs, 9:00am and 4am Fri-Sat and 9:00am and 12am Sun. Granting a licence would provide a further source of alcohol within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local police.

Residents in this area already suffer noise nuisance and antisocial behavior at all hours of the day and night and it is totally unacceptable.

In addition, at present part of the area is used by some of the market traders to store their produce. There is nowhere else for them to do this.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully, [REDACTED]

From: [REDACTED]
Sent: 19 January 2018 19:23
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Bridge House. Application - Nightclub

I strongly object to any and all proposals regarding a nightclub at or near Bridge House. It will be evident that:

*the area has become residential. With that should come consideration for those who've invested in the area as a place to live.
there are sufficient places of entertainment and refreshment in the immediate area
past experiences of nightclubs in the Croydon area
the rise in public nuisance; drunkenness and associated offences and behaviour; litter, state of the pavements and pavement furniture thereby putting more pressure on to Council resources to make good, cleaning repair etc
the lessening of public safety, both to individuals, and to their property.
inevitable increased police presence.*

I hope you will take these objections to the appropriate forum.

Sincerely [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 22 January 2018 13:38
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Re: Objection to open a new nightclub underneath the Bridge House

Dear [REDACTED],

Thank you for confirmation.

Name of application is Underground Basement of Q-Park, Surrey Street Car Park, Charles Street, CRO 1TR

regards,
[REDACTED]

From: [REDACTED]
Sent: 19 January 2018 16:20
To: LICENSING <LICENSING@croydon.gov.uk>
Cc:
Subject: Objection to open a new nightclub underneath the Bridge House

Dear Sir/Madam,

My name is [REDACTED] and I am landlord of the [REDACTED], [REDACTED], [REDACTED]

I have been made aware that application has gone in, to open a new nightclub underneath the Bridge House. This is the block of flats close to Surrey House across the Exchange Square.

Understandably residents in the area are not happy about this with the licencing hours open until 4am some nights.

This would increase the noise and anti-social behaviour in the area around Surrey House and therefore I am writing in to object to this application.

My objection is based on the following:

- Prevention of crime and disorder
- public safety
- Prevention of nuisance
- protection of children from harm

Your attention to the voice of local residents would be much appreciated.

[REDACTED]

A4

From: [REDACTED]
Sent: 06 January 2018 20:04
To: LICENSING <LICENSING@croydon.gov.uk>
Cc:
Subject: IMPORTANT -Night Club Application- RFE:Underground 2018 (Cellar Door Promotions Ltd)

Good Evening,

I am a resident at Bridge House, and I have been made aware that there has been an application made to open up a night club in the basement of Q Park Surrey Street car park, Charles Street.

I would like to make you aware of my objections to this, due to the noise pollution from drunk punters and music from the nightclub, occurring right through to the early hours of the morning, will cause great distress and will affect my wellbeing.

I'm also concerned about potential aggressive/violent behaviour, damage to local property, and mess caused by individuals attending this night club.

I hope you do treat my complaint/objection seriously.

Kind Regards

[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 23 January 2018 10:59
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Proposed Night Club in qpark

To whom it may concern,

I own a flat on Charles Street next to the qpark. Plans to develop a night club in the carpark have come to my attention. I would like to register my opposition to these plans on the following grounds.

- noise from the venue itself
- noise from customers arriving and leaving the venue at antisocial hours
- increased crime on Charles street and in Matthews Yard
- increased unauthorised parking in the King Charles court car park
- increased danger of fire in the car park presenting risk to users of the club and the carpark as well as the surrounding area

I hope these suggestions will be taken into account and the license refused.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 10 January 2018 18:14
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Objection to premises licence: "Underground 2018"

Dear Licensing Team,

I wish to object to the premises licence application submitted by Cellar Door Promotions Ltd to open a pop-up event space in the underground basement of Q Park Surrey Street car park.

As a resident of The Exchange, a residential apartment building just around the corner from the proposed venue, I object to a licence being granted as completely inappropriate for a number of reasons, including:

- this is a residential area;
- the structure has been constructed as a Car Park, hence is not soundproofed;
- foot traffic from intoxicated people leaving the venue and walking past The Exchange would create significant noise disruption late at night;
- there are already a number of nightclubs in the area, notably on the High Street, which already impinge on my right to live free from noise, nuisance and disruption. I do not see the need for yet another venue of a similar type.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A4

From: [REDACTED]
Sent: 22 January 2018 10:14
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Objections to the premises licensing application for carpark basement proposals off Surrey Street

Good morning,

I would like to raise a number of concerns, regarding the premises licensing application for the basement of the Q-Park Car Park off Surrey Street.

I am keen to stress that I am not opposed to the application in principle; indeed I believe the proposals could provide a positive contribution towards the culture of the local area, particularly if they focused on diverse cultural events as opposed to club nights. As a local resident, there are a number of ongoing issues which already negatively impact the quality of life for myself and others in the flats where I live and which I am concerned will be further exacerbated by this proposal, if the team responsible does not contribute, financially or otherwise, towards mitigating actions.

It is important to remember that the proposed location borders a number of high-density residential properties and this proposal could therefore have a further detrimental impact on the lives of numerous local people, including young families, if not carefully managed.

I have outlined my concerns below:

1. **Risk of antisocial behaviour from cars, dropping off or collecting people from Scarbrook road:** the residents bordering Scarbrook Road suffer from regular night time disruption to their quiet enjoyment of their flats, caused by inconsiderate drivers and passengers late at night: beeping horns, revving modified engines and idling with loud music playing. This is a common occurrence and particularly troublesome on Friday and Saturday nights. Whilst tolerable during the daytime, I am concerned that additional traffic generated by these non-residents at antisocial hours (e.g beyond 10:30PM) will further impact on the sleep quality of those in the vicinity.

I would like to see clear provisions made in the application for event parking and taxi access on site, such that it discourages further use of the surrounding streets as a cheaper/free/easier alternative.

I also have my suspicions that drink and/or dangerous driving is a problem in the area and I would therefore like to see the business rates for this application including a contribution towards additional policing and/or similar measures, specifically to tackle these antisocial behaviour issues.

2. **Risk of antisocial behaviour from pedestrians (and including those getting in and out of cars):** residents on Scarbrook Road and those living around Matthew's Yard suffer from regular late-night disruption as a result of loud arguments erupting between drunks as they return home from pubs / clubs. This is a particular concern between the hours of 10:30 - 03:00. I would like to see proactive steps being taken to ensure that any such individuals are carefully ushered back towards the town centre, towards transport and therefore away from residential properties. I would also like to see provisions made to remind visitors when they are entering a residential area.

3. **Risk of increased litter:** the litter bins around Scarbrook Road and Matthews Yard are regularly overflowing, resulting in rubbish on the floor and scattered food waste that could attract vermin. I would like to see that this license application includes provisions to prevent revellers from leaving the premises with any litter in hand and a contribution made towards improving the provision of bins or the frequency of collections in the surrounding streets.

Kind regards,

[Redacted signature]

A4

From: [REDACTED]
Sent: 09 January 2018 22:10
To: LICENSING <LICENSING@croydon.gov.uk>
Cc: Fairfield@croydonconservatives.com
Subject: Objection To Licensing application - Underground Basement of Q Car Park, Surrey Street Car Park

Dear Sir/Madam,

I would like to object to the licence application made by Cellar Door Promotions Limited for the underground basement of Q Car Park, Surrey Street Car Park.

As a local resident living in The Exchange building, this would negatively impact my life and living standard.

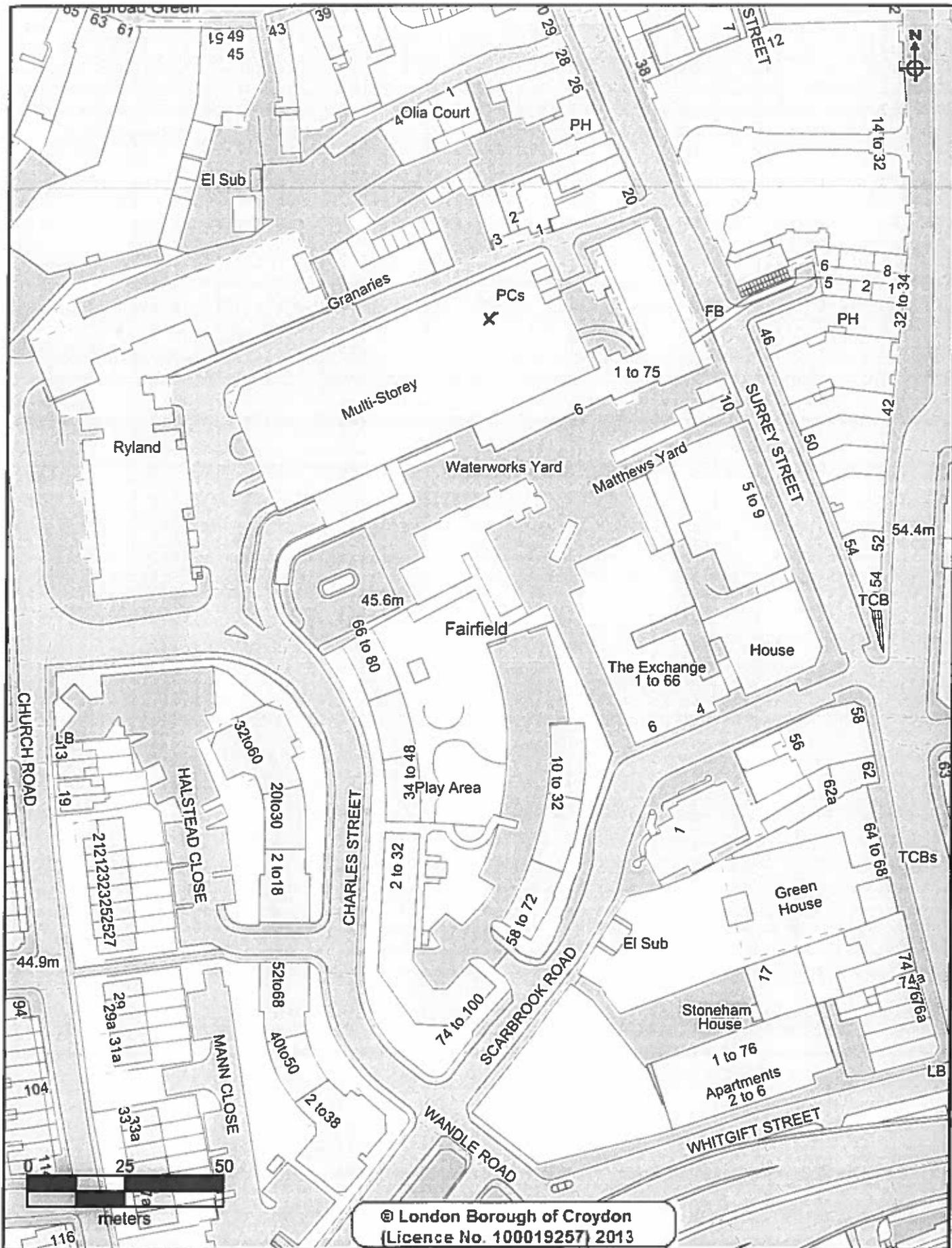
We already experience noise and antisocial behaviour due to nearby licensed premises and this would only further aggravate the situation and create much more additional noise and antisocial behaviour.

As such I strongly object with any plans that would allow opening licensed premises such as these in the vicinity.

regards

[REDACTED]
[REDACTED]
[REDACTED]
Croydon
[REDACTED]

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X = Q 122 CAR PARK

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