

Licensing Sub-Committee Agenda



To: Councillors Margaret Bird, Pat Clouder and Karen Jewitt

A meeting of the **Licensing Sub-Committee** which you are hereby summoned to attend, will be held on **Monday, 11 June 2018 at 10.30 am** in the **Council Chamber - Town Hall, Katharine Street, Croydon, CR0 1NX**

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
London Borough of Croydon
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www.croydon.gov.uk/meetings
Friday 01 June 2018

Members of the public are welcome to attend this meeting. If you require any assistance, please contact the person detailed above, on the right-hand 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 Variation of a Premises Licence (Pages 5 - 46)

6. Licensing Act 2003: Application for a Premises Licence (Pages 47 - 90)

7. 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 11 June 2018
AGENDA ITEM:	
SUBJECT:	LICENSING ACT 2003 – APPLICATION FOR VARIATION TO PREMISES LICENCE
LEAD OFFICER:	Executive Director, Place Department
CABINET MEMBER:	Cllr. Hamida Ali, Cabinet Member for Communities Safety & Justice
WARDS:	Coulsdon Town
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	

For general release

1.	RECOMMENDATIONS
1.1	The Sub-Committee is asked to determine whether to grant the application for a variation to a premises licence at The Pembroke, 12-16 Chipstead Valley Road, Coulsdon, CR5 2RA.

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to advise the Sub-Committee that an application has been received for a variation to 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 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 parties 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

BACKGROUND DOCUMENTS: Application Forms
Licensing Hearings and Protocol and Procedure

APPENDIX A

1. The Application

- 1.1 This report concerns an application by Stonegate Pub Company Ltd. for a variation to the premises licence they hold at The Pembroke, 12-16 Chipstead Valley Road, Coulsdon, CR5 2RA.
- 1.2 A copy of the current premises licence is attached at Appendix A1
- 1.3 The variation application seeks to vary the following licensable activities to between the hours shown -

The sale by retail of alcohol –

Sunday to Thursday no change

Friday & Saturday 1000 hours until 0100 hours on the following days

St. George's Day, St. David's Day, St. Patricks Day, St. Andrew's Day, Burns Night, Valentine's Night, Halloween, Bonfire Night, all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Good Friday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, and New Year's Day

1000 hours until 0100 hours on the days following.

The terminal hour shall be one hour later than the above on the day that British Summertime commences.

New Year's Eve - from the end of permitted hours on New Year's Eve until the start of the permitted hours on New Year's Day

The provision of regulated entertainment –

Films & Recorded Music –

Sunday to Thursday no change

Friday & Saturday 1000 hours until 0130 hours on the following days

St. George's Day, St. David's Day, St. Patricks Day, St. Andrew's Day, Burns Night, Valentine's Night, Halloween, Bonfire Night, all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Good Friday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, and New Year's Day

1000 hours until 0130 hours on the days following.

The terminal hour shall be one hour later than the above on the day that British Summertime commences.

New Year's Eve - from the end of permitted hours on New Year's Eve until the start of the permitted hours on New Year's Day

Live Music –

Sunday to Thursday no change

Friday & Saturday 1000 hours until 0100 hours on the following days

St. George's Day, St. David's Day, St. Patricks Day, St. Andrew's Day, Burns Night, Valentine's Night, Halloween, Bonfire Night, all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Good Friday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, and New Year's Day

1000 hours until 0100 hours on the days following.

The terminal hour shall be one hour later than the above on the day that British Summertime commences.

New Year's Eve - from the end of permitted hours on New Year's Eve until the start of the permitted hours on New Year's Day

The Provision of Late Night Refreshment –

Sunday to Thursday no change

Friday & Saturday 2300 hours until 0130 hours on the following days

St. George's Day, St. David's Day, St. Patricks Day, St. Andrew's Day, Burns Night, Valentine's Night, Halloween, Bonfire Night, all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Good Friday, Christmas Eve, Christmas Day, Boxing Day, 27, 28, 29 and 30 December, and New Year's Day

2300 hours until 0130 hours on the days following.

The terminal hour shall be one hour later than the above on the day that British Summertime commences.

New Year's Eve 2300 hours on New Year's Eve until 0500 hours on New Year's Day

- 1.4 In addition to the above, the application seeks to remove the current condition 8 at Annex 2 to the premises licence and replace it with the following worded condition:

No noise nuisance will be caused to the nearest noise sensitive premises.

- 1.5 The relevant pages of the application are attached at Appendix A2

2 Promotion of Licensing Objectives

2.1 The applicant provides details in Section M of their application of the additional steps, if any, they think appropriate to meet the four licensing objectives should the application to vary be granted.

3 Relevant representations

3.1 Representations have been received on this application. Copies are attached at Appendix A3.

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 reclassification 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-dance 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 Ordnance Survey extract map is attached at Appendix A4 showing the application premises marked at the centre.

PREMISES LICENCE

Premises licence number

08/00115/LIPREM

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description including Post Town and Post Code

The Pembroke
12-16 Chipstead Valley Road
Coulston
CR5 2RA

Telephone number	N/a
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Where the licence is time limited the dates

N/a

Licensable activities authorised by the licence

The sale by retail of alcohol – On and Off the premises

The provision of regulated entertainment namely:

a) films, b) live music, c) recorded music

The provision of late night refreshment

The times the licence authorises the carrying out of licensable activities

The sale by retail of alcohol on and off the premises –

Monday to Sunday 1000 hours until 0000 hours (midnight)

St Patricks Day, Easter Thursday, Saturday, Sunday, Good Friday, the Friday, Saturday and Sunday before May Day, Spring and August Bank Holidays, May day, Spring and August bank holiday Mondays, Christmas Eve and Boxing Day
1000 hours until 0100 hours on the days following.

New Years Eve - from the terminal hour on New Years Eve until 1000 hours on the day following

The provision of regulated entertainment namely –

a) films, c) recorded music

Monday to Sunday 1000 hours until 0030 hours on the days following.

St Patricks Day, Easter Thursday, Saturday and Sunday, Good Friday, the Friday, Saturday and Sunday before May Day, Spring and August Bank Holidays, May day, Spring and August bank holiday Mondays, Christmas Eve and Boxing Day
1000 hours until 0130 hours on the days following.

New Years Eve - from the terminal hour on New Years Eve until 1000 hours on the day following

b) live music

Monday to Sunday 1000 hours until 0000 hours (midnight)

St Patricks Day, Easter Thursday, Saturday and Sunday, Good Friday, the Friday, Saturday and Sunday before May Day, Spring and August Bank Holidays, May day, Spring and August bank holiday Mondays, Christmas Eve and Boxing Day
1000 hours until 0100 hours on the days following.

New Years Eve - from the terminal hour on New Years Eve until 1000 hours on the day following

The provision of late night refreshment –

Monday to Sunday 2300 hours until 0030 hours on the days following

St Patricks Day, Easter Thursday, Saturday and Sunday, Good Friday, the Friday, Saturday and Sunday before May Day, Spring and August Bank Holidays, May day, Spring and August bank holiday Mondays, Christmas Eve and Boxing Day
1000 hours until 0130 hours on the days following

New Years Eve - from the terminal hour on New Years Eve until 0500 hours on the day following

The opening hours of the premises

Monday to Sunday 0700 hours until 0030 hours on the days following

St Patricks Day, Easter Thursday, Saturday and Sunday ,Good Friday, the Friday, Saturday and Sunday before May Day, Spring and August Bank Holidays, May day, Spring and August bank holiday Mondays, Christmas Eve and Boxing Day
0700 hours until 0130 hours on the days following

New Years Eve - from the terminal hour on New Year's Eve until 0700 hours on the day following

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On and Off

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Stonegate Pub Company Ltd.
Porter Tun House
500 Capability Green
Luton
LU1 3LS

Registered number of holder, for example company number, charity number (where applicable)

FC029833

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Aurel Paraoanu

~~XXXXXXXXXXXX~~
~~XXXX~~
~~XXXXXX~~

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence No.: 10/00164/LIPERS Licensing Authority: L B of Croydon

Date Original Licence Granted: 21.02.2008

Date This Licence Valid From: 19.07.2016

Licensing Manager
Place Department

Annex 1 - Mandatory conditions

This licence is granted subject to the terms of the Licensing Act 2003

1. No supply of alcohol may be made under the premises licence a) at a time when there is no designated premises supervisor in respect of the premises licence, or b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The admittance of children to the premises for the exhibition of any film shall be in compliance with any British Board of Film Classification or Croydon Council age restriction pertaining to that film.
4. Any door supervisor employed at the premises must be licensed by the Security Industry Authority (the SIA) and must wear their SIA authorisation badge in a prominent place on their person at all times whilst on duty.
5. (1) The responsible person* shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise antisocial behaviour or to refer to the effects of drunkenness in any favourable manner.

- 6. The responsible person* shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 7. The responsible person* shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 8. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 9. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

*Responsible person is defined in the Licensing Act 2003 as 'the holder of a premises licence, designated premises supervisor, a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18 or a member or officer of a club present on the club premises who can oversee the supply of alcohol'.

- 10. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in the above paragraph

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
- (b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

Annex 2 - Conditions consistent with the Operating Schedule

The premises licence holder shall:

1. Install and maintain a CCTV system to the reasonable requirements of the Metropolitan Police covering the entrance, internal and external areas and retain images for a minimum of 28 days and deliver CCTV images to Police or Council Officers, in useable form, on request.
2. Ensure that a suitable and sufficient number of door supervisor staff are employed at the premises, based on risk, as agreed from time to time with the Metropolitan Police. Records shall be 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.
3. Ensure that only toughened glass is used at the premises.
4. Ensure that a Challenge 21 policy shall be operated at the premises with appropriate signage displayed inside and outside the premises.
5. Take reasonable steps to ensure that a representative shall participate in a Pub Watch or similar scheme where available.
6. Operate an anti-drugs policy as agreed from time to time, in writing, with the Metropolitan Police Service.
7. Comply with the reasonable requests of the Metropolitan Police in respect of the prevention of Crime and Disorder.
8. The control measures described in the Noise assessment report dated October 2007 be adopted at the property.
9. The louver doors will be kept closed during events of live and recorded music of any substantial volume.

10. General management procedures will be adopted such as signage for customers using outside areas to be considerate of neighbours and leave the property quietly and for the management to walk the perimeter of the property during events involving loud music to ensure that this will not be affecting local residents.

11. Persons under the age of 16 will only be permitted entry to the premises when trading if accompanied by an adult.

Annex 3 - Conditions attached after a hearing by the licensing authority

N/A

Annex 4 – Plans

This licence is granted subject to drawing numbers 2833-81 & 2833-82, both dated June 2014.

AD

London Borough of Croydon

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 08/00115/LIPREM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Pembroke 12-16 Chipstead Valley Road			
Post town	Coulsdon	Post code	CR5 2RA

Telephone number at premises (if any)	0208 763 0800
Non-domestic rateable value of premises	£102,000.00

Part 2 – Applicant details

Daytime contact telephone number	08451262944		
E-mail address (optional)			
Current residential address if different from premises address	Porter Tun House 500 Capability Green		
Post Town	Luton	Postcode	LU1 3LS

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not, from what date do you want the variation to take effect?

Day Month Year
 Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No**Please describe briefly the nature of the proposed variation (Please read guidance note 2)**

1. To extend the terminal hour for the sale of alcohol and live music on Fridays and Saturdays to 01:00 the following day;
2. To extend the terminal hour for films, recorded music and late night refreshment on Fridays and Saturdays to 01:30 the following day;
3. To extend the opening hours to allow the premises to close at 01:30 the following morning on Fridays and Saturdays;
4. To amend and add Non Standard Timings as detailed in the application submitted to the Licensing Authority; and
5. To add and remove conditions on the licence following consultation with the Environmental Health Officer as detailed in the application submitted to the Licensing Authority.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please read guidance note 3)

Please tick all that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)**Sale by retail of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors <input type="checkbox"/>
Day	Start	Finish			Outdoors <input type="checkbox"/>
Mon					Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors <input type="checkbox"/>
Day	Start	Finish	NO CHANGE		Outdoors <input type="checkbox"/>
Mon	NO CHANGE				Both <input type="checkbox"/>
Tue	NO CHANGE		Please give further details here (please read guidance note 5) NO CHANGE		
Wed	NO CHANGE		State any seasonal variations for the exhibition of films (please read guidance note 6) NO CHANGE		
Thur	NO CHANGE				
Fri	No Change	01:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	No Change	01:30	To retain and reword the existing non-standard timings and add additional non-standard timings for notable days to read as follows:		
Sun	NO CHANGE				

	<ul style="list-style-type: none"> The terminal hour shall be 01:30 on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween. On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day and New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day <p>To add the following non-standard timing:</p> <ul style="list-style-type: none"> An additional hour to the standard and non-standard times on the day when British Summertime commences.
--	--

C

Indoor sporting events Standard days and timings (please read guidance note 8)	Please give further details (please read guidance note 5)																								
<table border="1" style="width: 100%;"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr><td>Mon</td><td></td><td></td></tr> <tr><td>Tue</td><td></td><td></td></tr> <tr><td>Wed</td><td></td><td></td></tr> <tr><td>Thur</td><td></td><td></td></tr> <tr><td>Fri</td><td></td><td></td></tr> <tr><td>Sat</td><td></td><td></td></tr> <tr><td>Sun</td><td></td><td></td></tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			<p>State any seasonal variations for indoor sporting events (please read guidance note 6)</p> <p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)</p>
Day	Start	Finish																							
Mon																									
Tue																									
Wed																									
Thur																									
Fri																									
Sat																									
Sun																									

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input type="checkbox"/>												
<table border="1" style="width: 100%;"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr><td>Mon</td><td></td><td></td></tr> <tr><td>Tue</td><td></td><td></td></tr> <tr><td>Wed</td><td></td><td></td></tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			<p>Please give further details here (please read guidance note 5)</p> <p>State any seasonal variations for boxing or wrestling</p>	Outdoors <input type="checkbox"/>
Day	Start	Finish												
Mon														
Tue														
Wed														
		Both <input type="checkbox"/>												

Thur		<u>entertainment</u> (please read guidance note 6)
Fri		Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat		
Sun		

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input type="checkbox"/>
Day	Start	Finish	NO CHANGE	Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Mon	NO CHANGE		Please give further details here (please read guidance note 5) NO CHANGE	
Tue	NO CHANGE			
Wed	NO CHANGE		State any seasonal variations for the performance of live music (please read guidance note 6) NO CHANGE	
Thur	NO CHANGE			
Fri	No Change	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat	No Change	01:00		
Sun	NO CHANGE			
			<p>To retain and reword the existing non-standard timings and add additional non-standard timings for notable days to read as follows:</p> <ul style="list-style-type: none"> The terminal hour shall be 01:00 on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day and New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day <p>To add the following non-standard timing:</p> <ul style="list-style-type: none"> An additional hour to the standard and non-standard times on the day when British Summertime commences. 	

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4) NO CHANGE	Indoors <input type="checkbox"/>
Day Start Finish				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Mon	NO CHANGE		Please give further details here (please read guidance note 5) NO CHANGE	
Tue	NO CHANGE			
Wed	NO CHANGE		State any seasonal variations for the playing of recorded music (please read guidance note 6) NO CHANGE	
Thur	NO CHANGE			
Fri	No Change	01:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7) To retain and reword the existing non-standard timings and add additional non-standard timings for notable days to read as follows: <ul style="list-style-type: none"> • The terminal hour shall be 01:30 on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day and • New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day To add the following non-standard timing: <ul style="list-style-type: none"> • An additional hour to the standard and non-standard times on the day when British Summertime commences. 	
Sat	No Change	01:30		
Sun	NO CHANGE			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			State any seasonal variations for the performance of dance (please read guidance note 6)	
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)			
Mon					Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Tue			Please give further details here (please read guidance note 5)			
Wed						
Thur						
Fri						
Sat						
					State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)	
					Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sun						

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4) NO CHANGE	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish		
Mon	NO CHANGE		Please give further details here (please read guidance note 5) NO CHANGE	
Tue	NO CHANGE			
Wed	NO CHANGE		State any seasonal variations for the provision of late night refreshment (please read guidance note 6) NO CHANGE	
Thur	NO CHANGE			
Fri	No Change	01:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) To retain and reword the existing non-standard timings and add additional non-standard timings for notable days to read as follows: <ul style="list-style-type: none"> The terminal hour shall be 01:30 on the following notable days: St George's Day, St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day and New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day To add the following non-standard timing: <ul style="list-style-type: none"> An additional hour to the standard and non-standard times on the day when British Summertime commences. 	
Sat	No Change	01:30		
Sun	NO CHANGE			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9) NO CHANGE	On the premises <input type="checkbox"/> Off the premises <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish		
Mon	NO CHANGE		State any seasonal variations for the supply of alcohol (please read guidance note 6) NO CHANGE	
Tue	NO CHANGE			
Wed	NO CHANGE		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the	
Thur	NO CHANGE			

Fri	No Change	01:00	<p><u>column on the left, please list</u> (please read guidance note 7)</p> <p>To retain and reword the existing non-standard timings and add additional non-standard timings for notable days to read as follows:</p> <ul style="list-style-type: none"> The terminal hour shall be 01:00 on the following notable days: St George's Day; St David's Day; St Patrick's Day; St Andrew's Day; Burns Night; Valentines Night; Halloween, On all Bank Holidays and the Friday, Saturday and Sunday preceding all Bank Holidays; Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December; Bonfire Night and New Year's Day and New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day <p>To add the following non-standard timing:</p> <ul style="list-style-type: none"> An additional hour to the standard and non-standard times on the day when British Summertime commences
Sat	No Change	01:00	
Sun	NO CHANGE		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 8)</p>			<p><u>State any seasonal variations</u> (please read guidance note 6)</p> <p>NO CHANGE</p>
Day	Start	Finish	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)</p> <p>To retain and reword the existing non-standard timings and add additional non-standard timings for notable days to read as follows:</p> <ul style="list-style-type: none"> The terminal hour shall be 01:30 on the following notable days: St George's Day; St David's Day; St Patrick's Day; St Andrew's Day; Burns Night; Valentines Night; Halloween, On all Bank Holidays and the Friday,
Mon	NO CHANGE		
Tue	NO CHANGE		
Wed	NO CHANGE		
Thur	NO CHANGE		
Fri	No Change	01:30	
Sat	No Change	01:30	
Sun	NO CHANGE		

	<p>Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day & Boxing Day, 27, 28, 29 & 30 December, Bonfire Night and New Year's Day and</p> <ul style="list-style-type: none"> • New Years Eve – from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day <p>To add the following non-standard timing:</p> <ul style="list-style-type: none"> • An additional hour to the standard and non-standard times on the day when British Summertime commences.
--	---

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

To remove condition 8 under annex 2 which reads – 'The control measures described in the noise assessment report dated October 2007 be adopted at the property' – and replace with the condition detailed in the operating schedule below, following consultation with the Environmental Health Officer.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

Licence to follow under separate cover

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.

We have considered the impact of the proposed variation which allows an extension of one hour for licensable activities Friday and Saturday, with a 30 minutes closing time thereafter. We are also seeking to ensure that when the clocks go forward at the start of British Summer Time the premises can trade their normal hours, as well as adding in non-standard timings for certain notable days which are not currently permitted. We are also seeking to amend a condition on the licence following consultation with the EHO

The applicant has carefully considered the application, the effect upon the licensing objectives and the Council's Licensing Policy, and believes the hours sought, coupled with existing conditions in place and existing measures are unlikely to undermine the licensing objectives. Steps have been taken to ensure that the application and proposed operation will continue to promote the licensing objectives, and in particular we have undertaken pre-application consultation regarding the extension of hours with the Police, Environmental Health and Licensing Authority. Their comments have been taken into account in considering and submitting this application, including the wording of a condition relating to

noise as set out at M(d) below.

Additionally, with regard to the terminal hour sought through this application, the premises already operates under existing permissions to trade to the hours sought (albeit these are Non Standard Timings for notable days) and has operated with a number of Temporary Event Notices to the hours than sought, without any issues of note and which have not had a negative impact on the Licensing Objectives. The applicant feels the extension of the terminal hour for licensable activities and opening hours will ensure customers can stay in a well-managed, controlled and supervised environment premises for longer, if they wish, and that the later hours will allow a longer wind down period and a more gradual dispersal of customers from the premises, which can be managed and contained, reducing impact on the area and licensing objectives by a mass dispersal at any one time.

Stonegate are a well-experienced licensed operator with over 700 sites across the country, and have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to the highest standard and promotes the licensing objectives. These include policies regarding social responsibility, training and underage sales and challenge policies, incident logs and, queuing policy, drugs and dispersal policy and noise management and management of outside areas policies as well as procedures to prevent crime and disorder and public nuisance. These robust policies and procedures that are already in place will continue to operate if the application is granted.

Considering the above, we believe that the Variation Application will not undermine the licensing objectives. The applicant believes that the proposed condition, alongside the existing measures and robust policies in place, as well as experience of the operator in operating such hours, will ensure the premises continue to promote the licensing objectives if the application is granted and further conditions are not required.

b) The prevention of crime and disorder

See box a) and existing operating schedule.

c) Public safety

See box a) and existing operating schedule.

d) The prevention of public nuisance

See box a) and existing operating schedule.

Also, in the event that the application is granted as applied for the following additional condition is proposed:

- No noise nuisance will be caused to the nearest noise sensitive premises.

e) The protection of children from harm

See box a) and existing operating schedule.


Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable – N/A as application submitted online.
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	13 April 2018
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant please state in what capacity.

Signature	N/A
Date	N/A
Capacity	N/A

Subject: application to vary a premises licence

Dear Sir(s)

I received today the papers for notice for a variation to the license for the Pembroke Pub.

I ask you to not allow this application to go ahead. I repeat DO NOT give them permission.

on the grounds that our lives are already damaged enough by the noise level from drunken crowds and music, be it a band or recorded music.

Crowds spill out on to the street and mill around fighting and chatting like it is in the afternoon. To allow this to happen you are asking us to allow us to be forced to be awake for well over half the night.

We are not going to get enough rest to perform our daily duties.

if you proved enough measures were in place to ensure the peace was kept after closing it might be an option to consider.

but I have lived here 1 year, and I have only ever seen the police come to a brawl once when they occur regularly every Thursday Friday and Saturday so that is 1 in 150

No one ever listens, the tiny community village atmosphere is slowly going we have silly planning permission allowing cars to fight at a roundabout to get into Aldi when there is no way anyone can park there so cars toot and fight all day.

If you allow this to go ahead I will make it my personal responsibility to let everyone know planning is going to go ahead for the sake of money not the residents.

We cannot stop what decisions you make but we can stop voting and make sure you are replaced by someone willing to listen to people in their homes.

if people want a night club go to Redhill or Croydon where the night clubs exist. Allow homes to be under the law where we are allowed peace and quite from 10 pm to 6 am for 8 hours sleep.

If we come to your homes and crash bang wallop at night we will be arrested for disturbing the peace we have rights too.

People in the pub have a smoking area at the rear. They throw glasses and bottles over the wall and they smash on the ground leaving broken glass everywhere.

The owner of the pub never cleans the alleyway. It is private land, last known keeper was 1923. Yet one day someone will be killed and you are already to be blamed for I am putting you on notice. That the land is private you don't care but I do.

Tis is not a joke. I care about my community will you help me too?

kind Regards

[Redacted signature]

Coulsdon

[Redacted address]

Subject: The Pembroke

Hi , I just like to express my disapproval the extend their licence to a later closure. It shows disrespect towards the surrounding residential properties. Apart from noise and antisocial behaviour the recent changes in the centre of Coulsdon are more than enough to endure. Surely there are already enough alternatives if one wishes to stay out beyond midnight.

Kind regards ~~XXXXXXXXXX~~, ~~XXXXXXXXXX~~, Cr5 ~~XXXX~~

Subject: Licensing Act 2003 - The Pembroke - 12-16 Chipstead Valley Road CR5 2RA - objections

Dear Licensing Team,

We are writing to register representations against the application by Stonegate to vary the licensing hours at the above premises. I make these representations as an owner-occupier of a domestic residence, [REDACTED]. The [REDACTED] of our property is approximately 100 metres from the front of the Pembroke, but in a [REDACTED] line of sight and, unfortunately, sound. The late night weekend activities there are already a source of noise nuisance, public safety/disturbance and anti-social behaviour/nuisance and so we object in the strongest terms to any attempt to extend their licensing hours for the sale of alcohol and/or reintroduce late night live or recorded music or other entertainment.

In the past The Pembroke has had a live music licence and it appears this was withdrawn, which was a relief to us personally, although it has not stopped the premises from being a source of nuisance for us as residents in the vicinity. To be frank the situation late at night at the weekends is already bad enough as it is, with there being little or no visible attempt to prevent public nuisance.

It has to be remembered that The Pembroke is not in a city centre location, but a relatively quiet suburban high street. It is not an appropriate location for what happens now at weekends and certainly not for what is now proposed, which is effectively a late night entertainment venue akin to a nightclub. For example in the past when late night live music was part of their offer in summer evenings, with windows open, when walking up the stairs inside our property (as above, over 100m away), we were able to hear the thumping bass and guitar music at approaching midnight because of the way in which sound travels. It is difficult to see how any modifications to The Pembroke's building could prevent this, as doors open regularly. The thought of this loud noise nuisance being possible again is mentally distressing.

Stonegate claim in their application that they are a responsible company, operating a well-managed and supervised environment. They also claim that the extension of the hours would somehow assist in the gradual dispersal of patrons, reducing impact on the area. This is nonsense, as based on their past and present performance there is no evidence to support their claims. They are not going to describe the existing situation of public disorder and anti-social nuisance as it is, so it is important that we, as directly affected local residents do so.

It is already bad enough to have to endure screaming, inebriated yells, shouting etc. in our own home from Pembroke patrons around the junction of the Brighton and Chipstead Valley Roads at closing time. This noise at the weekends (all year round, but clearly worse in the summer months) is such that at times we will be either awake or woken to look out of the window to see what is happening, (because if hearing screaming it can be difficult to assess if someone needs help) only to see: drunken groups shouting aggressively/screaming on the pavements and in the car park area at the rear of Aldi (which [REDACTED] on to our property); men urinating in plain view of the upstairs windows of our property; and, on one occasion, a woman so

drunk that she was crawling on the pavement on her hands and knees not only in view of our property , but also from her location, in view of the front of The Pembroke itself (some passers-by/friends (?) tried to help her to her feet as she was in danger of crawling into the road). Extending the hours to 01:00/01:30 will clearly only make the currently bad situation worse, with the disorder and nuisance going on for longer periods and into the early hours of the morning, disturbing private and family life of local residents in their own homes.

The management at the Pembroke appears weak, with junior and or inexperienced bar staff, as despite our misgivings about the noise and antisocial nuisance we do visit for bar meals, but not at weekends. We have been present when a serious disturbance occurred (summer 2016) with chairs, broken glasses/bottles flying and a running fight taking place from the rear to the front of the bar. We can only assume that at that time the staff/management did not wish for the police to become involved (perhaps because of concerns about their licence?) as they did not attend. Instead the perpetrators were moved out on the pavement (Chipstead Valley Road) and then to our surprise allowed back inside, served more drinks and then the fight erupted again! We left.

Please take these representations objecting to the variation of the licence into account when considering Stonegate's application.

Incidentally, as last night was Friday night we experienced the usual loud noise and disturbance from The Pembroke/its patrons, audible in our property, at midnight and thereafter. It will be the same tonight, a 52-weekends of the year experience that we did not expect we would have to live with in our own home. It is unacceptable now and even more so at 0100 -0130.

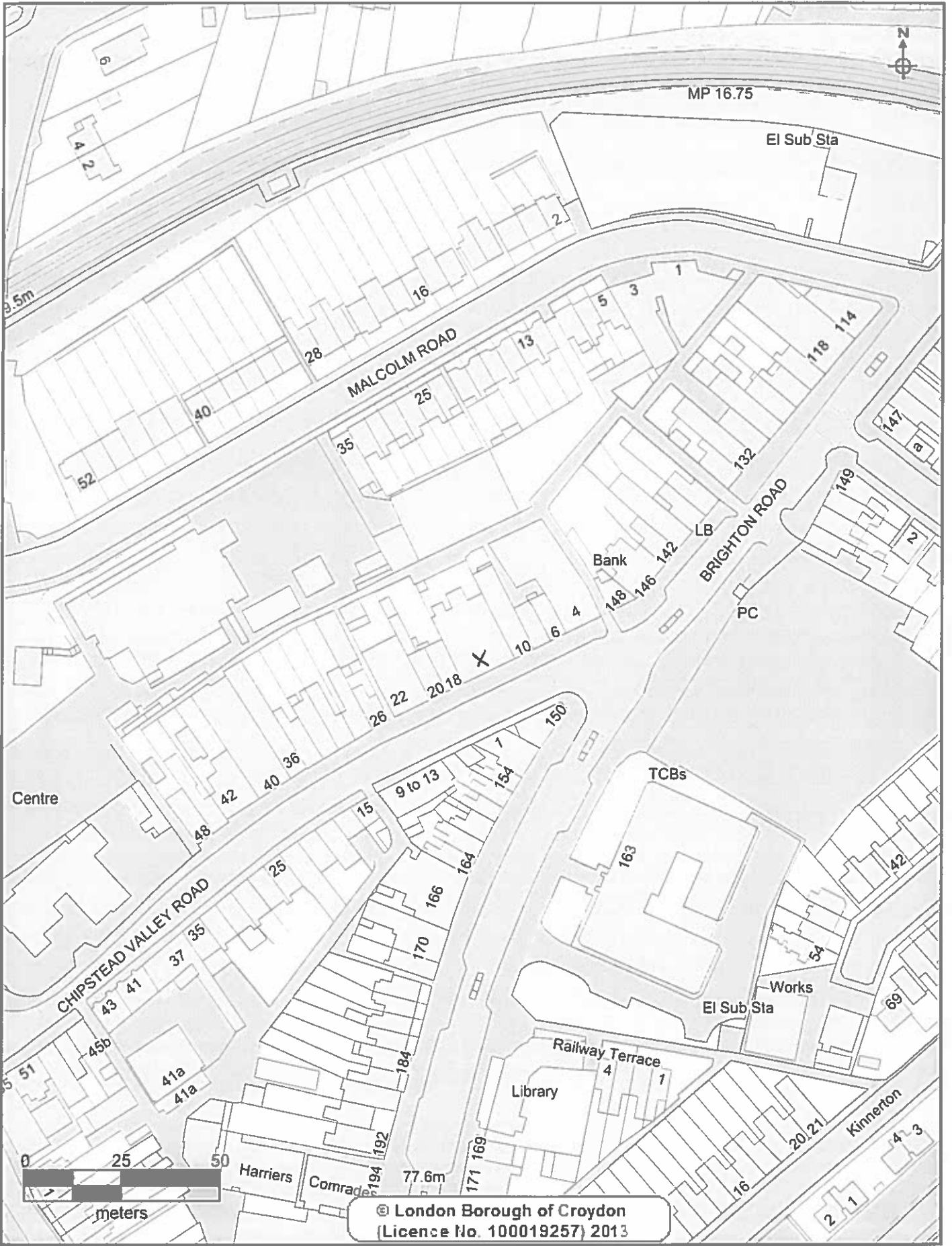
Yours faithfully,

~~XXXXXXXXXX~~ and ~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

Coulsdon

~~XXXXXXXXXX~~



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Agenda Item 6

REPORT TO:	LICENSING SUB COMMITTEE 11 June 2018
AGENDA ITEM:	
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:	New Addington South
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	

For general release

1. RECOMMENDATIONS

- 1.1 The Sub-Committee is asked to determine whether to grant the application for a premises licence at 12 Central Parade, New Addington, CR0 0JB.

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

BACKGROUND DOCUMENTS: Application Forms
Licensing Hearings and Protocol and Procedure

APPENDIX A

1. The Application

1.1 This report concerns an application by Reshma Talwar for a premises licence at 12 Central Parade, New Addington, CR0 0JB.

1.2 The application seeks the following licensable activity between the hours shown –

The Sale by Retail of Alcohol –

Monday to Sunday 0800 hours until 2200 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 the Police licensing officer, the applicant has amended their application to have the following conditions placed on the premises licence, should the application be granted –

The premises licence holder shall:

1. Install and maintain a CCTV system to comply with Home Office Requirements for CCTV systems 2009, covering the entrances, exits, internal areas of the premises and recordings shall be stored for a minimum of 28 days and CCTV images shall be delivered to Police or Council Officer on request.
2. CCTV cameras shall be installed at the entrance door to enable head and shoulders images to identification standard, of each person entering, to be captured as they enter the premises.
3. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
4. The system will display, on screen and any recording, the correct time and date of the images and recording.
5. Ensure that a Challenge 25 policy is operated at the premises with appropriate signage displayed inside and outside the premises.
6. Ensure that CCTV signage is displayed reminding customers that CCTV is in operation.
7. Ensure that all staff within the business are trained in relation to the Licensing Act 2003 and training records shall be available for Inspection

by the police upon request. Refresher training will be undertaken every 6 Months.

8. Ensure alcohol is displayed away from the front entrance to the premises. All spirits shall be kept out of public reach behind the counter.

9. A comprehensive incident register shall be maintained, at the premises. The DPS shall ensure that the details of incidents shall be added to the register within 24 hrs of any incident. The following details shall be recorded:-

Date

Time

Location

Persons concerned

Summary of incident

Identification of any Emergency Services Personnel who attended

10. Ensure that a refusals book or electronic system to record all refusals of sales shall be maintained on the premises and made available to the police and local authority upon request.

11. Ensure that no Beer, Cider or Perry is stocked, exposed for sale or sold that exceeds 6.5% ABV.

1.5 I can confirm that the application premises do fall within a Cumulative Impact Zone/Area as defined by the Council's Licensing Policy. See Para. 4.23 iv below under Policy Considerations

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 A2.

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.

4.8 The fundamental principles of the Act and its accompanying guidance are that nothing in this '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.

4.9 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/certificate or variation of an existing licence/certificate 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'.

4.10 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.

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

4.12 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.

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

4.14 Licensing is about permitting activities but also ensuring 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.

4.15 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. Where no relevant representations have been made, the application will be granted by the licensing authority in terms consistent with the applicants operating schedule.

4.16 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.

NEED and CUMULATIVE IMPACT

- 4.17 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.
- 4.18 However, the Council recognises that a significant number and type of licensed premises in a particular area may lead to problems of crime, disorder and nuisance and notes that in accordance with the Statutory Guidance to the Act, their cumulative impact on the promotion of the licensing objectives is a proper matter for the Council to consider. For example, national analysis of alcohol sales data (sales in the on and off trade) has shown a positive association at local authority level between off-trade sales and alcohol-specific hospital admissions.
- 4.19 Where the Council recognises that there is such a cumulative effect it will consider adopting a specific Cumulative Impact Policy for that area, if this is shown to be necessary. Reducing availability, affordability and attractiveness are some of the most effective ways to reduce alcohol-harm and related crime.
- 4.20 In these circumstances, the Council may consider that the imposition of conditions is unlikely to address the apparent problems and may consider the adoption of a special policy whereby there will be a presumption that new premises licence or club premises certificate applications, or applications to materially vary a premises licence, will be refused. A material variation may be, for example, an increase in permitted hours or to add a licensable activity onto a premises licence.
- 4.21 Based on the Statutory Guidance to the Act, in deciding whether to adopt such a Policy in an area, the Council will consider the following:
- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots
 - statistics on local anti-social behaviour offences
 - the density and number of current premises selling alcohol
 - Alcohol use and misuse in Croydon's population
 - Claimants of benefits due to alcoholism
 - Alcohol specific hospital admissions for under 18's
 - Ambulance incidents and dispatches
 - Alcohol related road traffic accidents
 - Statistics on alcohol related emergency attendances and hospital admissions
 - Mortality
 - Complaints recorded by the local authority
 - Evidence from local councillors and
 - Evidence obtained through local consultation.

- 4.22 There are concerns about parts of the borough which experience high levels of alcohol related crime and alcohol related hospital admissions and where it is clear that the density of shops selling alcohol for consumption off the premises is significantly higher than in other parts of the borough.
- 4.23 As a result, the Council has considered it appropriate to designate, the following four areas within Croydon as being subject to a special Cumulative Impact Policy in respect of off licences and shops and supermarkets selling alcohol off the premises:
- i. Along the Brighton Road; South End; High Street, George Street corridor, from the Royal Oak Centre on Brighton Road, Purley to the junction of George Street and Cherry Orchard Road in Central Croydon
 - ii Along the London Road/Streatham High Road corridor, in 3 sections; from the junction of London Road and Tamworth Road in West Croydon to the j/w Canterbury Road; from the j/w Broughton Road to the j/w Melrose Avenue and; from the j/w Northborough Road to the borough boundary with London Borough of Lambeth
 - iii Along the Brigstock Road and High Street, Thornton Heath corridor, from the junction of Brigstock Road and London Road in Thornton Heath to the junction of High Street, Thornton Heath and Whitehorse Lane
 - iv Along the length of Central Parade, New Addington
- 4.24 The effect of a Cumulative Impact Zone Policy for each of the areas listed above is that where relevant representations are received on any new applications for a premises licence to sell alcohol off the premises, or on a material variation to an existing such premises licence there will be a presumption under the special policy that the application will be refused. A material variation would be, for example, an increase in permitted hours for the sale of alcohol or to add the sale of alcohol off the premises as a licensable activity to the premises licence.
- 4.25 The Cumulative Impact Policy is intended to be strict, and will only be overridden in genuinely exceptional circumstances. However, the Licensing Authority will not apply these policies inflexibly. It will always consider the individual circumstances of each application; even where an application is made for a proposal that is apparently contrary to policy.
- 4.26 It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the Licensing Authority will consider the reasons underlying the policy.
- 4.27 The Licensing Authority will not consider a case to be exceptional merely on the grounds that the premises have been or will be operated within the terms of the conditions on the licence, or that are or will be generally well managed because of the reputation or good character of the licence holder or operator.

This is expected in the conduct of all licensed premises. Moreover, licences are for premises and can be easily transferred to others who intend to operate within the scope of the licence and its conditions.

- 4.28 The Council will review the special policies regularly to see whether they have had the effect intended and whether they are still needed or whether they need expanding.
- 4.29 The Council will not use these policies solely:
- As the grounds for removing a licence when representations are received about problems with existing licensed premises, or,
 - To refuse modifications to a licence, except where the modifications are directly relevant to the policy, for example where the application is for an extension in permitted hours or to add a licensable activity.
- 4.30 The Council recognises though that where no relevant representations are made in relation to an application in a cumulative impact area, the application must be granted in terms consistent with the applicants operating schedule.
- 4.31 The Council recognises that the diversity of premises selling alcohol, serving food and providing entertainment covers a wide range of contrasting styles and characteristics and will have full regard to those differences and the differing impact these will have on the local community.
- 4.32 Where an application is made for a new or transfer and variation of a licence, in respect of premises that have closed and been unused and that closure was to a relevant extent as a consequence of crime and disorder and/or nuisance issues at the premises, the Council would expect the applicant to make clear in their operating schedule how they will ensure the crime and disorder and public nuisance objectives will be met, bearing in mind any previous crime and disorder/nuisance concerns there may have been.
- 4.33 It therefore also recognises that, within the Cumulative Impact Policy areas, it may be able to approve licences that are unlikely to add significantly to the existing problems, and will consider the circumstances of each individual application on its merits.
- 4.34 In addition to the cumulative impact zones listed above, the Council is aware of concerns amongst responsible authorities and residents about the number of shops licensed to sell alcohol for consumption off the premises in certain other areas of the borough and the impact they may be having on crime and disorder. It is not intended at this time to introduce cumulative impact zones in these areas, however, they will be monitored and assessed regularly and should concerns increase, consideration will given to formally identifying them as cumulative impact zones. For the time being, those areas will be classed as special stress areas and they are as follows:
- High Street & Portland Road, South Norwood
 - Lower Addiscombe Road

- 4.35 The Council acknowledges that the licensing function cannot be used for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned and that apart from the licensing function, there are a number of other measures available for addressing issues of unruly behaviour that can occur away from licensed premises.
- 4.36 In recognising the importance of such measures, the Council will continue to seek further improvements to those already achieved in respect of planning controls and working in partnership with local businesses and transport operators on a number of measures to create a safe and clean environment in the following areas:
- Provision of extensive CCTV and radio communication systems
 - Improvements to street lighting
 - Rubbish collection and street cleaning
 - Provision of better late night bus, tram, rail and taxi/minicab services
 - Provision of Police Officers/street and litter wardens
 - Designation of areas within the borough, as part of a Public Space Protection Order, where alcohol may not be consumed publicly and monitoring the possible need for future designations in other parts of the borough*
 - Working in partnership with Croydon Borough Police on law enforcement issues relating to disorder and anti-social behaviour. These include the use of powers to issue fixed penalty notices, prosecuting those selling alcohol to people who are underage and/or drunk, confiscating alcohol from adults and children in designated areas and instant closure of licensed premises or temporary events on the grounds of disorder, or likelihood of disorder or excessive noise from the premises
 - Working in partnership with Licensees and expecting them to support existing and future agreed measures set up to promote the strategic objectives for crime and disorder reduction within the Borough
 - Acknowledging the powers of the police or other responsible authorities, or a local resident or business under the 2003 Act, to seek a review of the licence or certificate

*Would existing licence/certificate holders and new applicants please note that a number of areas within the borough of Croydon are to lie within Public Space Protection Orders (PSPO's) that may control the consumption of alcohol in public areas. Please contact the Council's licensing team if you wish to discuss how such orders may affect licensed premises.

5. LICENSING OBJECTIVES and OPERATING SCHEDULES

- 5.1.1 The following sections set out the Council's Policy relating specifically to the four Licensing Objectives:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance

- the protection of children from harm
- 5.1.2 In each section the Council defines its intended outcome and lists the factors that may influence achieving that particular objective, but because of the wide variety of premises and activities to which this Policy applies, the lists provided are not exhaustive. Applicants will know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.
- 5.1.3 Further, each section lists possible control measures to assist applicants, but again these lists are not exhaustive. Also, many of the control measures achieve more than one Objective but have not been listed under each Objective and applicants do not need to mention a control measure more than once in their Operating Schedule.

5.2 Crime and Disorder

- 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, a comprehensive risk assessment is undertaken by premises licence applicants & holders to ensure that crime and disorder and public safety matters are identified and addressed. For larger public events, including those in open spaces and for premises that wish to stage promotions or events, the Licensing Authority recommends that licence applicants and holders address Risk Assessment

and post event debrief processes in their application operating schedule/event planning.

5.2.7 Applicants and premises licence holders may wish to engage the services of suitably trained individuals or companies to assist them in this risk assessment process. In addition, they may seek guidance and advice from the Licensing Authority or the Metropolitan Police regarding the process, although the responsibility for undertaking the risk assessment remains with the Applicant/Premises License holder as neither body is able to actually undertake such risk assessments for applicants/licence holders. Applicants and premises licence holders are also reminded that the Licensing Authority is not able to recommend the services of a particular individual or company for this purpose.

5.2.8 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, appropriate storage of alcohol, discouraging loitering/consuming alcohol outside the premises, ensuring opening hours are adhered to
- participation in responsible management schemes such as the '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
- maintaining appropriate signage and a refusals log
- 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 litter bins and security measures, such as lighting outside premises
- Other schemes including only purchasing alcohol from authorised wholesalers, not selling certain alcohol types/strengths (e.g. high strength beers/ciders or single cans above 6% ABV), restricting sales on certain alcohol types (e.g. miniature spirits), allowing a 'track and trace' identifier on products so Police/Trading Standards can identify which off-

licence seized alcohol is from, signing up to local responsible retailer schemes

- Provision of closed circuit television, with cameras covering relevant internal and external areas (including beer gardens) and entrances/exits to premises

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

- 5.2.9 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from the Council Licensing Team and Croydon Police Licensing and/or Crime Prevention Officers, as well as taking into account, as appropriate, local planning and transport policies, and, tourism, cultural and crime prevention strategies.
- 5.2.10 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.

5.3 Public Safety

- 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, fast food outlets/takeaways and sometimes open spaces.
- 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 precautions 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, mobility)
 - the use of special effects such as strobe lighting, 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 (and having SIA accreditation where necessary)
- 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 or 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 and in some cases additional matters may need addressing.

5.3.8 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from the Council's Health and Safety Officers and the London Fire Brigade.

5.3.9 The Council will consider attaching Conditions to licences and permissions to promote public safety.

5.4 Prevention of Public Nuisance

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.

LICENSING HOURS

- 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, which is necessary to reduce the potential for 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.

SHOPS, STORES AND SUPERMARKETS

- 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

PREVENTION OF PUBLIC NUISANCE - GENERALLY

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 and of the locality.

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, and 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.

5.5 Protection of Children from Harm

ACCESS TO LICENSED PREMISES

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 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.

5.5.6 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.

RESPONSIBLE AUTHORITY

5.5.8 The Council recognises the Croydon Children’s Safeguarding Board and any successor groups to be the ‘responsible authority’ competent to advise on matters relating to the ‘protection of children from harm’, and to whom copies of applications should be sent.

CHILDREN IN LICENSED PREMISES – GENERALLY

5.5.13 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 to protect children from harm, having due regard to the style, characteristics and activities of their particular premises and/or events.

5.5.14 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. Applicants should consider the following influencing factors, for which there is the potential for children to be exposed, when addressing the issue of protecting children from harm during the preparation of their Operating Schedule:

- drugs, drug taking or drug dealing
- gambling
- activities of an adult or sexual nature
- incidents of violence or disorder
- environmental pollution such as noise or smoke
- special hazards such as falls from heights
- opportunities to purchase, acquire or consume alcohol

Note: A number of these factors are listed in more details in paragraph 5.5.6, but as this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases, and in some cases additional matters may need addressing.

5.5.15 Protection of children from harm 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 protection of children, including child performers, from harm
- appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- adoption of best practice guidance (Public Places Charter)
- limitations on the hours when children may be present in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirement for children to be accompanied by an adult
- appropriate instruction and training for counter staff in the prevention of underage sales, including acceptance of accredited 'proof of age' identification, such as a photo card driving licence, a passport, a citizens card, a validate card or a scheme which carries the PASS hologram logo and keeping a 'refusal' book.

5.5.16 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from Council Licensing and Child Protection Officers.

5.5.17 The Council will consider attaching Conditions to licences and certificates to protect children from harm.

5.5.18 While the Council expects Licence holders to comply with the law, the 2003 Act details a number of specific offences designed to protect children in

licensed premises and the Council will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the underage sale and supply of alcohol to children.

6. INTEGRATING STRATEGIES and AVOIDING DUPLICATION

6.1 There are many stakeholders in the leisure industry covering a wide range of disciplines and although their strategies are not always directly related to the promotion of the licensing objectives, they often indirectly impact upon them.

6.2 The Council therefore acknowledges the importance of co-ordinating and integrating these policies, strategies and initiatives and will maintain multi-disciplinary working groups to ensure its licensing policy integrates with local crime prevention, planning, transport, tourism, race equality schemes and cultural strategies, as well as any other plans relating to the management of the town centre and the night-time economy.

CRIME PREVENTION

6.3 Conditions attached to Licences and Certificates will, so far as possible, reflect local crime prevention strategies. Examples of such conditions can be found in the Pool of Conditions relating to prevention of crime and disorder contained in the Statutory Guidance to the Act.

CULTURAL STRATEGIES

6.4 The Council will make arrangements to monitor the impact of licensing on regulated entertainment, particularly live music, ensuring that only necessary, proportionate and reasonable licensing conditions impose any restrictions on such events.

6.5 Where there is any indication that such events are being deterred by licensing requirements, the statement of licensing policy will be examined to see if the situation might be reversed.

PLANNING AND BUILDING CONTROL

6.8 The Council recognises that there should be a clear separation of the planning, building control and licensing regimes in order to avoid duplication and inefficiency.

6.9 Licensing applications will not be a re-run of the planning application and will not cut across decisions made by the planning committee or permissions granted on appeal.

6.10 The Council will however expect applications for premises licences or for a variation to an existing premises licence at permanent commercial premises to be from businesses having the relevant planning consent for the property concerned. In addition, persons submitting temporary event notices should ensure the premises in question has the requisite planning consent for the

proposed activities and hours of operation. Where this is not the case, applicants will be expected to show good reason why the premises do not have planning permission.

- 6.11 The Croydon Local Plan sets out the criteria that will be used to assess planning applications for any changes of use that require planning permission. Some changes of use do not require planning permission but an application for prior approval may be required to ascertain whether there are matters related to the change of use that do require planning permission. Applicants should contact the Council's Development Management service at development.management@croydon.gov.uk with any enquiries related to planning applications or the prior approval process.
- 6.12 Any application for planning permission will be expected to take into account the impact of noise and fumes (and other forms of potential nuisance) on neighbouring premises and to provide details of any mitigating measures, as applicable.
- 6.13 The Council will ensure that if requested, reports will be sent from the licensing committee to the planning committee advising them of the situation regarding licensed premises in Croydon, including the general impact of alcohol related crime and disorder, to assist them in their decision-making.

ADVANCING EQUALITY

- 6.14 The Council recognises its legal obligation under the Equality Act 2010 to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a characteristic and those who don't.
- 6.15 The Council will assess and consult on the likely impact and monitor for any adverse impact on the advancement of equality which may arise as a result of this Policy Document and will publish the results.

DUPLICATION

- 6.16 The Council will, so far as possible, avoid duplication with other legislation and regulatory regimes that already place obligations on employees and operators, e.g. the Health and Safety at Work etc. Act 1974, the Environmental Protection Act 1990, the Regulatory Reform Fire Safety Order 2005 and the Equality Act 2010 in respect of accessibility for disabled people.
- 6.17 Conditions relating to public safety will only be attached to premises licences and club premises certificates where considered necessary for the promotion of that licensing objective and not covered by any other legislation and where regulations do not cover the unique circumstances of certain licensable activities in specific premises.
- 6.18 The Council acknowledges that bingo clubs are dealt with under the Gambling Act 2005 and will have due regard to the relevant advice regarding duplicating

licence conditions which has been given under both this legislation and the 2003 Act when dealing with applications relating to alcohol, regulated entertainment or late night refreshment under the 2003 Act.

9. STANDARDISED CONDITIONS

- 9.1 Where Conditions are properly attached to licences or certificates they will be tailored to the individual style and characteristics of the particular premises and events concerned.

10. ENFORCEMENT

- 10.1 It is essential that licensed premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act and it is the responsibility of premises licence holders and designated premises supervisors (where applicable) to ensure this happens and that regulatory compliance is maintained. The Council and its partners will make arrangements to monitor premises and take appropriate enforcement action to ensure this but enforcement action should be considered to be the last resort and such intervention should not be necessary where premises are operated & managed effectively.

- 10.2 Each of the Responsible Authorities under the Act may make representations on an application or seek a review of a premises licence/club premises certificate, based on concerns around any of the licensing objectives. That said, it is anticipated that specific responsible authorities will take a central advisory & enforcement role, as necessary, with regard to relevant licensing objectives, for example –

- Prevention of crime and disorder – Police
- Prevention of Public Nuisance – Council Environmental Health (Pollution) Team and the Planning Department
- Public Safety – Council Food & Safety Team or HSE (as applicable) and the LFB
- Protection of Children from Harm – Croydon Children’s Safeguarding Board, Police and the Trading Standards Team

- 10.3 Under the London Borough of Croydon Licensing Act 2003 Enforcement Protocol, originally approved by the Council’s substantive Licensing Committee on 21 June 2006, using the principles of risk assessment, the Council will work closely with the responsible authorities in enforcing licensing law and inspecting licensed premises. This should ensure that resources are more effectively concentrated on problem and high risk premises. This Protocol shall be reviewed, through a separate process to this policy review in the coming months and an updated version shall be available from the Council Licensing Team and posted on the Council’s website.

10.4 The Council will carry out its regulatory functions in accordance with good enforcement practice and particular regard will be had to fundamental principles. In that regard, Enforcement shall be:

- Targeted
- Consistent
- Transparent
- Proportionate
- Necessary

Any enforcement activity shall be undertaken in a fair, open and consistent manner in conformity with the above principles.

The Home Office has produced Statutory Guidance under Section 182 of the Licensing Act 2003. The following paragraphs from the Guidance are reproduced below to assist the sub committee –

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.

The cumulative impact of a concentration of licensed premises

What is cumulative impact?

14.20 The concept of “Cumulative impact” has been described within this guidance and used by licensing authorities within their statements of licensing policy since the commencement of the 2003 Act. ‘Cumulative impact assessments’ were introduced in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.

14.21 In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

14.22 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

14.23 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the

impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.

Cumulative impact assessments

14.24 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

14.25 Section 5A of the 2003 Act sets out what a licensing authority needs to do in order to publish a CIA and review it, including the requirement to consult with the persons listed in section 5(3) of the 2003 Act. The 2003 Act does not stipulate how the CIA should be used once published, because the requirements for determining applications for new licences or variations are the same in areas with a CIA as they are elsewhere, as set out in sections 18, 35, 72 and 85 of the Act. However, any CIA published by a licensing authority must be summarised in its statement of licensing policy. Under section 5(6D) a licensing authority must also have regard to any CIA it has published when determining or revising its statement of licensing policy.

14.26 The CIA must include a statement saying that the licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a licensing authority must set out the evidential basis for its opinion.

14.27 CIAs may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late night refreshment. This includes late night refreshment providers which are not licensed to sell alcohol. A CIA may relate to all premises licences and club premises certificates in the area described in the assessment or parts thereof, or only to premises of a particular kind described in the assessment. For example, it may be appropriate for the licensing authority to only include off-licences or nightclubs within the scope of its assessment. The licensing authority must make clear, when publishing its CIA, which premises types it applies to. CIAs do not apply to TENs; however it is open to the police and environmental health authority (as relevant persons) to refer to evidence published within a CIA when objecting to a TEN.

14.28 While the evidence underpinning the publication of a CIA should generally be suitable as the basis for a decision to refuse an application or impose conditions, it does not change the fundamental way that decisions are made under the 2003 Act. Each decision in an area subject to a CIA therefore still needs to be made on a case-by-case basis and with a view to what is appropriate for the promotion of the licensing objectives. Importantly, the publication of a CIA would not remove a licensing authority's discretion to grant applications for new licences or applications

to vary existing licences, where the authority considers this to be appropriate in the light of the individual circumstances of the case.

Evidence of cumulative impact

14.29 As noted above, there must be an evidential basis for the decision to publish a CIA. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;
- evidence from local and parish councillors; and
- evidence obtained through local consultation.

14.30 The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:

- trends in licence applications, particularly trends in applications by types of premises and terminal hours;
- changes in terminal hours of premises;
- premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

14.31 Where existing information is insufficient or not readily available, but the licensing authority believes there are problems in its area resulting from the cumulative impact of licensed premises, it can consider conducting or commissioning a specific study to assess the position. This may involve conducting observations of the night-time economy to assess the extent of incidents relating to the promotion of the licensing objectives, such as incidences of criminal activity and anti-social behaviour, examples of public nuisance, specific issues such as underage drinking and the key times and locations at which these problems are occurring.

14.32 In order to identify the areas in which problems are occurring, information about specific incidents can be mapped and, where possible, a time analysis undertaken to identify the key areas and times at which there are specific issues.

14.33 After considering the available evidence and consulting those individuals and organisations listed in section 5(3) of the 2003 Act and any others, a licensing

authority may be satisfied that it is appropriate to publish a CIA. The CIA should also be considered alongside local planning policy and other factors which may assist in mitigating the cumulative impact of licensed premises, as set out in paragraph 14.46.

Effect of cumulative impact assessments

14.39 When publishing a CIA a licensing authority is required to set out evidence of problems that are being caused or exacerbated by the cumulative impact of licensed premises in the area described. The evidence is used to justify the statement in the CIA that it is likely that granting further premises licences and/or club premises certificates in that area (limited to a kind described in the assessment), would be inconsistent with the authority's duty to promote the licensing objectives.

14.40 In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA a licensing authority must have regard to the assessment when determining or revising its statement of licensing policy. It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. The CIA does not, however, change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

14.41 The CIA must also stress that it does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. It remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

14.42 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.

14.43 As noted above, CIAs may apply to the impact of a concentration of any licensed premises, including those licensed for the sale of alcohol on or off the premises, and premises licensed to provide late night refreshment. When establishing its evidence base for publishing a CIA, licensing authorities should be considering the contribution to cumulative impact made by different types of premises within its area, in order to determine the appropriateness of including different types of licensed premises within the CIA.

Limitations on special policies relating to cumulative impact

14.44 A CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

14.45 CIAs should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises. Where the licensing authority has concerns about the effect of activities at existing premises between midnight and 6am on the promotion of the licensing objectives in a specific area, it may introduce an Early Morning Alcohol Restriction Order (EMRO) if there is sufficient evidence to do so (see chapter 17). The “cumulative impact” on the promotion of the licensing objectives of a concentration of licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered.

14.46 CIAs must not impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.

- 4.2 All relevant parties have been made aware of the date, time and location of the Sub Committee meeting.
- 4.3 An Ordnance Survey extract map of the area with the application premises shown at the centre is attached at Appendix A3.

* 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

[Redacted]

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

RESHMA

* Family name

TALWAR

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

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.

Continued from previous page...

Your position in the business Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications

Building number or name Street District City or town County or administrative area Postcode Country **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 PremisesBuilding number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

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**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

RESHMA

Family name

TALWAR

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes
- No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth / /

* 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.

It will be Off License Shop, We will be selling alcohol, cigarettes, grocery, toiletry, beverages, confectionery, vegetables,

Continued from previous page...

frozen food and dairy products.

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

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

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

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

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

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

Continued from previous page...

SATURDAY

Start 08:00

End 22:00

Start

End

SUNDAY

Start 08:00

End 22:00

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.

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

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

Name

First name

RESHAM

Family name

TALWAR

Date of birth

/ /
 dd mm yyyy

Continued from previous page...

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'.

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.

Section 17 of 21

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

NA

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.

NA

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)

Continued from previous page...

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

CCTV FOTEAGE, RECORDINGS, SELLING ALCOHAL IN A DESIGANATED AREA ONLY WHICH IS SAFE TO DISPLAY AND NOT REACABLE TO UNDERAGE 18, Alarm system connected to Police, Panic Alarm, Appropriate Signs (No Alcohol Consumption allowed in the premises, Staff only Area), Locked Display Chiller for Alcohol, Appoint appropriate staff for Security on the door, Selling Alcohol only in Permitted hours, appoint trained staff and review training time to time, Stay in touch with local Council and local Police regarding any updates on awareness of Laws and prevention of crime, We will manage Full Risk Assessment for staff or customers according to Health & Safety Measures Law, We will make sure that staff is aware of the risk assessment and precautionary measures, We will keep staff training record for inspection when required, First Aid Kit, Fire Extinguisher, Temperature Control, We will have enough staff all the time to prevent the long queues, Sufficient staff will be available while opening and closing timings to control and manage good order and safety and security, Sharp objectives like Knives, Blades will keep in control area, Challenge 25 sign will be displayed, Staff can ask to children for their Id if they are not sure about their age, The admittance of children can only be permitted if they are accompanied by an adult, Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person,

b) The prevention of crime and disorder

CCTV FOTEAGE, RECORDINGS, Alarm system connected to Police, Panic Alarm, Appropriate Signs (No Alcohol Consumption allowed in the premises, Staff only Area), Locked Display Chiller for Alcohol, Appoint appropriate staff for Security on the door, Selling Alcohol only in Permitted hours, appoint trained staff and review training time to time, Stay in touch with local Council and local Police regarding any updates on awareness of Laws and prevention of crime,

c) Public safety

We will manage Full Risk Assessment for staff or customers according to Health & Safety Measures Law, We will make sure that staff is aware of the risk assessment and precautionary measures, We will keep staff training record for inspection when required, First Aid Kit, Fire Extinguisher, Temperature Control,

d) The prevention of public nuisance

We will have enough staff all the time to prevent the long queues, Sufficient staff will be available while opening and closing timings to control and manage good order and safety and security,

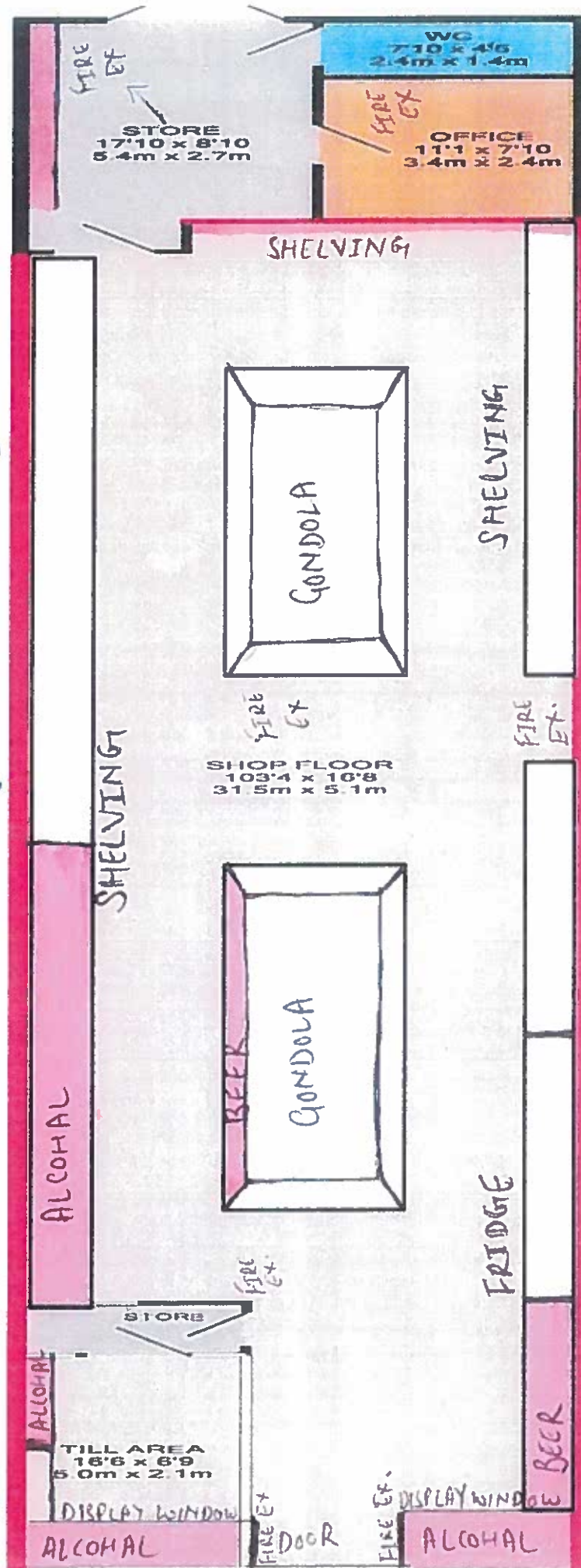
e) The protection of children from harm

SELLING ALCOHAL IN A DESIGANATED AREA ONLY WHICH IS SAFE TO DISPLAY AND NOT REACABLE TO UNDERAGE 18, Sharp objectives like Knives, Blades will keep in control area, Challenge 25 sign will be displayed, Staff can ask to children for their Id if they are not sure about their age. The admittance of children can only be permitted if they are accompanied by an adult, Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person,

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

SHOP FLOOR 103'4 x 16'8 (31.5m x 5.1m)



SHOP FLOOR 103'4 x 16'8 (31.5m x 5.1m)

A1

I would like to make representations with regard to application list no 1/17, which relates to the sale of alcohol at The Warehouse, 12 Central Parade, New Addington, CRO0JB.

I am making representation in order to oppose the application to sell alcohol at this premises.

In the Central Parade area of New Addington we have a Cumulative Impact Zone. This was initiated because of the already high concentration of outlets that sell alcohol in this area. Given the CIZ, the presumption should be that the license is not granted.

Central Parade is already the focus of crime and antisocial behaviour in the ward. I believe issues with regard to crime and antisocial behaviour are exacerbated by the number of properties that sell alcohol. Therefore, in order to uphold the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance, this license should not be granted.

It is widely felt in New Addington that there are already too many shops that are licensed to sell alcohol on Central Parade. Therefore, we should look to ensure that the Parade is a vibrant mix of shops and services. Granting another premises license would not do this and for this reason as well, I think the license should not be granted.

From:
Councillor Oliver Lewis
C/O The Town Hall
Katherine Street
Croydon
CRO 1NX

A2

I Strongly object to The warehouse on 12 Central parade, New Addington selling alcohol based on...

New Addington has high crime related to Alcohol use, and I object on the basis that opening another outlet will add to the problems already in place.

Reason for objection is, I live in the impact zone of the address of applicant.

From:

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
New Addington
Croydon
~~XXXXXXXXXX~~

Premises: 12 Central Parade, New Addington, Croydon, CR0 0JB

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

With reference to the application dated 19/04/2018, the application has been examined and the **Commissioner wants to make a representation** to the Licensing Authority in relation to this application.

The applicant has been informed that the Commissioner will be making a representation to the Licensing Authority.

The items that are of concern to the Commissioner are detailed

- Insufficient means of escape from rear of premises
- Excessive travel distance from rear of premises to a place of relative safety
- Large amount of combustible items stored in escape routes and a generally poor standard of housekeeping
- Significant amount of potential ignition sources present
- Unsuitable level of detection and warning

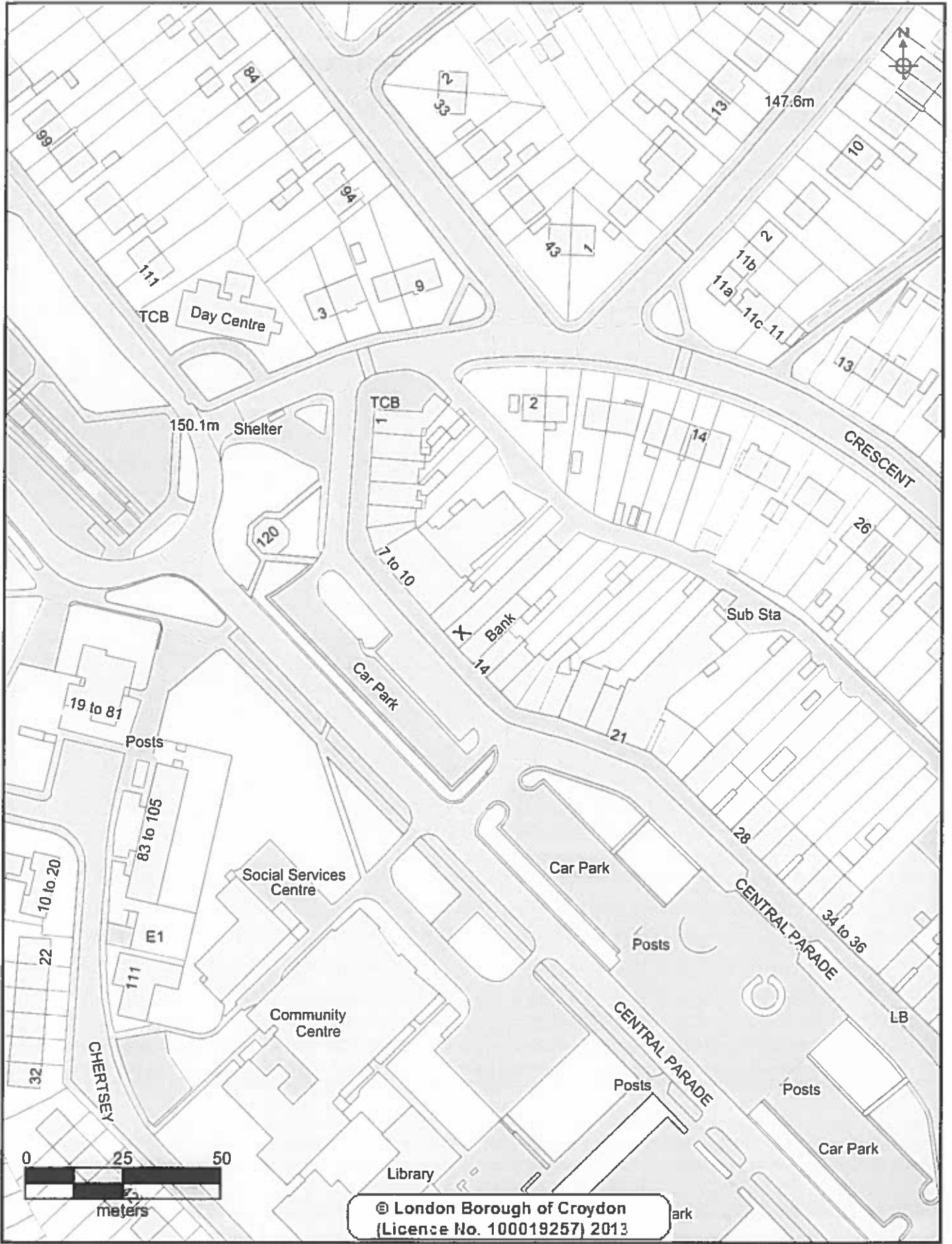
Should these matters be resolved to the satisfaction of this Commissioner at least 2 days prior to the Licensing Committee Hearing the representation will be withdrawn.

An inspecting Officer will not be attending and the Commissioner will rely on written representation alone.

From:

Fire Safety Regulation, South East 1 Team, 169 Union Street, London, SE1 0LL

V3



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London Borough Croydon

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01-Jun-2018

X Page 892 CENTRAL PARADE



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