

Licensing Sub-Committee Agenda



To: Councillors Pat Clouder, Pat Ryan and Robert Ward

A meeting of the **Licensing Sub-Committee** which you are hereby summoned to attend, will be held on **Monday, 30 July 2018 at 10.30 am** in **Council Chamber - Town Hall**

The pre-meeting will be held in Room F4.

JACQUELINE HARRIS-BAKER
Director of Law and Monitoring Officer
London Borough of Croydon
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www.croydon.gov.uk/meetings
Friday, 20 July 2018

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

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

AGENDA – PART A

1. Appointment of Chair

To appoint a Chair for the duration of the meeting.

2. Apologies for Absence

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

3. Disclosure of Interests

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

4. Urgent Business (if any)

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

5. Licensing Act 2003: Application for a Premises Licence

(Pages 5 - 50)

6. Exclusion of the Press and Public

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

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

PART B

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REPORT TO:	LICENSING SUB COMMITTEE 18 July 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:	South Croydon
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 Unit 11A, Capital Business Centre, 22 Carlton Road, South Croydon, CR2 0BS.

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 Drinks On Tap Ltd. for a premises licence at Unit 11A, Capital Business Centre, 22 Carlton Road, South Croydon, CR2 0BS.

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

The Sale by Retail of Alcohol (Off the premises)–

Monday to Sunday 1900 hours until 0500 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 covering the entrances, exits, internal areas of the premises, recordings shall be stored for a minimum of 28 days and CCTV images shall be delivered to Police or Council Officers, in viewable format on request.
2. Challenge 25 logos shall be prominently displayed in all advertising material associated with this Premises (including any websites). A statement made confirming that I.D. will be requested before the sale is completed must also be displayed as above.
3. Each customer shall be informed of the Licence holder's delivery conditions at the time of ordering and delivery.
4. Deliveries of alcohol shall only be made to residential or to business addresses, where the relevant details of the purchaser have been recorded as part of the original sale.
5. Deliveries of alcohol shall not be made to public places.
6. Persons undertaking deliveries shall be over 18 years of age.
7. Information regarding refusals to sell alcohol and refusals to deliver alcohol shall be recorded and retained in useable form and made available to authorised officers upon request.

8. All staff will receive training prior to taking on any role within the business. This training to be recorded and refresher training carried out every 6 months also to be recorded.
9. No members of the public shall be permitted to enter the premises.
10. All deliveries of alcohol will be made in vehicles not advertising alcohol sales, all alcohol with be in unmarked packaging.
11. A written policy shall be in place for cash on delivery orders. All delivery staff must be fully trained these records shall be recorded and kept on premises and made available to authorised officers upon request.
12. There shall be a minimum order value of £15.00 for all alcohol sales.

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

- 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.

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 paragraph from the Guidance is 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.

- 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

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

[Redacted]

* Family name

[Redacted]

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

- Yes No

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

Registration number

10991834

Business name

Drinks On Tap Ltd.

If the applicant's business is registered, use its registered name.

VAT number

- none

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

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**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Drinks On Tap Ltd.

Details

Registered number (where applicable)

10991834

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

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality Documents that demonstrate entitlement to work in the UK

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.

Online retailer providing alcohol, tobacco and household essentials. The sales will all be online with dedicated drivers that deliver the goods. No customers to the premises. Ground Floor secure offices with 24-hour access and security. The Premises is located at the back of an industrial estate. There will be no public access to the Premises at any time.

Continued from previous page...

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

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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...

SUNDAY

Start 19:00

End 05:00

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.

THERE WILL BE NO PUBLIC ACCESS TO THE PREMISES

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.

THERE WILL BE NO PUBLIC ACCESS TO THE PREMISES

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

Name

First name Izabella Giovanna

Family name Ephraim

 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.

N/A

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 19:00

End 05:00

Start

End

WEDNESDAY

Start 19:00

End 05:00

Start

End

THURSDAY

Start 19:00

End 05:00

Start

End

FRIDAY

Start 19:00

End 05:00

Start

End

SATURDAY

Start 19:00

End 05:00

Start

End

SUNDAY

Start 19:00

End 05:00

Start

End

State any seasonal variations

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

THERE WILL BE NO PUBLIC ACCESS TO THE PREMISES

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.

THERE WILL BE NO PUBLIC ACCESS TO THE PREMISES

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.

Consideration of the London Borough of Croydon Council Licensing policy and pre-consultation with police licensing have been carried out to ensure the promotion of the four licensing objectives.

b) The prevention of crime and disorder

A camera CCTV system is in place covering all licensable areas of the premises.

The CCTV system shall continuously record whilst the premises is open for licensable activities. All recordings will be stored for a minimum of 31 days and can be accessed and downloaded immediately when requested by the police or other authorised officer.

An incident/refusals log is to be kept at the premises. Any incidents or refusals must be entered and completed in the relevant book by the staff member dealing by the end of that persons shift. This log shall be kept at the premises, and made available on request to the police or an authorised officer.

The DPS will be a member of the local Pubwatch or Retail Watch schemes in the area.

Any reference to alcohol delivery will not be shown in any advertising on delivery vehicles.

No members of the public will be allowed on the premises.

All deliveries will be in unmarked packaging.

c) Public safety

No deliveries are to be made to an open space.

Drivers must be instructed to abort delivery where that sale is believed to be a "street sale". All such instances will be recorded in the refusals/incidents log.

d) The prevention of public nuisance

All refuse will be disposed of in an appropriate manner. Staff will be instructed to maintain all external areas in a clean and presentable manner at all times.

Delivery of alcohol will be refused whereby the driver considers the person receiving the delivery to be under the influence of alcohol or drugs.

e) The protection of children from harm

Delivery drivers will undergo training in Age Verification and Prevention of Underage Sales, this training will be properly recorded and will be kept on file for inspection. This training will be refreshed every 6 months and a record will be kept on file for inspection.

Customers will be reminded to provide acceptable ID, such as a Driving Licence, Passport or PASS Card, when placing bookings online.

The premises will operate a "No ID, No Sale" policy at all times.

The company website will provide links to 'drink aware' and 'alcohol concern' webpages.

The company website and partner websites will request confirmation of age on order booking.

A written policy for delivery drivers will be kept for inspection relating to the procedure to follow when conducting 'cash on delivery' orders. This policy will detail the conduct of such deliveries and be kept under constant review and maintained.

An approved proof of age scheme shall be adopted, implemented and advertised on all websites and materials associated with the Premises such as "Challenge 25".

There shall be a minimum order value of £15.00 for all delivery sales including alcohol.

Section 19 of 21

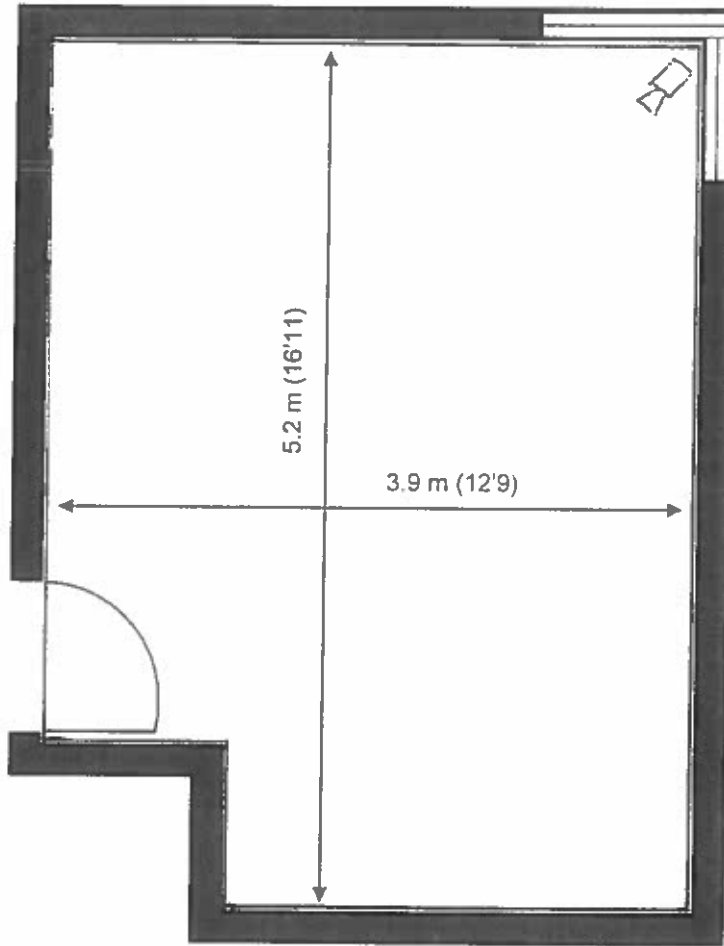
NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Capital Business Centre

Ground Floor—Unit 11A
19 sq m (210 sq ft)



KEY:
□ = CCTV

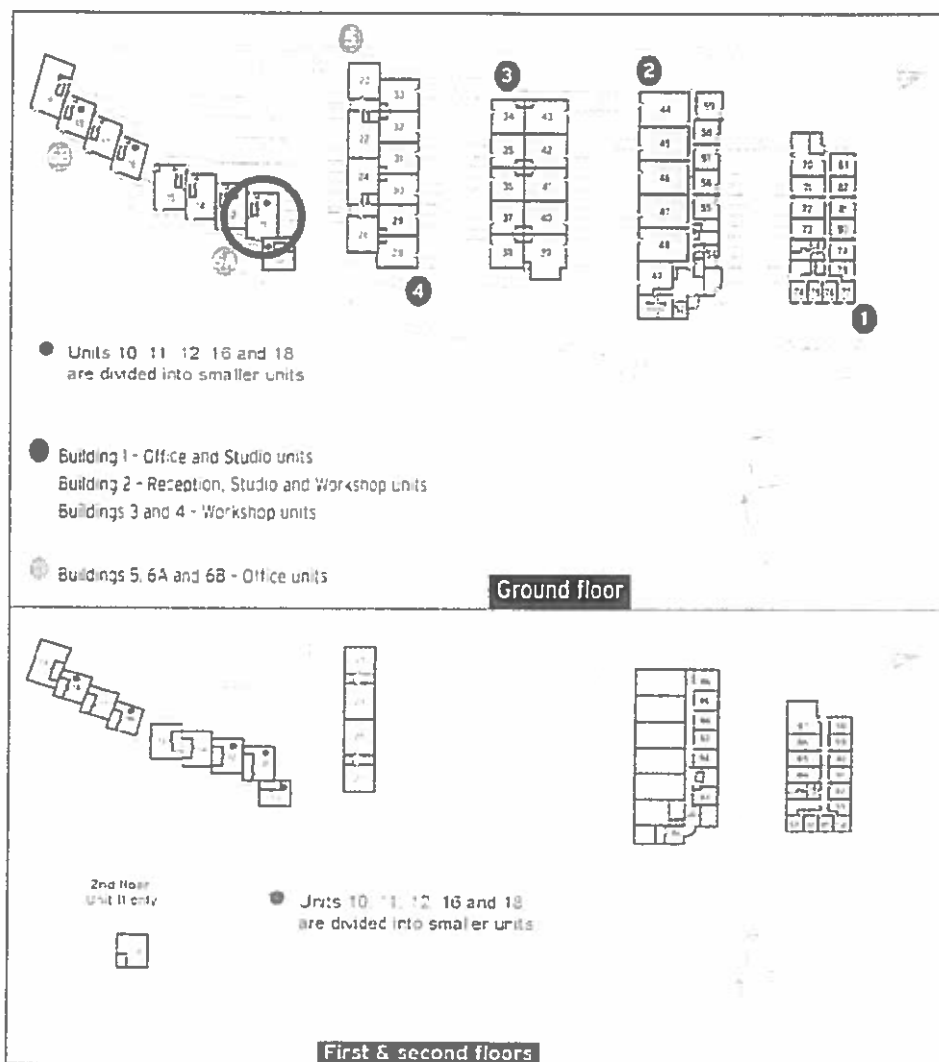


Capital Business Centre
22 Carlton Road
South Croydon
Surrey CR2 0BS

Space for growing businesses

www.capitalspace.co.uk

Capital Business Centre



Additional Information

We are happy to provide further details and answer any questions.
Please contact our Centre Manager on 020 8916 2000.

Capital Business Centre
22 Carlton Road
South Croydon
Surrey CR2 0BS

Space for growing businesses

www.capitalspace.co.uk

Thank you for pointing out that the proposed all-night, every night sale of alcohol from Unit 11A at the Capital Business Centre would be generated by online purchases and that only dedicated company drivers would have access to the site.

This clarification of the proposed licence's operating conditions does eliminate several of my concerns (such as the risk of underage drinkers gathering in the Business Centre late at night and extensive local litter), but other concerns remain valid, particularly related to late night noise which would be a public nuisance.

We do not wish to inconvenience the company making the Application and we realise that everybody has a right to earn a living, but we feel this should not come at the expense of a significant reduction in the quality of life for local residents who would be affected by the night-time operations.

Therefore, being making a decision on the Application, please would the council's committee carefully consider the following comments and questions:

Public Nuisance issues

The Application refers to the Capital Business Centre as an "industrial estate". This is inaccurate and misleading in the picture that it paints, because it gives the impression of an existing noisy and busy area that is away from (and not interfering with) surrounding residential areas.

The Capital Business Centre is exactly what it says it is: a business centre and NOT an industrial estate. It is a very quiet area that does not generate any significant traffic and the associated noise pollution (and environmental pollution) that comes with industrial traffic. The business centre consists largely of small-scale professional services companies that take operate between the normal office hours of 9.00 am to 5.00 pm. There is a children's kung fu school and a fitness gym that stay open later into the evening, but nothing in the Business Centre remains open after 9.30pm. Currently, the whole Business Centre and the street leading from it are entirely without any generated noise at night, which is very good for local residents.

We have a plea for the council to ask more questions and get further information before agreeing a licence:

There are potentially serious public nuisance/environmental degradations arising in relation to the Application, so we hope that the Council will establish some details with greater clarity before making its decision.

Please would the licensing team find out:

1

What type of vehicles would be used to collect and distribute the alcohol?

2

How many vehicle-journeys in and out of the Business Centre would typically be made on each of the seven nights of the week, between 19.00 and 05.00 the following morning?

3

What decibel levels would these vehicles typically generate when driving at 20 mph (the speed limit) along Carlton Road (if approaching or departing the Business Centre from the north) and along Mayfield Road (if approaching or departing the Business Centre from the south) and along Essenden Road (if approaching or departing the Business Centre from the east)? When leaving the Business Centre, heading both north and south involves accelerating up an incline, which increases engine noise further, especially for larger, heavy vehicles.

4

What would happen if sales increased over time and even larger vehicles were brought in, and more frequently? How would the Council respond to such increases *after* a licence has already been granted?

Setting a precedent

If this all-night Application is approved, it paves the way for other companies to set up in the Business Centre with the reasonable expectation that they can use it for night-time operations (since another company would already be doing so). So the 'flood gates' will be opened and there will be a much greater risk of more extensive night-time commercial activity which will affect local residents' quality of life. The Business Centre was not intended as a place for commercial night-time activities and the attendant noise that goes with those activities.

Could the company submitting this application make use of a different distribution point that uses main roads and an actual industrial site, rather than a small business centre surrounded by residential streets?

The Application gives no information or even a vague indication of the number of vehicle movements or the vehicle types that will be used to make the collections and deliveries. Without this information, it is not possible to make a reasonable assessment of the levels of late night and very early morning noise pollution that will be generated along the residential roads leading into the business centre.

Impact of night-time, door-step deliveries

Although not necessarily related to the streets immediately adjacent to the distribution point, there is a wider social question of the impact of late night-early morning deliveries. Currently it is rare for companies to make deliveries in London before 7.00 am or after 10.00pm. This is partly because companies realise that running vehicle engines, opening and shutting vehicle doors, shifting goods and ringing on door bells or hitting knockers all generate significant noise. Delivering alcohol to customers at 2.00 am or 4.00 am, for example, is going to have a negative impact on many neighbours of the customers who have made the online orders (simply in terms of noise pollution alone, i.e. disregarding any possible behavioural issues with customers who want to drink their alcohol at these hours and any possible harmful effects for children in the vicinity of those consuming alcohol in the early hours).

A related issue : the impact on the value of homes

Whilst we acknowledge that traffic levels in cities do generally change gradually over long periods of time (due to vehicle ownership patterns and the evolving popularity of particular routes), the people who bought their homes in Carlton Road, Mayfield Road and Essenden Road did so with the reasonable expectation that they were moving into residential streets that would have virtually no night-time commercial traffic. The value of their homes (and therefore also the rateable value of those homes) reflect this state of affairs. If large numbers of commercial vehicles suddenly start to operate late at night and throughout the early hours of each morning (up to 5.00 am) every day of the year, surely this will make a significant detrimental impact on traffic noise levels in (what are currently) quiet residential streets with no commercial traffic at night. If Croydon Council does effectively permit this traffic to be generated for the night-time collections and deliveries of alcohol by commercial vehicles, as requested in this Application, I hope that the Council will also be willing to reduce the Council Tax band of every home in these streets effected (around 200 homes) by at least 1 band, due to the negative impact on the saleable value of the properties in these 3 streets, and due to the reduction in quality of life caused by the late night traffic.

A comment on the timing of distribution

Although clearly not pleasant or desirable at any time of day, we would be less concerned about commercial vehicles making collections and deliveries between the hours of 7.00 am and 7.00 pm, and we would not raise an objection to the company's vehicle movements during this 12 hour day-time period. We would be less happy with late evening commercial traffic from 7.00 pm until 10.00 pm. But the greatest concern is the major impact of noise pollution caused late and right throughout the night, i.e. from 10.00 pm until 5.00 am the following morning, every day of the week, every week of the year.

We would like to be able to keep our bedroom windows open a little at night for fresh air without experiencing commercial traffic sounds throughout the night.

I have some concerns regarding the notice of application for premises licence under the Licensing Act 2003 for the above.

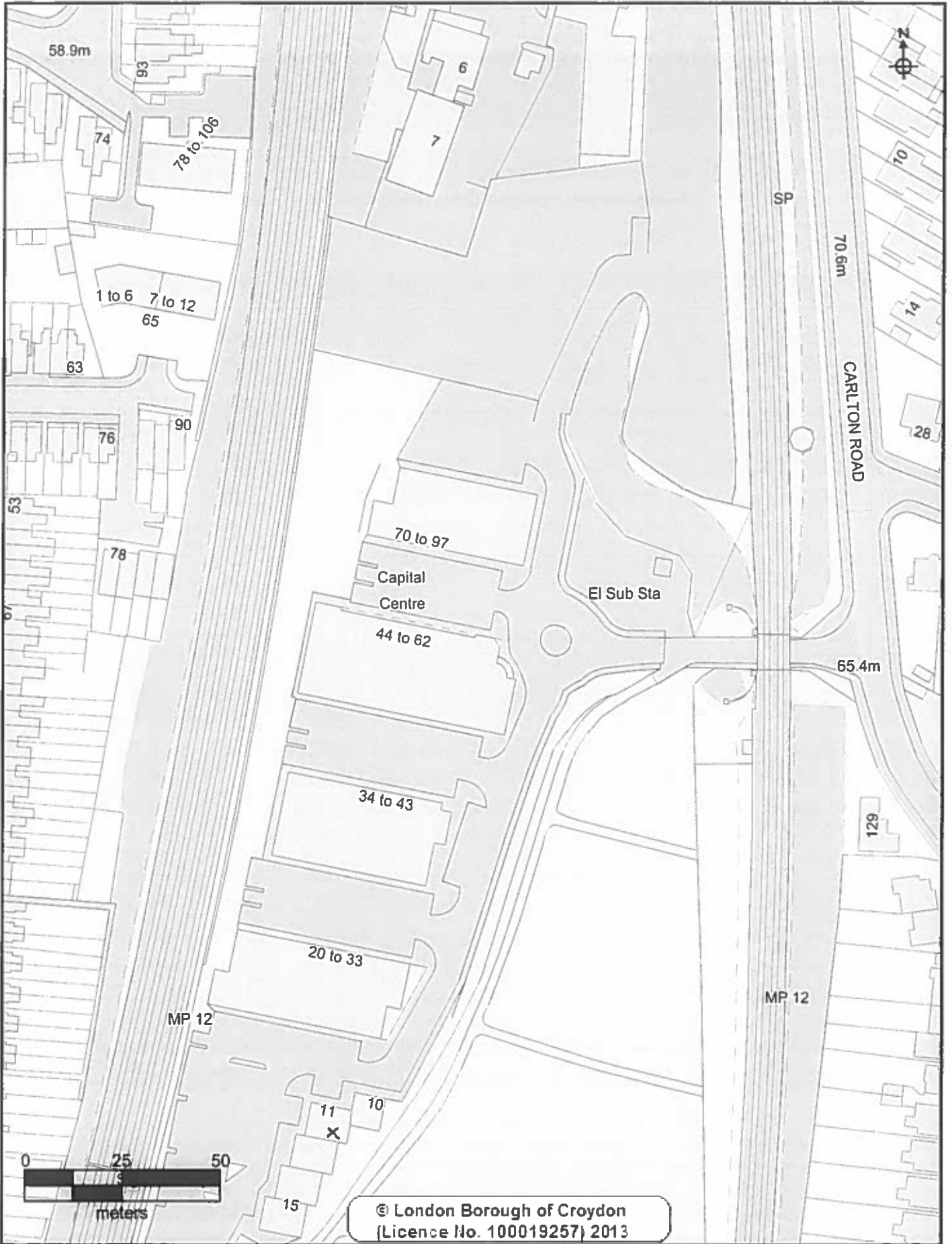
I live in the nearby area and I am concerned this will attract drinkers and traffic throughout the night, as the opening hours are 19.00 - 05.00.

Please can you register my concerns.

Regards

~~XXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXX~~

A3



CROYDON
www.croydon.gov.uk

Crown Copyright Ordnance Survey (License No: 100019257) 2011

London Borough Croydon

Scale 1:1250

05-Jun-2018

X Page 44 CAPITAL BUSINESS CENTRE





KNIGHT

Knight Training (UK) Ltd.
134 The Barracks
White Cross
South Road
LANCASTER
LA1 4XQ

6th June 2018

Dear [REDACTED]

Response to Representation: Drinks on Tap Ltd. (CR2 OBS)

Thank you for your email to Croydon Licensing and your Representation for the Application for Premises Licence grant for Drinks on Tap Ltd., Unit 11A, Capital Business Centre, 22 Carlton Road, SOUTH CROYDON, CR2 0BS. Please accept this email as response to your query, from myself as their Licensing Agent.

I appreciate your concerns as to an increase in to attracting drinkers and traffic to Capital Business Centre and the local area. If I may explain my client's business and intended operation in more detail, I hope these will allay any fears you may have.

My client intends to operate an alcohol delivery business, whereas a customer would place an order for delivery to their home address, via a trained courier. The space in which the Application has been submitted for will act solely as a dispatch point and, as per the Application, no public access or sale would take place here. This would mean in practice, there would be zero alcohol consumption at the site, nor customers travelling to, at any time.

My client and myself are, of course, eager to satisfy you concerns fully and would be happy to extend the offer of a personal conversation, however I hope the above explanation gives you the details you require. If you would prefer a discussion, I am happy to arrange this at your convenience.

Best Regards,

Chris Nixon
Coordinator, Licensing Agent

Knight Training
Office: 134 The Barracks, White Cross Business Park, South Road, Lancaster, Lancashire, LA1 4XQ
Phone 0330 999 3199
info@knighttraining.co.uk www.knighttraining.co.uk



Knight Training (UK) Ltd.

134 The Barracks

White Cross

South Road

LANCASTER

LA1 4XQ

6th June 2018

Dear ██████████

Response to Representation: Drinks on Tap Ltd. (CR2 OBS)

Thank you for your email to Croydon Licensing and your Representation for the Application for Premises Licence grant for Drinks on Tap Ltd., Unit 11A, Capital Business Centre, 22 Carlton Road, SOUTH CROYDON, CR2 0BS. Please accept this email as response to your query, from myself as their Licensing Agent.

I appreciate your concerns as to an increase in traffic flow through the local area, however if I may speak of the specifics of my client's intended operation, this should allay these. My client is a small, start-up company with a total of three, part-time, delivery drivers working on a shift basis through the intended hours. Deliveries could be taken anywhere throughout the borough and, considering the excellent routes to and from Capital Business Centre, these deliveries would not even necessarily take route down Mayfield Road and when these would this would realistically be a singular vehicle only at any one time. With this in mind, I would expect that my client's business will have little to no discernible effect to current traffic flow, if or when it would be necessary to take this route.

My client and myself are, of course, eager to satisfy you concerns fully and would be happy to extend the offer of a personal conversation, however I hope the above explanation gives you the details you require. If you would prefer a discussion, I am happy to arrange this at your convenience.

Best Regards,

Chris Nixon

Coordinator, Licensing Agent

Knight Training

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6th June 2018

Dear ~~XXXXXXXXXX~~

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Thank you for your email to Croydon Licensing and your Representation for the Application for Premises Licence grant for Drinks on Tap Ltd., Unit 11A, Capital Business Centre, 22 Carlton Road, SOUTH CROYDON, CR2 OBS. Please accept this email as response to your query, from myself as their Licensing Agent.

As per your detailed Representation, please allow me to address these in the headings you have provided:

Public Nuisance

As per your questions, I will answer these in order:

1. The vehicles intended for use will be small cars of 3x delivery (part-time), trained drivers.
2. This is impossible to state definitively at such an early stage, however considering the reality of my client's business being a small, start-up operation, we can summarise this to be quite limited
3. As stated the vehicles used will be small cars that will conform to all existing Environmental Health legislation. My client will not be employing any large, commercial vehicles
4. Though, again, impossible to predict the progression of my client's business, I would refer you to existing Noise Nuisance complaints procedure, should a possible issue arise. Please note: Licensing legislation is subject far more to scrutiny of this type than other commercial activities and any valid complaint taken very seriously by local Authorities. Though I doubt this situation, you would of course be given the right to submit complaints of this type

I appreciate your concerns as to an increase in traffic noise through the local area, however considering the excellent routes to and from Capital Business Centre, these deliveries would realistically be a singular vehicle only at any one time. With this in mind, I would expect that my client's business will have little to no discernible effect to current traffic noise, if or when it would be necessary to take any particular route.

Precedent

Though I understand your concern of opening the "flood gates" for further businesses of this type, I would address this concern in our particular light of an Application for a Premises Licence. As you are

already aware, all Applications for a Premises Licence must be judged *by their own merits* and are wholly, and suitably, subjected to case-by-case scrutiny. In addition, the grant of such an application is in no way evidence in support of an application and must be disregarded, if claimed. If you were to have concerns over any other type of "night-time commercial activity", I would refer you to the current Environmental Health legislation in reporting noise nuisance of this type as this is not covered by the same scrutiny as an application.

Deliveries

Though alcohol delivery services can be a scary proposition for many residents, I would like to point out that there are a great many such businesses currently in operation throughout the London Boroughs, including into the early hours. That said, a great deal of care must be taken by such services to ensure to minimum amount of disturbance and the proper respect paid to local residents and in promoting the licensing objectives of Protection of Children from Harm. In this regard, I would like to point out the previously volunteered conditions, in liaison with Police Licensing:

- Challenge 25 logos shall be prominently displayed in all advertising material associated with this Premises (including any websites). A statement made confirming that I.D. will be requested before the sale is completed must also be displayed as above
- Each customer shall be informed of the Licence holder's delivery conditions at the time of ordering and delivery
- Deliveries of alcohol shall only be made to residential or to business addresses, where the relevant details of the purchaser have been recorded as part of the original sale
- Deliveries of alcohol shall not be made to public places
- Persons undertaking deliveries shall be over 18 years of age
- Delivery of alcohol will be refused whereby the driver considers the person receiving the delivery to be under the influence of alcohol or drugs

I would also like to point out, with this type of business model it is worth noting that deliveries, and assumedly consumption, is to customer's homes which reduces both the risk of Crime & Disorder and Anti-Social behaviour by principle.

Value of Homes

Although I can sympathise with this particular concern, I will have to point out that am I not qualified to address this, nor is this considered as part of an application under the Licensing Act 2003. Therefore, we must restrict our discussion to promotion of the four Licensing Objectives.

Distribution

To same repetition, I will refer you to the above points in addressing this, however I am happy to again confirm that my client has no intention of using heavy-vehicles for their deliveries to customers.

Though I cannot agree with all your concerns raised, my client is happy to work with the local community in allaying your raised concerns. In the spirit of this, we are happy to propose the following additional conditions to the Licence:

- Deliveries of product to the Premises will be limited to 07:00 – 19:00 Monday to Sunday

My client and myself are, of course, eager to satisfy your concerns fully and would be happy to extend the offer of a personal conversation, however I hope the above explanation gives you the details you require. If you would prefer a discussion, I am happy to arrange this at your convenience.

Best Regards,

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