

Licensing Sub-Committee Agenda



To: Councillor Patsy Cummings (Chair)
Councillor Mohammed Islam (Vice-Chair)
Councillors Margaret Bird

A meeting of the **Licensing Sub-Committee** which you are hereby invited to attend, will be held **Monday, 18 March 2024 at 10.30 am. MS Teams.**

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London Borough of Croydon
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AGENDA

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

Members are invited to declare any disclosable pecuniary interests (DPIs) and other registrable and non-registrable interests they may have in relation to any item(s) of business on today's agenda.

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 at 49 Limpsfield Road, South Croydon, CR2 9LB (Pages 5 - 86)

The Sub-Committee is asked to determine whether to grant the application for a premises licence at 49 Limpsfield Road, South Croydon, CR2 9LB.

6. Licensing Act 2003 - Application for a Premises Licence at Addington Park, Croydon, CR0 5AR (Pages 87 - 168)

The Sub-Committee is asked to determine whether to grant the application for a (time limited) premises licence at Addington Park, Croydon, CR0 5AR.

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.”

REPORT TO:	LICENSING SUB COMMITTEE 18 March 2024
SUBJECT:	LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE
LEAD OFFICER:	Corporate Director, Sustainable Communities, Regeneration & Economic Recovery
CABINET MEMBER:	Cllr. Scott Roche Streets & Environment
WARDS:	Sanderstead
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 49 Limpsfield Road, South Croydon, CR2 9LB.

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 and the Protocol was last amended by the licensing committee on 30 September 2020, minute 15/20 refers).

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: Flora Osiyemi, Head of Finance Place, Residents & Gateway)

5. COMMENTS OF THE SOLICITOR TO THE COUNCIL

5.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance 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.

(Approved by Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy 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 for and on behalf of HR by Jennifer Sankar, Head of HR Sustainable Communities).

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. In exercising licensing functions, the Council is required to comply with Section 149 of the Equality Act 2010 which requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

7.2 For these purposes the protected characteristics are

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

7.3 The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

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, Head of Environmental Health,
Trading Standards and Licensing, Sustainable
Communities Department, ext. 28259

BACKGROUND DOCUMENTS:

Application Forms
Licensing Hearings and Protocol and Procedure

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APPENDIX A

1. The Application

- 1.1 This report concerns an application by Mojito Restaurant Limited for a premises licence at 49 Limpsfield Road, South Croydon, CR2 9LB.
- 1.2 The application seeks the following licensable activities, between the hours shown –

The Sale by Retail of Alcohol (for consumption On & Off the premises) –

Monday to Thursday 1100 hours until 0000 hours (midnight)

Friday & Saturday 1100 hours until 0100 hours the following days

Sunday 1100 hours until 2300 hours

Christmas Eve & New Year's Eve 1100 hours until 0100 hours the following days

Provision of Regulated Entertainment –

Performances of Dance

Friday & Saturday 2300 hours until 0100 hours the following days

Christmas Eve & New Year's Eve 2300 hours until 0100 hours the following days

- 1.3 A copy of the application is attached at Appendix A1. This was accompanied by two appendices, which are also attached. The first is a supporting document and the second is an operating schedule, which lists a number of conditions from the applicant that would be attached to the premises licence, should the application be granted.
- 1.4 Would the sub-committee please note that following discussions with the Police Licensing Officer, the Council's Trading Standards Team and the Council's Pollution Team, the applicant has amended their application to have the conditions at Appendices A2, A3 & A4 respectively placed on the licence should the application be granted. In addition, following the discussions with the Pollution Team, the applicant now seeks the permitted hours shown above, rather than the hours sought in the original application form.

2 Promotion of Licensing Objectives

- 2.1 As per 1.3 above, the applicant attached a list of proposed conditions with their application form which they intend to operate to meet the four licensing objectives. These would be attached to the premises licence, should the application be granted.

3 Relevant representations

- 3.1 Representations have been received on the application. Copies are attached at Appendix A5.

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 Sustainable Communities 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 ASSESSMENT

- 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 Assessment 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 five areas within Croydon as being subject to a Cumulative Impact Assessment in respect of off licences and shops and supermarkets selling alcohol for consumption off the premises:
- i. Cumulative impact area 1: 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 Cumulative impact area 2: 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 Cumulative impact area 3: 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 Cumulative impact area 4: Along the length of Central Parade, New Addington
 - v. Cumulative impact area 5: Along the length of High Street, South Norwood from the junctions with Oliver Grove and Station Road to the junction with Lancaster Road and along the length of Portland from the junction with High Street to the junction with Spring Lane, Woodside
- 4.24 The effect of a Cumulative Impact Assessment 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 assessment 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 Assessment 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 assessment.
- 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 assessment regularly to see whether the cumulative impact areas have had the effect intended and whether they are still needed or whether they need expanding.
- 4.29 The Council will not use this assessment and areas 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 prevention of crime and disorder and prevention of 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 assessment 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 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.
- 4.35 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 may 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 Licensing Authority 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 Nightlife, 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 Licensing Authority 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 Licensing Authority 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 to be addressed.

- 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.
- 5.2.11 In addition to the above, recent times have seen a significant increase in terrorist attacks and the threat from terrorist attacks. Licensed premises and licensed open spaces and public events, where large numbers of people may gather can unfortunately be a target for terrorist activity. Licence/certificate applicants and holders and people submitting temporary event notices are therefore recommended to ensure they have assessed, planned and initiated suitable control measures to counter and mitigate against such a terrorist attack. Further advice can be obtained by contacting the Metropolitan Police or the Council's Licensing Team.

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.

5.3.7 Licence applicants, licence holders and organisers of public events are also advised to familiarise themselves with the Croydon Council Events Policy that is currently being developed. This policy will set out the key principles by which Croydon Council, with its key partners and other stakeholders, will approach the authorisation of public events.

The Events Policy aims include –

- ensuring effective planning and management of events
- to provide a fair, consistent and well co-ordinated approach to how events are supported and facilitated by the Council and
- to ensure that safety is placed as a priority in decision making

Further information on the Croydon Council Events Policy can be obtained by emailing specialevent@croydon.gov.uk .

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. 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 five relevant Cumulative Impact areas where relevant representations are made 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 It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature and the Council acknowledges that any such proposal will require careful discussion with the applicant and responsible authorities. However, as a guide (notwithstanding the implications of the re classification of lap dancing type venues brought about by section 27 of the Policing and Crime Act 2009), the provision of topless bar staff, striptease, lap-table or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong or offensive language would be included in any such considerations.
- 5.5.6 When dealing with a licence application where limiting the access of children is considered necessary, the Council may consider any of the following options, in combination where appropriate:
- limitations on the hours when children may be present;

- limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
 - limitations on the parts of premises to which children might be given access;
 - age limitations (below 18);
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 5.5.7 The Council will not impose conditions on licences or certificates requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee. However, where applicants volunteer prohibitions and limitations in their operating schedules and no relevant representations have been made to the Council, these will become conditions attached to the licence/certificate conditions and will be enforceable as such.

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 AND REGULATED ENTERTAINMENT

- 5.5.12 The Council considers that specific arrangements relating to the supervision and safety of children may be required for occasions when they go to see and/or take part in regulated entertainments arranged especially for them and, where appropriate, will consider attaching appropriate Conditions to licences and certificates.

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.

5.5.19 While each case will be treated on its merits, where offences are disclosed the Trading Standards Service, as a responsible authority under the Licensing Act 2003, will consider seeking a review of a premises licence.

- 5.5.20 Designated premises supervisors and personal licence holders are also reminded of their responsibilities under the legislation to ensure that the licensing objectives are met, specifically here with regard to the protection of children from harm and are also reminded that enforcement action is not restricted solely to premises licence or certificate holders.

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, equality schemes and cultural strategies, as well as any other plans relating to the management of the town centres 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 non-statutory licensing requirements, the statement of licensing policy will be examined to see if the situation might be reversed.

TRANSPORT

- 6.6 The Council will, if necessary make arrangements with Croydon Borough Police and other licensing enforcement officers for reports to be made on any matters relating to the need for the swift and safe dispersal of people from the town centre to avoid concentrations which can produce disorder and disturbance.

TOURISM AND EMPLOYMENT

- 6.7 Arrangements will be made for licensing committees to receive, when appropriate, reports on the following matters to ensure these are reflected in their considerations:

- the needs of the local tourist economy and the cultural strategy for the Borough, and,
- the employment situation in the Borough and the need for new investment and employment where appropriate

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 policy that will be used to determine planning applications for any changes of use that require planning permission, unless material considerations indicate otherwise. 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 Applicants and licensees must make themselves familiar with the law and their responsibilities set out within the Equality Act 2010 and relevant guidance for

businesses, which can be found on the Equality & Human Rights Commission website

- The Act makes discrimination against any person (including employees and customers) unlawful.
- Section 149 (7) of the Act defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- Any activity in breach of the Act may be considered an offence and may lead to enforcement by the Equality and Human Rights Commission.

- 6.15 The Council recognises its public sector equality duty under the Equality Act 2010 and the legal obligation to have due regard, when exercising its functions, to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who do not and to foster good relations between people who share a protected characteristic and those who do not.
- 6.16 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

- 6.17 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.
- 6.18 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.
- 6.19 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.

7. LIVE MUSIC, DANCING AND THEATRE

- 7.1 In its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote the broadest possible range of entertainment, particularly live music, dance, street arts and theatre, for the wider cultural benefits of the community, especially for and/or involving children. In order to assist performers and entertainers, consideration will be

given to obtaining licences for public spaces within the Borough where such uses take place/could take place on a regular basis.

- 7.2 In considering applications for such events, this cultural need will be carefully balanced against possible neighbourhood disturbance so that, when determining what conditions to attach to licences/certificates to promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter such events by imposing substantial indirect costs.

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 Health and Safety Executive (as applicable) and the London Fire Brigade
 - Protection of Children from Harm – Croydon Children’s Safeguarding Board, Police and the Trading Standards Team
- 10.3 Under the departmental enforcement policy 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.

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 –

Disclosure of personal details of persons making representations

9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.

9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.

9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.

9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

Imposed Conditions

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 showing the application premises is attached at Appendix A6.

**Application for a premises licence to be granted
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.

I MOJITO RESTAURANT LIMITED

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
49 LIMPSFIELD ROAD SOUTH CROYDON CR2 9LB			
Post town	SOUTH CROYDON	Postcode	CR0 9LB
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£18,000	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- g(a) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name MOJITO RESTAURANT LIMITED
Address ██████████ ██████████ ██████████
Registered number (where applicable) 15017768
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED PARTNERSHIP
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	4	03 2024

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS LOCATED ON THE CORNER OF LIMPSFIELD ROAD JUNCTION WITH CRANLEIGH GARDENS. THE GROUND FLOOR PREMISES WILL BE USED AS A RESTAURANT PROVIDING SEAT DOWN TABLE MEALS. IT WILL ALSO HAVE BAR & LOUNGE AREA FOR CUSTOMERS TO HAVE DRINKS AND SNACKS. THE UPPER FLOOR PROVIDES RESIDENTIAL ACCOMODATION WITH A STAIR ACCESS AT THE BACK OF THE PREMISES. IT WILL BE OCCUPIED BY THE RESTAURANT STAFF. PLANNING APPLICATION HAS BEEN SUBMITTED TO CROYDON COUNCIL (Ref. No: 23/04378/FUL). IT IS FOR:

Erection of a single storey rear extension to be used as a kitchen and single storey front porch extension to existing ground floor unit together with installation of new extractor flue to ground floor extension. There will also be new extended access stairs to existing first floor residential unit.

THE FRONT STREET PAVEMENTS ARE WIDE ENOUGH FOR THE APPLICATION TO CREATE OUTSIDE SITTING AREA FOR CUSTOMERS TO ENJOY COFFEE & LUNCH IN GOOD WEATHER. STREET TRADING LICENCE WILL BE APPLIED FOR ONCE THE BUILDING & REFURBISHMENT WORK IS COMPLETED.

THE PREMISES HAS BEEN USED AS A LICENSED PREMISES (INDIAN RESTAURANT) FOR MORE THAN 20 YEARS (Refer to: PREMISES LICENCE 05/02365/LIPREM). THE LICENSABLE ACTIVITIES AND PERMITTED TIMES GRANTED ON THIS LICENCE ARE COVERED IN APPENDIX 1 (SUPPORTING DOCUMENT WITH THIS APPLICATION).

THE APPLICANT HAS OVER 6 YEARS EXPERIENCE IN OPERATING LICENSED PREMISES THAT INCLUDES LATE NIGHT PROVISION OF REFRESHMENT, RETAIL OF ALCOHOL AND REGULATED ENTERTAINMENT.

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

NO

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)

- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply 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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>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</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) Live music will only be played on occasional days (once every 6 to 8 weeks) when the management organises a special theme event night e.g. ABBA evening. The intention is to offer customers a set menu dinner that can be enjoyed with live music/singer entertainment.		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5) NONE		
Thur					
Fri	23:00	24:00	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 6) Christmas Eve and New Years Eve from 23:00 to 01:00 the following day		
	24:00	01:00			
Sat	23:00	24:00			
	24:00	01:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 4) Amplified Recorded music will only be played on Friday & Saturday with inhouse music system. This will be applicable when the venue is hired by local residents/regular customer who wish to celebrate a special occasion e.g. birthday, anniversary etc and have requested it as part of hire T&C</p> <p>State any seasonal variations for the playing of recorded music (please read guidance note 5)</p> <p>NONE</p> <p>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 6)</p> <p>Christmas Eve and New Years Eve from 23:00 to 01:00 the following day</p>		
Mon					
Tue					
Wed					
Thur					
Fri	23:00	24:00			
	24:00	01:00			
Sat	23:00	24:00			
	24:00	01:00			
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4) The management may allow dancing by customers on Friday or Saturday after the kitchen is closed at 22:00 hours. This is to provide opportunity to customers to enjoy the rest of the evening after they have consumed their table meal.		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5) NONE		
Thur					
Fri	23:00	24:00	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 6) Christmas Eve and New Years Eve from 23:00 to 01:00 the following day		
	24:00	01:00			
Sat	23:00	24:00			
	24:00	01:00			
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Provision of late night refreshment is		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) INSIDE THE PREMISES WITH TABLE MEALS OUTSIDE PAVEMENT WITH TABLE MEALS WITH FOOD ORDERS FOR DELIVERY OR PICK UP	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	24:00			
Tue	11:00	24:00			
Wed	11:00	24:00			
Thur	11:00	24:00			
Fri	11:00	24:00			
Sat	11:00	24:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			Christmas Eve and New Years Eve from 11:00 to 01:00 the following day		
Sun	11:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name GAPILAN KANANATHAN	
Postcode	
Personal licence number (if known) 18/00374/LIPERS	
Issuing licensing authority (if known) CROYDON COUNCIL	

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 9).

No other Licensable activity is applied for or will be carried out on the premises that gives rise to concern or cause any harm to children. It is important to **ACKNOWLEDGE THAT CONSUMPTION OF ALCOHOL IS NOT EXCLUSIVE OR PRIMARY ACTIVITY on applicant's premises. The intention is to promote the premises as family friendly restaurant serving an excellent choice of food menu. The admission of unaccompanied children under the age of 18 will be monitored by staff at all times. The applicant is aware of legal responsibility to ensure children and young people are safe & protected while they are on the premises and this also includes staying vigilant at all times for any signs of child sexual exploitation (CSE) to protect children from any sort of “physical, psychological and moral harm” taking place.**

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	24:00	
Tue	08:00	24:00	
Wed	08:00	24:00	
Thur	08:00	24:00	<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 6)
Fri	08:00	24:00	Christmas Eve and New Years Eve from 08:00 to 01:00 the following day
	24:00	01:00	
Sat	08:00	24:00	
	24:00	01:00	
Sun	10:00	23:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Refer to Appendix 2 - In support of this application (Steps intended by the applicant to promote the Four Licensing Objectives)

b) The prevention of crime and disorder

Refer to Appendix 2 - In support of this application (Steps intended by the applicant to promote the Four Licensing Objectives)

c) Public safety

Refer to Appendix 2 - In support of this application (Steps intended by the applicant to promote the Four Licensing Objectives)

d) The prevention of public nuisance

Refer to Appendix 2 - In support of this application (Steps intended by the applicant to promote the Four Licensing Objectives) Refer to Appendix 2 - In support of this application (Steps intended by the applicant to promote the Four Licensing Objectives)

e) The protection of children from harm

Refer to Appendix 2 - In support of this application (Steps intended by the applicant to promote the Four Licensing Objectives)

Checklist:**Please tick to indicate agreement**

- I have made payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

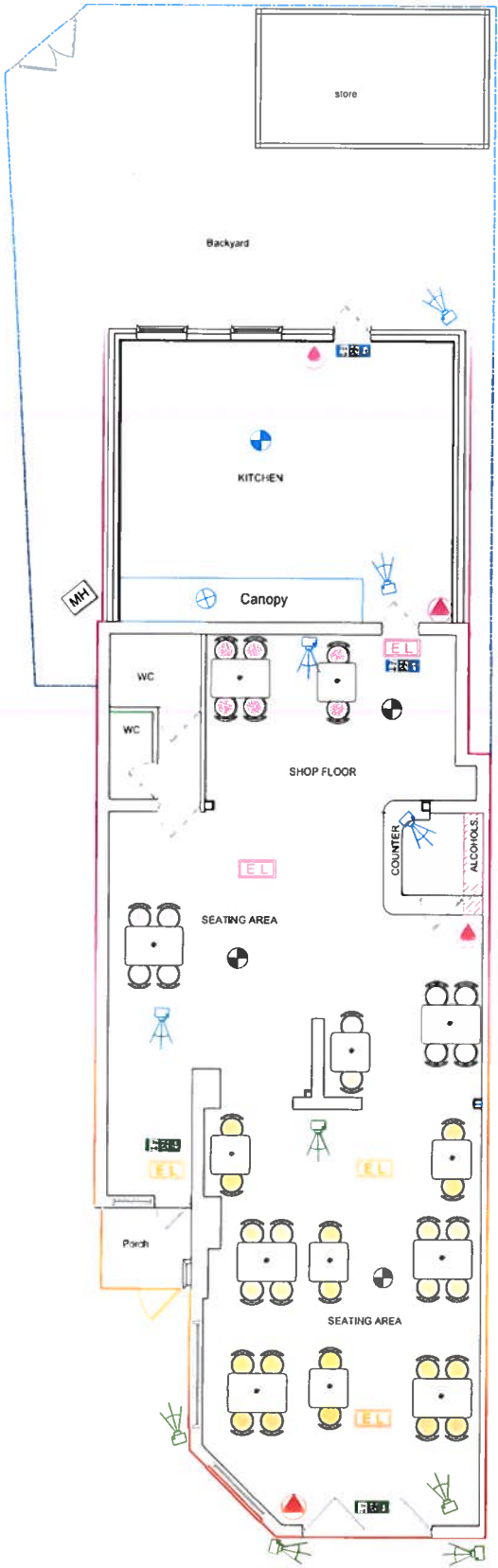
Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	JAY PATEL
Date	31/01/2024
Capacity	AUTHORISED AGENT

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			

A3 SHEET



PROPOSED GROUND FLOOR PLAN

Key Notes	
1. This shop to have external metal shutter with heavy duty professional locks.	
2. 24Hour recording with cctv cameras to be fixed as shown on the plan.	
3. Fire extinguishers kept in the shop as shown on the plan.	
4. Emergency light fixed to the ceiling as shown.	

DESCRIPTION	KEY
FIRE EXIT -	
EMERGENCY LIGHT -	
CCTV CAMERA -	
FIRE EXTINGUISHER -	
ALCOHOL DISPLAY AREA -	
SMOKE DETECTOR -	
HEAT DETECTOR -	

TITLE: FLOOR LAYOUT FOR LICENSING PURPOSE

NAME : MR G KANANATHAN
 ADDRESS : 49 LIMPSFIELD ROAD
 SOUTH CROYDON
 SURREY CR2 9LB

Tel: 020 3620 2355
 Fax: 020 8425 1312
 Web : www.arccidesigns.com
 Email: admin@arccidesigns.com

Notes:
 • This Drawing is Copyright of ARCCI DESIGNS and may not be reproduced or copied, in whole or in part, without express permission.
 • Contractor/BUILDER to check all dimension on site before commencement of any work & signed dimension only to be used.
 • All work shall comply with the latest Building Regulations & be to the satisfaction of the L.A. Authority.
 • Materials shall be suitable for the purpose for which they are used & the quality shall not be lower than that defined in the relevant British standard.

Dwg No : AD/23/LIM 49/LIC-00 Date : 19.01.2024 Scale : 1:100 Drwn by : ST Page : 1 OF 1

Appendix 1 - Supporting Document for the Application for grant of new premises licence application for 49 Limpsfield Road, South Croydon, CR2 9LB

About the area surrounding postcode CR2 9LB – Limpsfield Road (source streetcheck.co.uk)

Limpsfield Road in South Croydon is within the Sanderstead ward/electoral division, which is in the constituency of Croydon South. The area around CR2 9LB has a very large concentration of residents that are aged 65+ (at 41% of the resident population). It also has a higher-than-average concentration of retired residents - 46% of the resident population compared to 21.6% nationally.

The decision to acquire the lease and invest in the refurbishment of the 49 Limpsfield Road is based on creating a venue that offers outside seating for breakfast, coffee, lunch, and dinner for the local community to enjoy – especially during summer. The application for street trading licence will be submitted once all the internal refurbishment work is completed. In consideration to the population demographics the applicant is keen to promote the venue and organize social activity events that can be enjoyed by local voluntary groups, charities, and other groups (especially elderly groups).

The applicant has the experience of operating licensed premises – a restaurant with a capacity of 80 in Caterham and a late-night fast food take away business in Whyteleafe.

The analysis of crimes within half a mile radius of postcode CR2 9LB indicates the following comparison:

	Total	Anti-Social Behaviour	Sexual Offence	Theft, Robbery & other crime
October to December 2023 (monthly average)	14	3	3	8
December 2022	13	3	3	7

With the low level of crime rate the applicant is confident that the operation of the premises will not lead to any adverse impact on the local area or in his ability to confidently promote the Licensing Act 2003 Licensing Objectives.

Details of the previous Premises Licence Number 05/02365/LIPREM granted to Diwana, 49 Limpsfield Road, CR3 9LB

Licensable Activity	Permitted Times		
	Monday to Saturday	Sunday	Christmas & New Year Eve
Sale of Alcohol	10:00 to Midnight	12:00 to 23:30	New Year's Eve, from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day
Regulated Entertainment	No Restrictions on times or the day of the week		
Late Night Refreshment	23:00 to 00:30	23:00 to 24:00	

Opening Hours	No restrictions on opening or closing hours
Operating Schedule Conditions	None

Appendix 2

Proposed Operating Schedule by the Applicant for the grant of new premises licence for 49 Limpsfield Road, South Croydon, CR3 9LB.

Promoting the Licensing Objectives - Section 18 of 21

The applicant is proposing the following licensable activities with permitted hours, and premises opening hours:

Licensable Activity	Monday to Thursday	Friday/Saturday	Sunday	Christmas Eve & New Year Eve
Sale of Alcohol	11:00 to Midnight	11:00 to 01:00	11:00 to 23:00	11:00 to 01:00
Regulated Entertainment: Performance of Dance Recorded Music Live Music		23:00 to 01:00		23:00 to 01:00
Late Night Refreshment	There will be no food served on the premises for table meals after 23:00 hours. There will no orders taken for delivery of food after 23:00 hours.			

Opening Hours	08:00 to Midnight	08:00 to 01:00	10:00 to 23:00	08:00 to 01:00
---------------	-------------------	----------------	----------------	----------------

Please note:

Sale of Alcohol

Consumption ON the premises will be restricted to sit down table meals & drinks served by waiter service.

Consumption OFF the premises on front pavement of the premises will be restricted to sit down table meals served by waiter service until 22:00 hours.

Consumption OFF the premises will be restricted to takeaway food & drinks orders either delivered to home addresses or pick up by customers until 23:00 hours.

Promoting the Licensing Act 2003 Objectives & the Proposed Operating Schedule Conditions

The applicant is aware of the current Croydon Council Statement of Licensing Objectives. There is also an acknowledgement that the premises is located in largely a rural & residential area. Hence, the applicant wishes to be supportive in initiatives that maintains the privacy of local residents and quality of life.

1. A CCTV system with 10 cameras shall be installed covering the front entrance, all other internal areas of the premises and external areas at the front and back of the premises. The recordings capability will be for a minimum of 31 days. The designated premises supervisor will be able to provide CCTV footage (images or video) to the Police or Council Officers, in useable format on request. This includes frontal identification of every person entering the premises in any light condition.
2. Prior to engaging in any sale of alcohol, staff shall receive training in relation to Licensing Act 2003. Training records shall be kept at the premises for inspection (for a minimum of 24 months) and refresher training shall be given to all staff at least every six months.
3. A refusal book shall be maintained and details of refusals of sales of alcohol will be entered and made available to the police and local authorities upon request. Details recorded will include time, date, staff member and reason for refusal.
4. Age verification policy (Challenge 25) shall be always in operations (indoors or outdoors including deliveries) to prevent any underage sale of alcohol. Only acceptable proof of ID shall be accepted within this policy. This includes valid Passport, UK Photo Driving Licence, and Photo ID card with PASS Hologram.
5. DPS shall have the responsibility for the retail of alcohol and will maintain written authorisation of staff members who are entitled to sell alcohol.
6. Under 18's shall only be permitted on the premises when having a seated table meal and/or are accompanied by an adult(s).
7. There shall be no new entry for under 21's after 23:00 hours.
8. Entry into the premises shall be refused to everyone after midnight (24:00 hours) when the premises are open beyond this time.
9. An incident log will be maintained at the premises, and made available immediately upon request by an authorised officer of the Council or the Police, which will record the following:
 - a. All crimes reported to the venue;
 - b. all ejections of patrons;
 - c. any incidents of disorder;
 - d. any faults in the CCTV system;
 - e. Any visit by a relevant authority or emergency services;
 - f. proxy sale.
10. All required signage will be prominently displayed within the premises. This includes reminding customers: to keep the surrounding area of the premises litter free; to respect the

privacy of residents and businesses in the area when entering or leaving the premises; and CCTV is in operation for the purpose of crime prevention and public safety.

11. To prevent noise nuisance, management shall ensure the music is played and kept at a level so it can only be heard within the premises.
12. All deliveries and waste collections to/from the premises will take place during normal business hours from 09:00 to 18:00 to avoid any disturbance to the nearby residents or businesses.
13. The management will ensure the pavement area of the premises is kept clean at all times. This measure will be incorporated within the daily cleaning schedule. Suitable receptacles will be provided to dispose of cigarette litter in front of the premises.
14. There shall be a Venue Hire Booking System in place for celebration of private functions. The arrangements for hire shall take into consideration the Operating Schedule Conditions within the Premises Licence granted Croydon Council.
15. No 18TH Birthday Celebration booking will be taken or accepted unless following *Terms & Conditions are met*:
 - Booking is made and organised by parents as a family & friends celebration.
 - It is inclusive of a substantial table meal /drink service.
 - Underage alcohol order (beer/wine/cider) is by a responsible adult and is recorded by staff as a "Proxy Sale".
16. All staff will undergo 'safe guarding' training to ensure that they are aware of the signs of any situations that may cause harm to children while on the premises, such as drug dealing/taking or sexual exploitation.

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A minimum of 1 x SIA officer will be employed when the premises are expected to remain open after 23:00 hours until terminal hours on Friday or Saturday.

1. Signage promoting Challenge 25 to be displayed in the premises.
2. All staff involved in the sale and/or delivery of alcohol to also be trained in the use of Challenge 25 and checking ID prior engaging in the sale and/or delivery of alcohol; this training to be refreshed every 6 months. Training records to be kept and produced to the Police and Local Authority officers upon reasonable request.
3. All refused deliveries of alcohol also to be recorded in the refusal book.

**Proposed Operating Schedule Agreed by the Applicant with
Croydon Council Noise & Pollution Team for the grant of new
premises licence for 49 Limpsfield Road,
South Croydon, CR3 9LB.**

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

Conditions/Restrictions

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

1. The licensee will ensure that amplified music both live and recorded played at the premises is restricted indoors.
2. The licensee will ensure that no amplified music is played after 23.00hours.
3. The Designated Premises Supervisor shall ensure that (apart from access and egress) all external windows and doors are kept closed when live/recorded music is played.
4. The premises will have an entrance lobby with self-closing doors.
5. Licensee will ensure that patrons are managed to ensure that noise from exiting and entering is kept to minimum.
6. The use of outside area is restricted to 21.00hours at any time of the day.
7. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

Completed by: 
Position: Senior Pollution Enforcement Officer
Date: 26th February 2024

Rep 1.

I agree with the residents concerns. I object to the late opening and feel that licensed activities should only take place until 10.30 pm.

Since this is not an urban environment music should not be played outside the premises.

Residents live above the premises and I believe that licensing objectives 3 and 4 could be breached. Young families with children could be disturbed by the late night activities. These premises are not sound proofed with the "tudor style" buildings above.

Talking, loud music, particularly if outside would cause unnecessary harm to the residents living in the above premises.

Kind regards,

Cllr Yvette Hopley

c/o Town Hall
Katharine Street
Croydon
CR0 1NX

Further concerns received.

I write in respect of the licence for 49 Limpsfield Road on the site of the Dehli Kitchen.

I appreciate that the applicant has submitted a number of measures to promote the licensing objectives and to mitigate some of the concerns raised by residents living above and around this premises but don't believe they have gone far enough to:

- Prevent crime and disorder.
- Prevent of public nuisance.
- Ensure public safety.
- Protect children from harm.

The late night opening to midnight through the week and 1.00 am on Fridays and Saturdays will cause public nuisance in this quiet suburban area. As food will not be served after 11.00 pm and the kitchen will be closed this means that for some period of time guests will be effectively drinking for a number of hours and mingling with other guests in a bar like culture.

There are no details on how the restaurant/bar area would be managed or indeed how the percentage area of bar to restaurant ratio would be allocated.

Amplified music with speakers attached to the walls would mean noise and disturbance to residents living above in the Tudor style flatted area, which was never designed to withstand the noise of a nightclub environment in buildings with no sound insulation between them

It is likely that families, particularly with young children, would inevitably be disturbed until the late hours on school nights. This is a major concern with no outline of how music volumes would be controlled or indeed how the disposal of refuse to the back of the restaurant would be managed which could be noisy alongside any mitigation of smoke from residents who may be smoking on the street.

Due to the style of buildings customers leaving the premises on foot, by car or taxi would be heard by residents through the upper bedroom windows in the flats and it would be unreasonable to assume that they would not talk/chatter which could be heard within the flats or surrounding houses where customers would park beyond reasonable hours.

The local councillors welcome a new business to the area, but are concerned that undue disturbance due to the length of time alcohol alone would be served would be detrimental to the residents living in this quiet locality and would cause public nuisance.

I would suggest a closing time of 10.30 during the week and 11pm on a Friday and Saturday with no amplified music after 10.00 pm, to only be played internally with the doors firmly shut, with the provision of food served until 9.30 pm. The use of the outside area until 9pm should be strictly adhered to and evidence provided how that would be monitored.

Cllr Yvette Hopley
Sanderstead Ward Councillor

7 March 2024

Rep 2.

I wish to make representation concerning the license application, which I believe must be by way of objection. Should I be regarded as 'outside of the consultation area' I have copied my objection to my local Councillors in order that one may do so on my behalf.

I have considerable past experience with license applications in a professional capacity when serving an inner London Borough for 50 years.

I have read the application documentation from Mojito Restaurants in detail, and my principal concerns relate to the protection of the local residential community in Cranleigh Gardens, those living above the commercial premises in Limpsfield Rd which adjoins, and Cranleigh Close opposite, from potential public nuisance.

Hours of Business

Monday to Thursday The terminal hour of 2400 is too late, I suggest 2300 would be acceptable.
Friday and Saturday The terminal hour of 0100 the day after, is too late. I suggest 2400 would be acceptable.

Regulated Entertainment - Section E, F, &G.

Friday and Saturday - Live music , recorded music and dancing commencing at 2300 is not an acceptable time in the locality nor is terminating @ 0100 acceptable.

Promoting the Licensing Objectives

Sale of Alcohol

Point 7. Sale off the premises by take away needs to be more restrictive to prevent both outside 'vertical drinking' and prevention of sound escape. Suggest take away off-sales of alcohol to be only in sealed containers, and no entry to collect after 2200 during performance of regulated entertainment on Fridays and Saturdays.

Point 11. Prevention of Public Nuisance, this statement is not adequate. Sound insulation of openable doors and windows needs to be suitable and sufficient to prevent sound breakout during performance. Entrance doors and front 'French /by-fold glass doors need to be kept closed during performance. Linked to this would be the need for sufficient extract ventilation and an air cooling system. There should also be a requirement preventing entry or re-entry of any customers, say 1 hour before terminal hour of entertainment.

There are certain additional measures which should be required to prevent public nuisance.

No music should be broadcast to the outside area through any speaker system.

Tables and chairs located on the outside area should be cleared and enclosed with the premises at close of business .

I believe much of what I have suggested can be incorporated with the an approved license by additional conditions, should the applicants be agreeable. Should they not agree, I would therefore suggest there are sufficient grounds for refusal.

Further concerns received.

Thank you for your email setting out the additional conditions which the applicant is prepared to accept should the licence be granted. I believe these will meet most of my concerns raised in my representation. It does however leave certain matters not fully addressed to wholly meet the 'prevention of public nuisance objective'

Operating hours:

There has been no change operating hours, where the terminal hour Monday to Thursday is set out as midnight and on Friday and Saturday until 1.a.m the day after. With specific regard to Friday and Saturday, as Public Transport would not be operating after curfew, patrons would need to arrive and depart by private car or cab, where parking would be an intrusion into the local residential area of Cranleigh Gardens and Riding Hill.

With reference to the proposed additional conditions 1 & 2 set out in your email.

These would still permit acoustic live music and dancing until 0100 hrs Saturday and Sunday morning within the premises and acoustic music to be played outside until 21.00.

I appreciate that the applicant has stated the live and recorded music would only be occasional, however I am aware that you are not able to control the frequency by conditions only the days and hours.

Although this would appear to be pedantic on my my part, by strict interpretation, the conditions as expressed would allow, for example : Spanish / Acoustic Guitar and Drums.

I therefore can not fully withdraw my representation unless these matters are addressed by proposed tighter and additional conditions beforehand

Further concerns received.

My concern, is to ensure customers leaving The Med Kitchen or similar @ say midnight are prevented from accessing 49 Limpsfield to obtain alcohol for consumption on the premises until 0100. This could be prevented by a condition of 'no entry or re-entry after say 2300 or the instruction to the SIA door supervisor.

Regards



Rep 3.

We write to express our serious concerns regarding an application for a premises licence at the above property. Having lived in the immediate area for over 30 years we would welcome a suitable family restaurant but believe this application is attempting to manipulate the facts and presentation in an attempt to obtain approval for a late night bar with amplified music and dancing from 10.00pm to 1.00am.

Sanderstead is an established quiet suburban neighbourhood with a number of small local retail parades characterised by ground floor shop units with residential accommodation above. The application site is located in the Sanderstead Village retail parade on the corner of Limpsfield Road and Cranleigh Gardens to the east of Limpsfield Road. Residential dwellings are above, adjacent and in close proximity with the Yew Tree Court elderly living retirement apartments only 30m distance away. Across Limpsfield Road to the west is an open vista across Sanderstead Recreation Ground towards Riddlesdown Common.

Until the closure of the Delhi Kitchen, previous occupants of the application site, there were only two restaurants within the parade. At present only The Med Kitchen at 39 Limpsfield Road is currently trading. It is recognised that both the Delhi Kitchen and The Med Kitchen have existed without concern for many years however both establishments are traditional family restaurants only serving alcohol by waiter service to accompany sit down meals. The Med Kitchen closes no later than 10.00pm and the Delhi Kitchen closed at 10.30pm – we believe the opening hours were designed to protect the enjoyment and amenity of residents to avoid antisocial noise and disruption. We also note that Vera, another nearby restaurant located at 77–79 Mitchley Avenue, within a similar small retail parade below residential dwellings above has opening hours restricted to close no later than 10.00pm. Reference is made in the application form to Appendix 1 but that section is not available to public access – we believe it refers to premises licence 05/02365/LIPREM for the previous Indian restaurant.

As currently proposed the application is highly likely to result in late night disturbance to local residents. The proposal would be more appropriate to an urban or district centre rather than this quiet suburban locality and we consider the submitted contents to be ill-considered and contradictory

We have a number of specific concerns as outlined below :

1. Late night opening to midnight through the week and 1.00am on Fridays and Saturdays is excessive and unwarranted for a family restaurant (as per the applicants description)
2. There is no description outlining the type of restaurant proposed in terms of sector, dining style, numbers of customers.
3. The applicant states food will not be served after 11.00pm and the kitchen will close at 10.00pm on Fridays and Saturdays which implies alcohol will be served without food between 10.00pm and 1.00am for a further 2- 3 hours
4. Whilst the description states the premises will be used as a restaurant providing sit down meals it also states it will also have a bar and lounge area serving drinks with snacks from 11.00am to closing – no information is provided describing numbers of customers nor the split between restaurant and bar however given the extended trading hours it is likely to be more of a bar than a restaurant from, say 10.00pm to 12.00pm and 1.00am at weekends.
5. The application states that live and amplified music will be played regularly on Friday and Saturday between 11.00pm and 1.00am which is highly likely to disturb nearby residents. The applicant states any music will be controlled so it is not audible outside the premises. He provides no evidence to support that claim and proposes no measures to ensure decibel levels and low frequency sounds (bass sounds) are limited. It seems highly probable that music noise will be substantially greater during live music events and /or party nights when it is very difficult to control volume.
6. No detail is provided explaining how background recorded music will be controlled. There is a huge difference between subdued background music for restaurant diners and the likely volumes for the proposed dancing from 10.00pm to 1.00am on Fridays and Saturdays. The applicant has failed to provide any technical analysis demonstrating acoustic measures to be implemented to contain the music volume to prevent disturbance to nearby residents particularly the many families with small children.
7. The internal customer area is substantially increased which will mean more customers and increase parking pressures in the adjacent side streets which are already at capacity.

The application should be accompanied by an annotated plan drawing describing the overall layout but the public link does not include any such information. The applicant does however within the form reference a planning application ref no 23/04378/FUL which is available to view.

The following points are noted :

- No table or seating plan is provided therefore occupancy should be calculated by reference to Building Regulations minimum occupancy tables which indicates capacity as 1 person per 1 square metre. The venue has a proposed customer facing area of 114sqm resulting in 114 customers plus say 10 staff totalling 124 persons.
- Assuming a 50/50 gender split means 62 males and 62 females
- Based on those figures the proposed toilet facility is inadequate and below standard. Building Regulations require 3 female WC's and 3 wash hand basins, and 1male WC plus 2 urinals and 2 wash hand basins but only 1 WC per sex is shown.
- A compliant 2.2m x 1.5m accessible toilet is required.
- Given the proposed size of the restaurant separate staff toilets should be provided.
- The proposed restaurant is not fully accessible for non-ambulant customers and/or staff. A ramp is shown to the extended lobby but it is not compliant.
- The proposed emergency escapes are inadequate for the calculated occupancy. The escape through the commercial kitchen is unsafe for customers and is discounted except for kitchen staff. The occupancy of over 60 persons means all exits should be of adequate width with outward opening doors and suitable escape ironmongery. As proposed the scheme does not satisfy the regulations and constitutes a danger to customers.

In conclusion whilst we accept a suitably designed and well managed traditional restaurant should be acceptable, we have serious concerns that the applicant intends to create a bar with extended hours for alcohol sales, dancing and music which will be detrimental to and damage the existing amenity of local residents due to noise and disturbance.

The application form suggests this will be a family restaurant but the details indicate otherwise particularly for the later hours when children are unlikely to be present. The proposal is unsuitable for the quiet suburban location and character of the area. Please consider that, if this application was granted in its current form, other local restaurant operators are likely to use the established precedent to seek more liberal licencing restrictions and longer opening hours exacerbating the damage to the local community.

We request our comments and concerns are duly considered to protect the existing residents of Sanderstead. Many thanks.

Regards

[REDACTED]

[REDACTED]

Rep 4.

License Application for 49 Limpsfield Road, CR2 9LB

We are, of course, aware that there has been an Indian Restaurant on this site for some 20+ years. Having another restaurant of a similar size, would not be a particular issue. What concerns the local residents is the proposed increase in size, playing of live and recorded music, dancing, outside seating, and selling of alcohol with a late night licence (1.00 a.m.), coupled with the serious parking, traffic and environmental issues.

To have a licence until 1.00 a.m. would indicate they wish to turn these premises into a 'nightclub', with the main purpose for their customers to consume as much alcohol as possible. A nearby restaurant is open until 11.00 pm, which in this area is acceptable.

The noise from this new restaurant/bar/nightclub would be insufferable to not only the flats above the adjoining premises, but also the residential houses in Cranleigh Gardens which is on the corner of these premises, and are just 15 metres from their boundary. Also Borough Grange Sheltered Housing flats some 60 metres away and Yew Tree Court retirement apartments 50 metres away.

To suggest there is room on the pavement for outside tables and chairs is ludicrous. This is a corner plot, and would seriously restrict use by pedestrians of the pavement, also be a serious trip hazard for people with restricted sight and mobility.

We are aware of a particular covenant restricting certain sales of alcohol, and we would wish to ensure that this particular establishment does not encourage a bar-like environment, and the particular issues that would bring.

There is very limited parking in Limpsfield Road, so therefore all the cars for this restaurant will be parking in adjoining local quiet residential streets – Cranleigh Gardens, Blenheim Gardens and Onslow Gardens. These residents would therefore be subjected to the noise from the customers leaving late at night, and in the early hours of the morning.

If permission is granted for another restaurant at these premises, I would urge you to respect the local residents wishes by ensuring that our lives, sleep and environment are not seriously impacted by the noise from a vastly increased customer numbers, music, outside dining and noise so close to peoples' homes. I am sure you are aware of the impact of disrupted sleep and stress can have on peoples' mental health, including children.

The proposed restaurant/bar/nightclub is totally unsuitable for this village setting and location, and urge you to reject their application.

Yours faithfully

[Redacted signature]

[Redacted address]

Rep 5.

I wish to register my objection to the licence application in respect of the above, under the prevention of public nuisance objective.

On inspection of the application it is clear from the opening hours the venue is intending to operate way in excess of what would be expected of a restaurant. The premises has indeed operated as an Indian restaurant for more than 25 years, and that is a perfectly reasonable use of the premises. The restaurant would be closed by around 10PM and not be a nuisance to the many local residents living just yards away.

Part F confirms the venue will be available for outside hire which raises concerns over public nuisance and it is difficult to believe the entire premises will be hired for a table seated event only.

Part G raises concerns that guests will be using the premises more as a night club than a restaurant given the kitchen closes at 10PM but the premises will be open and selling alcohol for hours afterwards. The concern is amplified by the proposed provision of a bar and snack area which is not consistent with a restaurant venue.

Point 7 on page 23 raises serious concerns about persons arriving just prior to 11PM to gain entry and further illustrates the applicants expect late night traffic which is not consistent with a local restaurant.

It is my opinion that the application for a restaurant is a thinly veiled attempt at opening a bar/nightclub that is completely inappropriate for the location, yards from a residential area. It is a poorly disguised attempt to evade the historical Restrictive Covenants around serving alcohol in a pub setting.

Please do not approve this application and ruin the characteristics of the Village High Street.

Further concerns received:

It is the public nuisance aspect that concerns me the most. That said, crime and disorder is often caused by excessive alcohol consumption so I will add that to my list of concerns. The opening hours are simply not appropriate to the area and no restaurant needs to be open until 1AM in the morning.

It is quite clear that the term "restaurant" in the title is misleading. Restaurants do not need a bouncer on the door, and whilst the occasional live performance is becoming more commonplace, the need to have doors and windows shut when recorded music is being played does not suggest background or ambient music does it?

And finally, is the Trading Standards requirement to require Challenge 25 and ID checking training a standard requirement for a restaurant premises?

I would dearly love there to be another restaurant on the site of the Diwana and laterly the Delhi Kitchen. Sadly this is a wolf in sheeps clothing.

Rep 6.

I am emailing to object to the requested licensing of the above site.

As is stated on the application the premises are located in a largely rural & residential area and I think granting a license for late night drinking and music is unacceptable for the area and would be intrusive to those living near by.

The application states 'The intention is to promote the premises as family friendly restaurant serving an excellent choice of food menu.' Therefore why would late night music and drinking be necessary? Hence the reason there are no pubs.

Sanderstead is a Quaker area and there are covenants in place to not allow late night drinking. This site has been a restaurant for many years but it has never allowed late night drinking and dancing.

Currently there is a very successful restaurant a few doors down who do not allow this and do not find it necessary to allow food orders up to 23.00.

Rep 7.

I would like to register my objection to the licence application for the above under the prevention of public nuisance objective.

The application is under the guise of a family restaurant but is clearly going to be a bar/ dance venue.

This is completely inappropriate in a residential area. They are also trying to get around the restrictive covenants in Sanderstead that do not allow the serving of alcohol pub/bar settings.

The application includes extending and utilising the pavement area and playing amplified recorded music. The doors to the pavement area will obviously be open, when these are in use, creating more of a public nuisance and noise throughout the whole evening.

The closing times are midnight on Monday to Thursday and 1am on Friday's and Saturday's. The kitchen will close at 22.00 but alcohol will be served for the remainder of the night when dancing will also be permitted.

The application also states that customers will be able to arrive between 22.00 and midnight (except for under 21's). No food can be served so it is very clearly a bar / nightclub setting.

There is also the availability of venue hire on a Friday and Saturday for celebrations. These surely can not all be in the form of a seated meal for all which again points to a bar/ dance venue.

The noise and disturbance generated solely from customers leaving at closing times alone will generate unacceptable disturbance to the immediate residential area where many young children reside.

Sanderstead is a quiet residential village protected from bars and pubs by the covenants. Please do not allow this to be compromised by an application purporting to be something it is not.

Further concerns received.

I have made my objection under the prevention of public nuisance and my objections still stand but I would also like to add an objection under the prevention of crime and disorder and public safety.

Crime disorder and public safety are unfortunately all affected by the consuming of alcohol. Customers leaving the premises if the license is granted will be travelling through a highly residential area (immediately on its doorstep) late at night having consumed alcohol (with no food having been served for 2 hours, some who arrive late may not even have had food).

Please also note my comment that Sanderstead has a covenant that does not allow licenced bars or pubs. This is not on your list of objection topics but any license awarded would be in direct contradiction with this covenant especially given that people can gain entry to the premises after the kitchen is shut (Clearly the definition of a bar.)

I would also like to reiterate that Sanderstead is a highly residential village and a lot of residents have specifically purchased in this area for this very reason.

Further concerns received.

Having a Security Officer, amplified music and age checking is highlighting that this is a bar not a family restaurant.

With the best will in the world an establishment asking it's patrons to leave quietly will have little or no effect on them as they walk through the local residential area (unless they intend to walk them home or to their car to ensure they remain quiet). Once you add alcohol into the mix it is nigh on impossible to control the noise as it is a common symptom to talk and laugh louder.

Restricting amplified music to no later than 23.00 is of no comfort. There are flats above the immediately adjoining premises and houses less than 50 yards away. There are many young children in these homes. Those who have jobs will not wish to be woken up at that time when they have work to get up for the next day.

I also return to some of my many original points.

- there is a covenant in place in Sanderstead that prohibits pubs and bars . This is cherished by locals and for many is why they have chosen to live here.

- Sanderstead is a small residential village and has no requirement for a late night bar with dancing, however it would welcome a family restaurant that closed (as others do) at 10pm.

I really hope all the above and other representations made by many other local residents are taken into account and the late night bar licence is prohibited.

Rep 8.

Sanderstead Residents' Association (SRA) have been contacted by residents near to the above premises who are concerned about the latest licensing application.

Until the closure of Delhi Kitchen Sanderstead has been provided with two family restaurants in this parade which served alcohol by waiter service to accompany seated diners, both of which were closed by 10.30pm. This thus caused no nuisance to the residents of the flats above the shops, or the nearby houses in Cranleigh Gardens and Close, Blenheim Gardens, Barrowsfield and Yew Tree Court (which is a McCarthy and Stone retirement premises).

The proposed extended hours to to midnight Monday to Thursday and 1pm on Friday and Saturday are likely to impact on the nearby residents with noise and disturbance and affect their mental well-being. We note that there will be live music for special events 6-8 weekly and if the restaurant is privately hired. The noise disturbance, particularly for the flats and houses nearby, is of concern as is the fact that dancing will be permitted after 10am.

We note that the application mentions that the kitchen will close at 10am, this implies that alcohol will continue to be served until closing and this is in contradiction to longstanding covenants in Sanderstead which mean there is no public house.

In conclusion this does not appear to be the kind of establishment suited for a quiet residential area such as Sanderstead. We have no issue with a family restaurant with opening hours such as The Med Kitchen.

Sanderstead Residents' Association

Official SRA address: [redacted]

Rep 9.

I wish to object to the application for a dance and music establishment on Limpfield Rd Sanderstead.

This is not in keeping with the neighbourhood and the Quaker covenant!
We would have too many cars parked on the road and noises late at night.

Rep 10.

I wish to request the you do not grant a licence to this organisation for the following reasons:

Public Safety

Parking is limited near this building. In the daytime all the spaces in front of the parade of shops are taken and cars park all the way down Cranleigh Gardens.

In the evenings parking is still scarce.

The premises are on the corner of a busy road and outside seating would make it more congested for people crossing the junction, especially those with pushchairs and small children. Crossing the road when the local primary school closes mid afternoon would become more difficult.

The prevention of public nuisance**Noise**

This is primarily a residential area with existing food outlets closing quietly by around 10 pm. If people over 18 years can arrive at and depart from the premises between 22.00 and 24.00 (1.00 am on Fridays and Saturdays) having mainly been using the premises to drink alcohol there is likely to be considerable noise from voices, cars doors slamming and cars driving away. This is not something the owners of the premises would have much control over.

The premises are in a row of shops with flats above. The residents of the flats and the houses in Cranleigh Gardens would suffer from this noise. Also from the live or recorded music and dancing mentioned in the application.

Protection of Children from Harm

The premises are very close to the local scout hut. This might mean that in some circumstances the scouting groups have to curtail some of their activities.

With their plans for more and later entertainment the applicants appear to be describing a venue that is quite different to the restaurant that has been on the premises for many years and one that is not appropriate to the quiet suburban setting that it is in.

Yours faithfully





Rep 11.

I am writing to express my deep concerns regarding the recent announcement of the opening of Mojito restaurant at the corner of Limpsfield road and Cranleigh Gardens, a residential neighborhood. While I appreciate the development of local businesses, I am particularly troubled by the restaurant's intention to apply for a permit allowing late-night music and dancing on the weekends.

As a resident on Cranleigh close, I am deeply concerned about the potential consequences of such activities, especially considering the proximity of our community to primary schools. The presence of increased noise levels during late hours poses a significant threat to the well-being and quality of life of families and children residing in the area. Noise pollution can disrupt sleep patterns, affect academic performance, and create an overall sense of discomfort and unease among residents.

Furthermore, the prospect of late-night activities, coupled with alcohol consumption, raises serious concerns about the potential for antisocial behavior and safety risks. The combination of loud music, alcohol, and late hours may attract individuals engaging in disruptive and potentially dangerous behavior, posing a threat to the safety and security of our community members, particularly children.

I urge you to reconsider the decision to grant a permit for late-night music and dancing at the proposed restaurant location. Instead, I propose exploring alternative solutions that prioritize the peace and safety of our residential area, such as restricting noise levels during certain hours or implementing measures to mitigate the impact of late-night activities on the surrounding community.

Thank you for your attention to this matter. I look forward to your prompt response and action on this important issue.

Further concerns received.

I am right across the road from the proposed restaurant and will be highly impacted by noise and any disorderliness.

I am ~~opposed to~~ the med kitchen restaurant, which already causes considerable noise well into the evening, not to mention their rubbish bins which are always overflowing and causing rubbish to be blown into my drive, therefore any application for music, alcohol etc beyond the current times allowed for Med Kitchen I would be opposed to.

Rep 12.

I am writing to formally object to the planning application referenced above. My primary concern relates to the potential noise pollution that the proposed development at 49 Limpsfield Road South Croydon CR2 9LB would bring to our neighbourhood, which I believe would significantly affect the quality of life for local residents, including myself.

The proposed development, by its nature and the activities it is likely to entail, could introduce an unacceptable level of noise disturbance. Opening a bar/night club would create problems of traffic, noises and environment . This is particularly concerning given the proximity of the development to residential areas.

The introduction of such noise would not only disrupt the peaceful enjoyment of our homes but could also have health implications due to increased stress and sleep disturbance. Furthermore, it may negatively impact the value of properties in the vicinity.

Yours faithfully

[Redacted signature]

[Redacted name]

Rep 14.

Dear Sirs

We are the owners of properties in Barrowsfield which is very close to the application site. Barrowsfield has 6 family houses in total plus there are 2 other houses facing the Limpfield road under the same address.

This is a quiet residential enclave in a generally residential area with many family homes near to this premises and our properties and all others in the immediate vicinity would suffer from the granting of this license.

There are very many children living in this area due to the proximity to the school and this license would inevitably lead to noise and subsequent disruption to their sleep especially on Mondays to Thursdays when they would have school the next day.

As a quiet private and somewhat secluded road there is also the very likelihood of people using the road as a lavatory or for other unsociable purposes after exiting the premises at late evenings in an intoxicated state.

This is a very quiet and attractive area and parade of shops and restaurants and has never suffered from any empty class E premises and so there should be no need to start allowing admitting this sort of use.

We therefore absolutely object to the application in hand.

We are the directors of Denhill Properties Ltd who are the registered owners of [Redacted] and [Redacted] Barrowsfield.

Our Company address is

[Redacted address line 1]

[Redacted address line 2]

Rep 15.

I am writing to object to the granting of a licence to sell alcohol by MOJITO RESTAURANT LIMITED at the premises situated at 49 LIMPSFIELD ROAD, SOUTH CROYDON, CR2 9LB.

The premises have been in use as a restaurant venue for many years with little impact on the local area. The application under consideration proposes to have extended licensing hours and the provision of both live and recorded music with dancing until midnight and even later on some days. This activity is totally out of

keeping with the nature of the local area. The building is at the end of a terrace comprising shops with flats above, the music is likely to cause nuisance to the neighbouring residents. The noise will, inevitably, spill into the surrounding area disturbing residents in the nearby retirement properties and flats above the shops on the opposite corner of Cranleigh Gardens as well as neighbouring houses along Cranleigh Gardens. Customers and some of the staff will park their cars in the local area (as they did when the previous restaurant was open), inevitably this will cause a disturbance for local residents; midnight and later is too late for this to be considered. My experience says that parking will stretch to Onslow Gardens.

The licence should be rejected as currently sought.

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

Rep 16.

Dear Sir/Madam,

Re: 49 Limpsfield Road – Premises License application

Whilst a suitably designed and well managed restaurant, akin to the one which has operated for many years on this site, should be acceptable, I do have serious concerns about this proposal which appears to be seeking extended hours for alcohol sales, dancing and music and including outside service/table use, so late into the evening.

My main concern is that this would be detrimental to and damage the existing amenity of local residents due to noise and disturbance.

In terms of the Licensing Objectives I believe that this application, would compromise Objective 2 – The Prevention of public nuisance.

My reasons are as follows:

The restaurant is located immediately below residential flats in Limpsfield Road and adjacent to residential properties in Yew Tree Court (retirement flats in Limpsfield Road) as well as opposite the premises in Barrowsfield and also adjacent to Cranleigh Gardens.

1. Allowing the restaurant to open until 1.00am will lead to disturbances well beyond reasonable hours, making it difficult for residents living nearby to enjoy peaceful late evenings.
2. Disturbance to residents well beyond reasonable hours living nearby, caused by noise arising from the venue, including the outside space, late in the evening, including departure from the venue

3. Disturbance to residents well beyond reasonable hours living nearby caused by car movements, including taxis, into the early hours as patrons depart the venue
4. Concerns about noise and disturbance caused by patrons staying at the tables outside talking and generally enjoying themselves causing disturbance to residents well beyond reasonable hours
5. Concerns about the volume of music –
 - if it is being played loud enough to be enjoyed outside, it will travel well beyond the immediate site and cause disturbance to local residents, including those with young families, well beyond reasonable hours
 - Amplified music from inside the venue impacting detrimentally upon the residents who live in the same block or otherwise adjacent, by causing unreasonable disturbance
6. Concerns that with the kitchen closing at 10.00pm, drinks will continue to be served until 1.00am without food

I would be grateful if my concerns could be taken into serious consideration when this application is being considered.

Cllr Lynne Hale

c/o Town Hall
Katharine Street
Croydon
CR0 1NX

Rep 17.

Re: 49 Limsfield Road – Premises Licence Application

A number of residents have contacted me about this application and I do have some concerns that it would compromise Objective 2 of the Licensing Objectives – The Prevention of public nuisance.

I believe this because of the extended hours proposed, the type of activity involved, which includes alcohol, and because of the close vicinity which this venue has to the homes of local residents.

In essence I am concerned that residents could be disturbed beyond reasonable hours, due to the noise created by voices, music and vehicle movements.

Should the recommendation be to approve, then I would ask that the hours of use in relation to opening times, playing of amplified music and use of the outside seating area, be restricted to protect local residents from any public nuisance.

I would be grateful if my concerns could be taken into serious consideration when this application is being considered.

AS

Chris Philp MP

House of Commons, London, SW1A 0AA

Rep 18.

I wish to object to this Application under Prevention of Public Nuisance, in particular to the extension of opening times, when only alcohol can be served, on Fridays and Saturdays till 1 am on the following days. This is a quiet residential area and there will inevitably be noise and disturbance as a result of late night drinking. There is a covenant in the area preventing the opening of pubs, so this Application is contrary to this covenant and may well be unlawful. There may also be problems regarding parking as the side roads are already well used for this purpose and there is another restaurant in the immediate area which already creates parking problems in the area.

Loud music, particularly on warm evenings when windows are open, would prove to be a major nuisance and this Application as it stands would be out of keeping in this area.

Yours faithfully,



Rep 19.

Objection to licence of 49 limpsfield road

I'm writing to make representations for the current application for late night licence of 49 limpsfield road.


I am in support of this business and the activities suggested but have some points to make for consideration about the management of people, music, and the later opening times.

Firstly, the application states Appendix 1 outlines the licensable activities. Unless I have missed something I cannot see appendix 1.

Secondly, The current application has not addressed the key areas of with enough details of actions to prevent and address:

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

This section of the application only states "see appendix 2" (which lacks detail) and does not specifically address each concern and the methods of how the establishment will prevent and address issues in these key areas. Although these have likely been considered based on the previous experience of the applicant, they are most are not written in the application.

So what's it like here already and how will the addition of this venue add to or reduce the issues we already face here? - As a resident of a flat  the parade and direct access to Cranleigh gardens and Cranleigh close I can say that the current issues around crime and

disorder, public nuisance and public safety are already an issue on this corner of limpsfield road and Cranleigh gardens.

With a number of take aways and restaurants, parking and driving in the evening is erratic, careless and obstructs views coming in and out of Cranleigh close and limpsfield Road. The introduction of a late licence will increase this problem even later into the night.

The turn out of patrons from med kitchen at 10/11pm particularly on the weekend or all week during lighter nights in summer causes issues for people whose homes are directly ~~across~~ the shops. Patrons often standing around for up to half an hour on the corner talking and laughing loudly after a few drinks. This is when people leave the restaurant at different times so a later licence will give way to multiple groups exiting at one time, following the introduction of two to three hours of drinking and dancing after Food stops being served. I feel the later licence will exacerbate this problem for residents.

The longer hours at the new venue will mean a high level of alcohol consumption adding to the noise and antisocial behaviour at these later times. Just recently a group from the other restaurant dropped their glass bottle in the street and laughter and kicking glass around. Grown adults. This was at 10pm. Antisocial behaviour and issues will increase in frequency and severity given the late night proposal seven days a week.

An outdoor area in the day time seems highly sensible for people to enjoy the outdoor nice weather. But in the evening and night time an outdoor area will intrude on residents personal lives and cause harm. What will be in place to prevent undue interruption to the home lives of the local residents. What time will the outdoor area be required to close?

Smoking outside the premises has not been addressed in the application. But whether on the public highway, a licensed outdoor area at the front or a garden smoking area, it will have an intrusion on the lives of the residents especially ~~neighbours~~ neighbours like myself. What will be in place to address this?

Appendix 2 seeks to address some of the concerns around the four key areas but doesn't specify how.

The cctv inside the property and at the rear and front may not cover a key area of antisocial behaviour dangerous driving and parking as well as a recent robbery on the exact spot between 49 and 47 Cranleigh close/limpsfield road. Will there be cameras in this area at the side of the property?

The cctv coverage is important but it's largely about catching people doing wrong, citing "incidents of disorder and ejections of patrons" but doesn't say how these incidents are going to be prevented. Or what happens once the patron is ejected from the "restaurant/bar"

Furthermore, Last Entry at one hour before closing will encourage binge drinking in the last hour for late comers.

Also, the application does not show details about the management of people leaving the premises, especially those who are drunk. And either using cars under the influence or lingering around Cranleigh gardens and limpsfield road to say their extended drunk goodbyes. There is no mention of added security on Thursday Friday Saturday for example

such as SIA card carriers. I am aware the management are considering the use of security guards for later night events but this is not specified in the application.

Signage to consider residents - great idea but I know myself after a few too many drinks I'm not going to read the signs or consider local neighbours. I would like consideration of how this will be managed and what actions will be taken.

Noise nuisance management - ambient music in restaurants is not an issue, but parties and live music are suggested as not being heard outside the venue. how are you going to keep this only heard within the venue. What time are the outdoor areas closed. How are you going to stop people being noisy outside. How will you ensure music is not heard by neighbours. What kind of soundproofing is there to help this. How are you monitoring the noise outside electronically? Will you be opening the by-folding doors during the times of louder music? Are some questions that come to mind.

The application states the late night refreshments are for inside and outside the premises. What will be done to ensure the noise is managed if the drinking is outside? How will you ensure your patrons comply with your signage considering the environmental protection act 1990 to reduce unreasonable noise pollution and creating a statutory nuisance.

Safeguarding children - there is some information here about preventing exploitation and I'm pleased to see this venue as a family environment. However the application does not mention other potential harm to children not attending the venue such as those that live in the immediate vicinity.

For example, the flats and homes above the shops and on the side roads are homes to families with children of a range of ages. Across the first five flats next to the venue, 4/5 have school and college age children and I am confident that many more families live on both sides of the venue in need of safeguarding from interrupted sleep, noise, fear and protection from witnessing antisocial behaviour late at night outside their homes. The flats span from Cranleigh gardens to limpsfield road and have bedrooms and living spaces on both sides. If the issues further up in this email are addressed then this in turn will solve this issue.

I have no objections at all to late nights on specific occasions such as new years, Christmas and one off special events but these can be applied for with ease and explained considerations on a case by case basis using a TEN and do not need a regular licence for these extended hours every day of the week.

I attended a similar venue owned by the applicant and was reassured by the things in place, the management of the venue, the restaurant music volume among other things. This was during the week and at dinner time. However my objection to the later extended times still stands. Even if the venue was planning 2200/2300 closing times, the granting of a later licence would allow them to extend this on busy nights without warning and have an impact on residents.

If some of the concerns above are addressed then I would support a licence for alcohol and music but NOT the 0000 closure time Monday to Thursday and 0100 Saturday and Sunday morning and 2300 Sunday. 7 nights a week of disruption to mine and my family's personal

Rep 21.

I have no objection for a restaurant with licensing, as this is what the space originally is, but a late night/live music space is not within keeping of Sanderstead (Quaker land) and would attract the wrong people to the area. This is a relatively older/family orientated neighbourhood and such an establishment would not really work. My wife and I are in our 30's and even we don't want it.

- the prevention of crime and disorder - although I don't see a restaurant being a breeding ground for general crime, I do see the possibility of drug use which comes hand in hand with late night establishments. I also see disorder as being something that would also naturally follow a late night establishment. As mentioned previously, the village has not been designed for such behaviour and would not welcome it. We do have 2 convenience stores which attract groups of children (vapes) and I think even that intimidates people, especially as that walk way is central to public spaces/supermarkets et al.
- public safety - as stated above, unruly behaviour comes hand in hand with late night venues and I for one would not feel safe and I'm 6'2, let alone my wife/vulnerable people. There's also the increase in transport for such establishments and the main road is not designed for such and the side street is tight as it is with residents parking.
- the prevention of public nuisance - noise, possible drug use, rowdy behaviour, foul language and litter/detritus will only increase from this. I also see from living in central London, damage to neighbouring property is inevitable. Also, urination in public places comes with such venues and to the rear there is a side alley which could encourage illegal sexual activities
- the protection of children from harm - there is a park directly across from the venue which is popular with families and children. Summer nights they would be exposed to foul language et al. I also think that those children who attend the park could be exposed or seek things from users of the venue which I would not want to see. Increased traffic also becomes a problem and as a late night venue would encourage local elder children to loiter and be exposed to underage activities.

I am very much for an establishment but late night licences/live music that would alter the village and subsequently encourage the above, not so much

~~XXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~

~~XXXXXX~~

Rep 22.

See attached document called Rep 22. But also, **further concerns received as below.**

We are still against a general closing of the premises at 1am on Fridays and Saturdays.

Opening hours should be restricted to 11pm on all days. The position on this has not changed due to noise that will be made by patrons leaving the premises after 11pm to 1am. This is unacceptable for us living in close proximity.

Further concerns received.

We strongly object to the application as local residents. Any late night closure will result in further disturbance in the local streets (especially Cranleigh Gardens and surrounding roads). People tend to park in Cranleigh Gardens when visiting nearby Med Kitchen and will undoubtedly do so for Mojito Restaurant as well.

(...) While we understand that restaurants naturally generate some level of noise during operation, the extent to which it encroaches upon the peace and quiet of our neighbourhood is unacceptable. Allowing the restaurant to open until 1am will lead to disturbances well beyond reasonable hours, making it difficult for residents to enjoy a peaceful evening in their homes

This should be sufficient as it is in line with the previous objections in the letter, i.e. opening to 1am and noise levels. If you feel it will help by calling it out more clearly then please feel free to add it. Again, we have nothing against it going until 11pm with the restrictions outlined below (e.g. outside dining stopping at 9pm) and we continue to object to the opening to 1am.

Rep 23.

Please see attached document called Rep 23.

Sustainable Communities Department
Licensing Team, 3rd Floor, Zone B
Bernard Wetherill House
8 Mint Walk
Croydon
CR0 1EA

~~XXXXXXXXXXXXXXXXXXXX~~
February 2024

~~XXXXXXXXXXXXXXXXXXXX~~
Sanderstead
~~XXXXXXXXXXXX~~

Re: Objection - 49 Limpsfield Road, Sanderstead, CR2 9LB
(former Delhi Kitchen)

Dear Madam or Sir,

We're writing regarding the development on 49 Limpsfield Road that is planned for Mojito Restaurant Ltd. We understand that an application has been submitted to Croydon Council for live music, ability to dine in the back garden and late night closure (i.e. premises closing at 1am).

We strongly object to the application as local residents. Any late night closure will result in further disturbance in the local streets (especially Cranleigh Gardens and surrounding roads). People tend to park in Cranleigh Gardens when visiting nearby Med Kitchen and will undoubtedly do so for Mojito Restaurant as well.

Since Med Kitchen has opened, we have observed a consistent pattern of excessive noise upon closing time. The same can be predicted for the planned development by Mojito Restaurant especially if it advertises itself as an establishment with live music. If the new restaurant is going ahead, it should have the same closing time as Med Kitchen. While this will also add to noise levels, it will be preferable to having two restaurants with different closing times in the same area.

While we understand that restaurants naturally generate some level of noise during operation, the extent to which it encroaches upon the peace and quiet of our neighbourhood is unacceptable. Allowing the restaurant to open until 1am will lead to disturbances well beyond reasonable hours, making it difficult for residents to enjoy a peaceful evening in their homes. We would also urge you not to grant any permission for outside dining. This will again add to noise levels especially in the summertime when neighbours will sleep with

their windows open.

We urge you to take immediate action to address this matter by implementing measures to mitigate noise levels during operating hours, limiting requested operating hours and ensuring that all staff members are mindful of the impact their actions may have on nearby residents.

As residents who value the vibrancy of our local businesses but also seeks a peaceful living environment, we hope that we can work together to find a solution that benefits both Mojito Restaurant and the community at large.

Best wishes,

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXX~~, Sanderstead, South Croydon, ~~XXXXXXXXXX~~

23 February 2024

London Borough of Croydon
Sustainable Communities Department
3rd Floor, Zone B
Bernard Weatherill House
8 Mint Walk
CROYDON
CR0 1EA

Dear Sirs

Application for a Premises Licence under the Licensing Act 2003
Mojito Restaurant Limited, 49 Limsfield Road, Sanderstead, South Croydon, CR2 9LB

I write to advise you of concerns that I have regarding the matters referred to in the Application now under consideration.

As you will note from the letterhead above, I live (~~on my own~~) in a house that is in close proximity to 49 Limsfield Road: there is only a short leg of Cranleigh Close and an electricity sub-station between the two sites. (The Location Plan that formed part of Planning Application No: 23/04378/FUL incorrectly refers to Cranleigh Gardens as "Cranleigh Road".) I have owned ● Cranleigh Gardens ever since August 1967 and for much of that time the site at 49 Limsfield Road has been a restaurant.

Apart from the shops along Limsfield Road, the area is mainly residential in character and I am given to understand that a restrictive covenant applies to a considerable part of the local area which, in respect of ● Cranleigh Gardens, reads as follows:

"No buildings to be erected on the property hereby conveyed shall at any time be used as a public house or beer house nor shall the sub-purchasers except thereon any manufactory or works or except on such part of the property as is scheduled for shops under the Town Planning Scheme as prepared by the Coulsdon and Purley Urban District Council carry on thereon any trade or business and will not do any act or thing on the property conveyed which may be a nuisance or annoyance to the owners or occupiers of the adjoining or neighbouring property."

Consequently, there are no Public Houses at all in the local area. I have to wonder whether the Supply of Alcohol element of the present Application is an attempt to circumvent the operation of the Restrictive Covenant.

Having carefully read the present Application, I have to assume that it is, in effect, an attempt to extend by 2 hours the time that the restaurant can operate on some Friday and Saturday evenings and on Christmas Eve and New Years Eve. If the activities referred to in the Application are to be permitted to take place until 0100 hours, the reality is customers may well not actually leave the premises until up to an hour thereafter

Apart from very local residents who may choose to be customers of the restaurant, other customers may well come from some distance away and they will do so using their cars. There are no parking facilities provided on the 49 Limsfield Road site, as a result of which they will park their vehicles in local roads such as Cranleigh Gardens if there are spaces available, failing which they may park in Blenheim Gardens or Onslow Gardens and walk to and from the restaurant along Cranleigh Gardens. Current yellow line parking restrictions from the junction of Limsfield Road and Cranleigh Gardens

(partly double lines and then single yellow lines) end outside my property and only apply until 1830 hours.

Past experience has been that customers leaving the restaurant premises are often quite noisy as they chat and they also have little consideration about noise that is caused as they drive away. This is particularly noticeable in the warmer summer months.

I will particularly object if, by extending the operating hours of the restaurant and its activities to 0100 hours, my sleep is made subject to disturbance between 0100 hours and 0200 hours.

As regards the Live Music and Recorded Music parts of the Application, I have noted that this is supposed to be contained inside the restaurant premises as stated in number 11 of the Croydon Council Statement of Licensing Objectives - "To prevent noise nuisance, management shall ensure the music is played and kept at a level so that it can only be heard within the premises." Again, what will happen in the warmer summer months when the interior of the premises may become uncomfortably hot, the more so if there are a large number of customers on site?

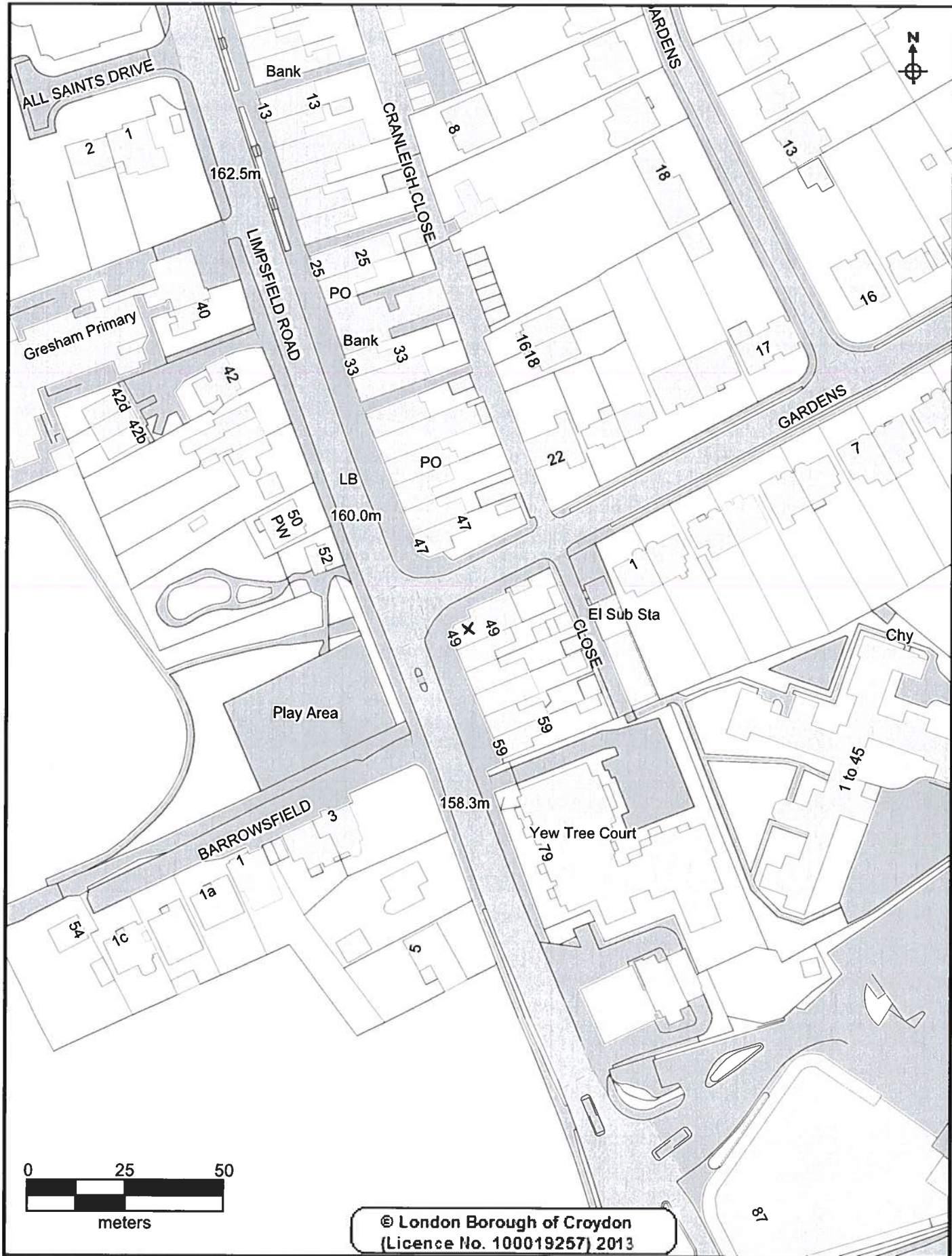
Similar issues would arise if the Performance of Dance element of the Application (which would inevitably involve either live or recorded music) is permitted until 0100 hours.

In the light of the foregoing, I submit that the present Premises Licence Application should be rejected by Croydon Council in order to preserve the character of the residential neighbourhood and that local residents should not be subjected to disturbance beyond midnight.

The Application also states that "the front street pavements are wide enough for the application to create outside seating area for customers to enjoy coffee & lunch in good weather; Street Trading Licence will be applied for once the building and refurbishment work is completed". The frontage of the restaurant is quite small and consists of 3 door style windows. It is my opinion that there is insufficient space in the Cranleigh Gardens pavement for any outside seating area and having a front street outside eating area will create a potential hazard for people walking in Cranleigh Gardens towards Limpsfield Road, particularly those with sight or mobility problems. I will want to submit an objection if ever a Street Trading Licence is applied for. Can you please ensure that I am advised if such an application is received.

Yours faithfully





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08-Mar-2024

X = 49 Page 84 LIMSFIELD ROAD



Agenda Item 6

REPORT TO:	LICENSING SUB COMMITTEE 18 March 2024
SUBJECT:	LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE
LEAD OFFICER:	Corporate Director, Sustainable Communities, Regeneration & Economic Recovery
CABINET MEMBER:	Cllr. Scott Roche Streets & Environment
WARDS:	Selsdon and Addington Village
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 (time limited) premises licence at Addington Park, Croydon, CR0 5AR.

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 and the Protocol was last amended by the licensing committee on 30 September 2020, minute 15/20 refers).

- 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: Flora Osiyemi, Head of Finance Place, Residents & Gateway)

5. COMMENTS OF THE SOLICITOR TO THE COUNCIL

- 5.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance 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.

(Approved by Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy 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 for and on behalf of HR by Jennifer Sankar, Head of HR Sustainable Communities).

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. In exercising licensing functions, the Council is required to comply with Section 149 of the Equality Act 2010 which requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

7.2 For these purposes the protected characteristics are

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

7.3 The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

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, Head of Environmental Health,
Trading Standards and Licensing, Sustainable
Communities Department, ext. 28259

BACKGROUND DOCUMENTS:

Application Forms
Licensing Hearings and Protocol and Procedure

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APPENDIX A

1. The Application

1.1 This report concerns an application by Smith and Smith Ltd. for a time limited premises licence at Addington Park, Croydon, CR0 5AR.

1.2 The application seeks the following licensable activities, between the hours shown on Saturday 6 July 2024 –

Provision of Regulated Entertainment, namely -
Recorded Music
1300 hours until 2200 hours

Sale by Retail of Alcohol (for consumption 'On' the premises) -
1300 hours until 2130 hours

1.3 A copy of the application is attached at Appendix A1.

1.4 Would the sub committee please note that as part of the premises licence application paperwork, the applicant also submitted a copy of their draft Event Management Plan. A copy is attached at Appendix A2. As this is an evolving document, it is the latest version which is attached. Would the sub committee also please note that personal and potentially sensitive material has been redacted from this document.

1.5 Would the sub committee please note that following discussions with the Police Licensing Officer, the applicant has amended their application to have the conditions at Appendix A3 placed on the licence, if the application is granted.

2 Promotion of Licensing Objectives

2.1 The applicant provides details under the Licensing Objectives heading in 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 premises licence, if the variation application is granted.

3 Relevant representations

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

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

4 Policy Considerations

4.1 Under the terms of the Act, the Council has published a Statement of Licensing Policy. This is available on the Council website at www.croydon.gov.uk . Hard copies are also available from the Council's Sustainable Communities

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 ASSESSMENT

- 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 Assessment 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 five areas within Croydon as being subject to a Cumulative Impact Assessment in respect of off licences and shops and supermarkets selling alcohol for consumption off the premises:
- i. Cumulative impact area 1: 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 Cumulative impact area 2: 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 Cumulative impact area 3: 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 Cumulative impact area 4: Along the length of Central Parade, New Addington
 - v. Cumulative impact area 5: Along the length of High Street, South Norwood from the junctions with Oliver Grove and Station Road to the junction with Lancaster Road and along the length of Portland from the junction with High Street to the junction with Spring Lane, Woodside
- 4.24 The effect of a Cumulative Impact Assessment 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 assessment 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 Assessment 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 assessment.
- 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 assessment regularly to see whether the cumulative impact areas have had the effect intended and whether they are still needed or whether they need expanding.
- 4.29 The Council will not use this assessment and areas 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 prevention of crime and disorder and prevention of 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 assessment 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 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.
- 4.35 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 may 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 Licensing Authority 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 Nightlife, 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 Licensing Authority 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 Licensing Authority 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 to be addressed.

- 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.
- 5.2.11 In addition to the above, recent times have seen a significant increase in terrorist attacks and the threat from terrorist attacks. Licensed premises and licensed open spaces and public events, where large numbers of people may gather can unfortunately be a target for terrorist activity. Licence/certificate applicants and holders and people submitting temporary event notices are therefore recommended to ensure they have assessed, planned and initiated suitable control measures to counter and mitigate against such a terrorist attack. Further advice can be obtained by contacting the Metropolitan Police or the Council's Licensing Team.

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.

5.3.7 Licence applicants, licence holders and organisers of public events are also advised to familiarise themselves with the Croydon Council Events Policy that is currently being developed. This policy will set out the key principles by which Croydon Council, with its key partners and other stakeholders, will approach the authorisation of public events.

The Events Policy aims include –

- ensuring effective planning and management of events
- to provide a fair, consistent and well co-ordinated approach to how events are supported and facilitated by the Council and
- to ensure that safety is placed as a priority in decision making

Further information on the Croydon Council Events Policy can be obtained by emailing specialevent@croydon.gov.uk .

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

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

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

- 5.5.7 The Council will not impose conditions on licences or certificates requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee. However, where applicants volunteer prohibitions and limitations in their operating schedules and no relevant representations have been made to the Council, these will become conditions attached to the licence/certificate conditions and will be enforceable as such.

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 AND REGULATED ENTERTAINMENT

- 5.5.12 The Council considers that specific arrangements relating to the supervision and safety of children may be required for occasions when they go to see and/or take part in regulated entertainments arranged especially for them and, where appropriate, will consider attaching appropriate Conditions to licences and certificates.

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.

5.5.19 While each case will be treated on its merits, where offences are disclosed the Trading Standards Service, as a responsible authority under the Licensing Act 2003, will consider seeking a review of a premises licence.

5.5.20 Designated premises supervisors and personal licence holders are also reminded of their responsibilities under the legislation to ensure that the licensing objectives are met, specifically here with regard to the protection of children from harm and are also reminded that enforcement action is not restricted solely to premises licence or certificate holders.

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, equality schemes and cultural strategies, as well as any other plans relating to the management of the town centres 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 non-statutory licensing requirements, the statement of licensing policy will be examined to see if the situation might be reversed.

TRANSPORT

- 6.6 The Council will, if necessary make arrangements with Croydon Borough Police and other licensing enforcement officers for reports to be made on any matters relating to the need for the swift and safe dispersal of people from the town centre to avoid concentrations which can produce disorder and disturbance.

TOURISM AND EMPLOYMENT

- 6.7 Arrangements will be made for licensing committees to receive, when appropriate, reports on the following matters to ensure these are reflected in their considerations:
- the needs of the local tourist economy and the cultural strategy for the Borough, and,
 - the employment situation in the Borough and the need for new investment and employment where appropriate

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 policy that will be used to determine planning applications for any changes of use that require planning permission, unless material considerations indicate otherwise. 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 Applicants and licensees must make themselves familiar with the law and their responsibilities set out within the Equality Act 2010 and relevant guidance for businesses, which can be found on the Equality & Human Rights Commission website
- The Act makes discrimination against any person (including employees and customers) unlawful.
 - Section 149 (7) of the Act defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
 - Any activity in breach of the Act may be considered an offence and may lead to enforcement by the Equality and Human Rights Commission.
- 6.15 The Council recognises its public sector equality duty under the Equality Act 2010 and the legal obligation to have due regard, when exercising its functions, to the need to eliminate unlawful discrimination, harassment and

victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who do not and to foster good relations between people who share a protected characteristic and those who do not.

- 6.16 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

- 6.17 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.
- 6.18 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.
- 6.19 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.

7. LIVE MUSIC, DANCING AND THEATRE

- 7.1 In its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote the broadest possible range of entertainment, particularly live music, dance, street arts and theatre, for the wider cultural benefits of the community, especially for and/or involving children. In order to assist performers and entertainers, consideration will be given to obtaining licences for public spaces within the Borough where such uses take place/could take place on a regular basis.
- 7.2 In considering applications for such events, this cultural need will be carefully balanced against possible neighbourhood disturbance so that, when determining what conditions to attach to licences/certificates to promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter such events by imposing substantial indirect costs.

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 Health and Safety Executive (as applicable) and the London Fire Brigade
- Protection of Children from Harm – Croydon Children’s Safeguarding Board, Police and the Trading Standards Team

- 10.3 Under the departmental enforcement policy 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.

- 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 –

Disclosure of personal details of persons making representations

9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.

9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.

9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.

9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

Imposed Conditions

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 showing the application premises is attached at Appendix A5.

E: licensing@croydon.gov.uk

New Premises Licence

Premises Details

Premises Address *

ADDINGTON PARK KENT GATE WAY CROYDON
CROYDON CR0 5AR

Telephone number at premises (if any)

Non-domestic value of premises. *

£ 0

Applicant Details

I/We apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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.

Please state whether you are applying for a premises licence as:

a person other than an individual -as a limited company/
limited liability partnership

Applicant Details

If you are applying as a person described in one of the above please confirm: *

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

Other Applicant (Non Individual)

Name *

Smith and Smith Ltd

Registered Address *

PO Box 4385, 10702070

Companies House Default Address

Town/City *

Cardiff

County

Other Applicant (Non Individual)

Postcode *	CF14 8LH
Registered Number (where applicable)	10702070
Description of applicant (for example partnership, company, unincorporated association, etc) *	Smith and Smith Ltd host and organise events throughout the UK focusing on the music genre soca from the caribbean carnival islands. Hosting indoor club events, bruch events, outdoor events and travel for the last 20 years +
Telephone Number	
Email *	

Operating Schedule

When do you want the premises licence to start? *	06/07/2024
If you wish the licence to be valid only for a limited period, when do you want it to end?	06/07/2024
Please give a general description of the premises. *	We would like our ticketed only purchased in advance soca music event to be hosted at Addington Park, Addington, London Borough Of Croydon. This will be a one day event July 6th, Maximum capacity will be 1500 (including staff, vendors, contractors and attendees), 1000 tickets will be only released for customers.
If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	

Operating Schedule

What licensable activities do you intend to carry on from the premises? * (Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2) *

Plays

Films

Indoor Sporting Events

Operating Schedule

Boxing or Wrestling

Live Music

Recorded Music

Performances of Dance

Anything of a similar description falling under Music or Dance

Provision of late night refreshment

Supply of Alcohol

Recorded Music Standard Times

Standard days and timings, where you intend to use the premises for the performance of recorded music. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 3) *

Please provide further details.(please read guidance note 4)

State any seasonal variations for the playing of recorded music. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the performance of recorded music

Recorded Music

at different times from the Standard days and times listed?
(please read guidance note 6)

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 7)*
Please enter times in 24hr format (HH:MM)

Day *

Saturday

13:00

21:30

Supply of Alcohol

Will the supply of alcohol be for consumption on premises or off premises or both? (please read guidance note 8) *

On the premises

Is the premises used exclusively or primarily for supply of alcohol for consumption on the premises? *

No

State any seasonal variations for the supply of alcohol. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the supply of alcohol at different times from the Standard days and times listed?(please read guidance note 6)

Designated Premises Supervisor

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form)

Title *

Mr

First name *

Damion

Surname *

Pyle

Street address *

Designated Premises Supervisor

Town/City *

County

Postcode *

Personal Licence Number (if known)

LBWANDS/02935

Issuing Licensing Authority (if known)

Wandsworth

Adult Entertainment

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 9).

N/A

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Saturday

13:00

22:00

Opening Hours

State any seasonal variations. (please read guidance note 5)

N/A

Please state any Non-standard timings, where you intend the premises to be open to the public at different times from the Standard days and times listed? (please read guidance note 6)

N/A

Licensing Objectives

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

Licensing Objectives

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10) *

Briefings for staff and contractors will cover local area familiarity, minimizing resident disturbances, handling security incidents, and working with police on prohibited item encounters. Engagement with the local community and ward councillors is planned to maintain open communication and address any concerns.

b) The prevention of crime and disorder *

Security personnel will collaborate closely with event organisers and police to minimise drug and weapon use. Mandatory security checks, including wand searches and bag inspections, will apply to all, including staff, contractors, DJs, artists, and attendees. High perimeter fencing will be erected for counter-terrorism efforts and to deter unauthorised access, with an additional site visit planned alongside our contracted security firm to ensure optimal arrangement.

c) Public safety *

To address violence against women and girls, a Vulnerable People Training Package provided by the Police will be mandatory for all staff, contractors, and vendors. SIA-trained security personnel will be present to ensure a safe environment. Alcohol consumption will be restricted to within the event perimeter, and security will ensure that all drinks are disposed of before attendees exit Addington Park.

d) The prevention of public nuisance *

Trained traffic wardens will be hired to guide attendees to park in designated areas within Addington Park, avoiding disruption to local residents. Toilets and waste bins will be strategically placed in the car park and at the event's exit points. This arrangement aims to contain litter and urination within the park in approved areas. Additionally, SIA-trained security personnel will be stationed in these specific locations for added safety and order.

e) The protection of children from harm *

Individuals under 18 will not be permitted at the event. SIA-trained security will check IDs at all entry points of Addington Park to verify attendees are genuine ticket holders and over 18. SIA security staff will also monitor the areas outside the park perimeter for any suspicious activities and will maintain contact with the police to report any concerning behaviour.

Declarations

Declaration Type *

Sole Applicant - Individual or Other

Declarations

I have uploaded a copy of the plan of the premises. I have uploaded a copy of the consent form completed by the individual I wish to be designated premises supervisor, if applicable. I understand I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected. Applicable to all individual applicants,

Declarations

including those in partnership which is not a limited liability partnership, but not companies or limited liability partnerships I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15)

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. IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Signature/Declaration of applicant or applicant's solicitor or other duly authorised agent (see Guidance Note 11 & 12). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

- I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Full Name *

Date *

Capacity *

Declaration made

Do you wish to provide alternative correspondence details? *

Joint Applicant Declaration

I have uploaded a copy of the plan of the premises. I have uploaded a copy of the consent form completed by the individual I wish to be designated premises supervisor, if applicable. I understand I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected. Applicable to all individual applicants, including those in partnership which is not a limited liability partnership, but not companies or limited liability partnerships. I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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. IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT

Joint Applicant Declaration

WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Signature/Declaration of applicant or applicant's solicitor or other duly authorised agent (see Guidance Note 11 & 12). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected. For joint applications of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity you are authorised to sign/apply. When submitting an online application form the 'Declaration made' checkbox must be selected.

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

Full Name *

Date *

14/01/2024

Capacity *

Declaration made

For joint notifiers or second notifiers solicitor or other authorised agent (please read guidance note 3). If signing on behalf of the notifier please state in what capacity you are authorised to sign/apply. When submitting an online application form the 'Declaration made' checkbox must be selected. 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.

Full Name *

Date *

14/01/2024

Capacity *

Applicant

Declaration made

Do you wish to provide alternative correspondence details? *

No

Xcstasy Jouvert

Addington Park, Croydon, CR0 5AR

Saturday 6th July 2024

Event Safety Management Plan

February 2024 – Version 2

Event Safety Management Plan

Table of Contents

Sections

- ~~1. Event Description~~
- ~~2. Event Key Personnel~~
- ~~3. Event License~~
- ~~4. Venue and Site Design~~
- ~~5. Planning and Management~~
- ~~6. Food Vendors~~
- ~~7. Noise Management~~
- ~~8. Communications~~
9. Crowd Control, Security, Stewarding & Counterterrorism
- ~~10. Toilets, Showers and Waste Management~~
11. Power Supply and Site Lighting
12. Staging
- ~~13. Water Supply~~
14. Health And Safety
15. Fire Safety And Protection
- ~~16. Adverse Weather Plans~~

Event Description

Event Name: Xcstasy Jouvert

Open Time: Gates for customers open at 1pm, Gates close at 7pm (to all ticket or not)

Closing Time: Alcohol Bars close at 9:30pm, Music, Food Vendors end at 10pm

Location: Addington Park, Croydon, CR0 5AR

Capacities: Tickets capped at 1000 for guest, 250-500 Staff, Vendors, Security & Contractors

Audience: Over 25 years of age

An outdoor festival with DJ's, food vendors and beverage bars. Xcstasy Jouvert will be a ticketed event. Numbers within the event enclosure will be controlled to the amount of 1000 people.

The event will cater to a crowd of adults aged 25, with a strong focus on celebrating music derived from the Caribbean.

DJ line up will be provided by:

- Majikal
 - Deejay Dee
 - Sir Influential
 - DJ Limzy
 - Koolie G
- 5 More to be added and confirmed

We will be operating an advance ticket only event, in which ticket sales will close promptly at 12pm on the day of the event.

Tickets for Xcstasy will be sold online via our internal ticket platforms.

Xcstasy Jouvert, as the responsible party for the production planning, management, coordination, and financial control of the festivals, assures attendees that ticket sales will be closely monitored. We commit to adhering to the limits set by our licensing and the proposed Event Specific Management Plan (ESMP) and can be presented on request at any time

To maintain transparency and fairness, if all allocated tickets are sold out, we guarantee that no additional tickets will be sold, and there will be no on-the-day cash sales. This commitment aligns with our dedication to providing a seamless and enjoyable experience for all festivalgoers.

Two weeks before the event, attendees will receive a comprehensive email notification (alongside social media posts) urging them to use Addington Village as their station stop instead of Gravel Hill. This communication will not only inform attendees about transportation but also include important public health messages.

Attendees will be advised about weather forecasts, guidance on hand sanitizer stations, and details about the Ask For Angela initiative (<https://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/campaigns/ask-for-angela/>).

Templates of these communications will be shared with _____ before their public release, ensuring consistency and accuracy in our messaging. Xcstasy Jouvert remains committed to delivering a safe, enjoyable, and well-organized festival experience for all participants.

Event Key Personnel

- Events Co-ordinator –)
- Site Manager –
- Food Vendors Manager -
- Production Manager –
- Event Administrator –
- Security Liaison Manager –
- Ticket Entry Manager –
- Bar Liaison Manager –
- Traffic Management Manager – TGTM LTD
- Customer Service Manager –
- Noise Control Manager –

Event License

Prevention of Crime and Disorder

Event Security and Protocols

Xcstasy Jouvert will be contained within a fenced area, accessible to individuals possessing valid tickets, event wristbands, or event passes only.

SIA security staff will be deployed to oversee the security arrangements during the event.

Entrance Procedures:

Search policies and conditions will be explicitly communicated on event tickets and the official website. Searches will be conducted at the main entrance beneath an open-face marquee, with overhead cover and open sides for efficient guest flow. Searches are mandatory, and non-compliance will result in denied entry. Both male and female security personnel will conduct person and bag searches using handheld metal detectors.

Prohibited items discovered during searches will be securely boxed in the control room and transported to the police station by security personnel or disposed of.

Access Control:

Security personnel and stewards will monitor entrance and emergency exits to prevent unauthorized access. Clear exit paths and fire lanes will be maintained.

Security Vigilance:

Security and stewards will patrol among guests, trained to identify and address any suspicious activities. Continuous radio communication will be maintained between management, security, and staff for operational coordination.

Zero Tolerance to Drugs:

Xcstasy Jouvert adheres to a Zero Tolerance to Drugs policy. Individuals suspected of, or found dealing or using illegal substances, NPS/"legal highs," or NOS gas will be promptly removed from the Addington Park site. This is in accordance with the Misuse of Drugs Act 1971. Confiscated items will be securely stored, signed, and dated, with the head of security ensuring their proper transfer to the nearest police station after the event concludes and all operations cease.

Xcstasy Jouvert - Official Security and Operational Directives

The organizers commit to enforcing the following directives for both events, in accordance with instructions from Police Licensing Authorities:

1. **Queue Management:** Any queues forming outside the premises will be supervised by SIA door supervisors to ensure orderliness and prevent nuisance or obstruction to public highways and footpaths.
2. **Staff Visibility:** All staff outside the entrance or managing queues will wear high-visibility jackets or vests.
3. **Policies and Amendments:** Operate anti-drugs, weapons, and anti-theft policies in compliance with agreed memoranda of understanding. Policies, including storage and disposal procedures, will be

displayed with any amendments requiring written agreement with Croydon Police Licensing Team 30 days before events.

4. Search Policy: Implement a thorough search policy for all entrants, including staff and artists, involving bag searches and metal detector or wand checks. Clear notices at the entrance will inform attendees of the search condition.

5. Incident Log: Maintain an incident log, electronically recorded if necessary, with details including incident date, time, location, persons involved, and identification of emergency services personnel. Accessible to police or authorized officers upon request.

6. Dispersal Policy: Establish a documented dispersal policy, agreed with relevant authorities, with a copy lodged with the Police Licensing Team. Amendments require written agreement with Croydon Police Licensing Team 30 days prior to events.

7. Challenge 25 Scheme: Implement a Challenge 25 scheme for alcohol purchases, requiring proof of age for individuals appearing under 25.

8. Drink Vessels: Mandate the use of polycarbonate drinking vessels for all alcoholic and soft drinks. No outside alcohol allowed; any found will be seized and disposed of by security.

9. Control of Alcohol Leaving the Event: Prevent customers from leaving the event site with bottles or open containers.

10. Security and CCTV: Deploy SIA door staff at a ratio of , with CCTV installed at key points, including entrance, exit, main stage, and bars. Tickets sold must conform to the security policy ratio.

11. Door Supervisor Records: Maintain records of deployed door supervisors, including name, date of birth, full SIA badge number, and dates and times employed. Records accessible to authorities upon request.

12. Noise Nuisance Complaint Line: Provide a direct telephone number (held by duty manager) to neighbouring premises for reporting noise nuisance complaints.

13. Event Management Plans:- Run event according to the latest agreed Event Management Plan from the latest SAG meeting.

14. Staff Training: Ensure all bar staff receive training reflecting the Licensing Act 2003, covering licensing objectives, proof of age, and conflict management. Training records kept on-site and made available upon request.

15. Vulnerable Person Policy: Implement a vulnerable person policy, including WAVE training for all staff.

16. Bar Management: Assign a personal license holder to manage each bar individually during licensable hours.

17. Counter Terrorism Engagement: Engage with freely available counter-terrorism advice and guidance through Counter Terrorism Protect Officers and Counter Terrorism Security Advisors.

18. CCTV Operations: Operate CCTV throughout licensable hours, covering the main public gate, main stage, and all bars. Retain footage for 31 days post-event and provide any requested footage to Police or Council within 2 hours during the event.

Venue and Site Design

Site Map - Initial Draft

The attached document presents the initial draft of the site map for Xcstasy Jouvert. This serves as the foundational layout, providing an overview of the event space. The final site map, including markings and the traffic management plan, will be subsequently provided to ensure comprehensive guidance for all stakeholders.

Key Features:

1. **Event Area:** Designated space for Xcstasy Jouvert festivities.
2. **Entrance/Exit:** Clearly marked points for ingress and egress.
3. **Main Stage:** Central location for performances and entertainment.
4. **Bars:** Designated areas for beverage service.
5. **Security Checkpoints:** Points for security checks and inspections.
6. **Emergency Exits:** Clearly identified for safety and security.
7. **Traffic Flow:** Initial indication of the intended traffic management plan.

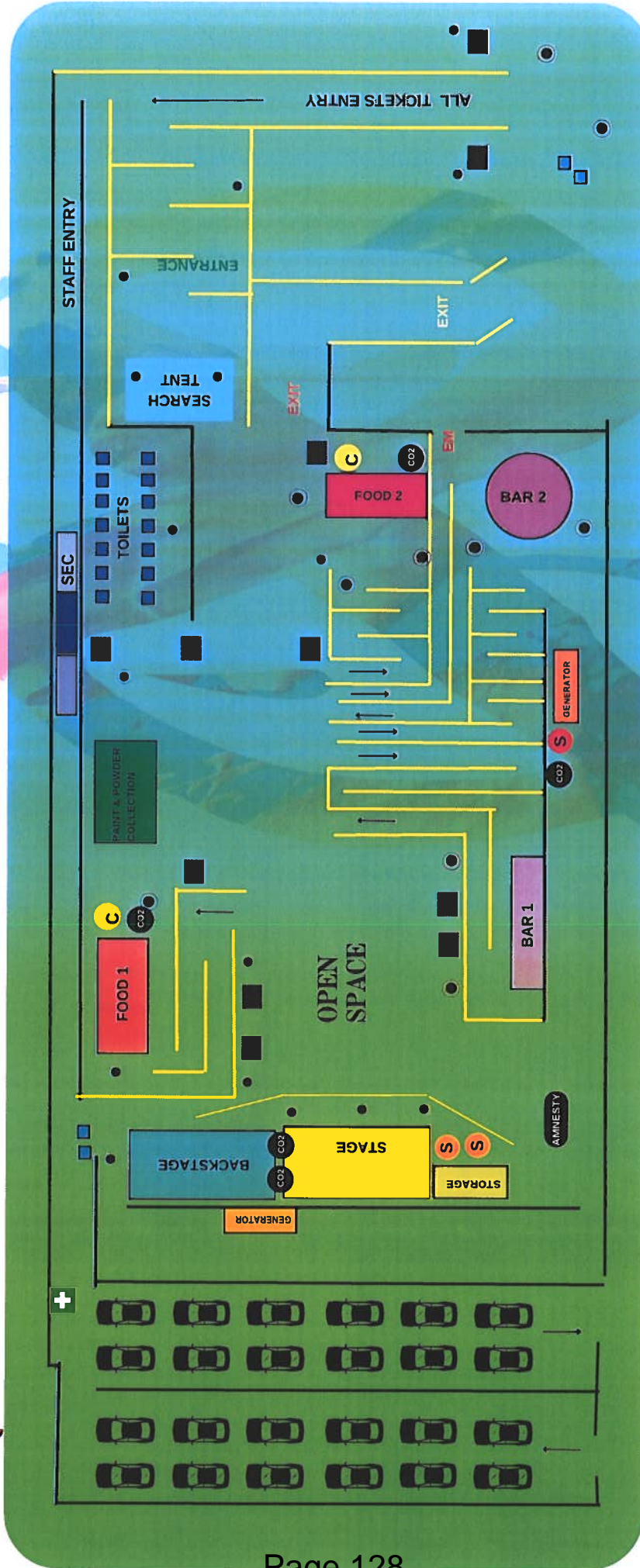
We will employ a double berried Heras fencing setup

Please note that this draft is subject to revisions and enhancements in the final version, which will include specific markings, detailed annotations, and a comprehensive traffic management plan. Your cooperation and feedback in refining the final site map are appreciated to ensure the optimal execution of Xcstasy Jouvert.

ADDINGTON PARK SITE MAP - XCSTASY JOUVERT

SITE MAP

(NOT DRAWN TO SCALE)



SUBJECT TO CHANGE

KEY

- Crowd control
- Heras fencing
- First Aid
- Steward
- Toilet
- Staff & Contractor parking
- Security
- Security tent
- Bin
- Search tent
- Control tent
- Detain
- Generator
- Amnesty box
- Fire extinguisher - CO2
- Fire extinguisher - Chemical
- Sand

Stage 8m x 6m
Height from floor 4m - negotiable



72

Planning and Management

Event Phases and Safety Compliance

The Xcstasy Jouvert event will be structured into three distinct phases: Site Construction, The Event (live days), and Site Breakdown. The organizers commit to compliance with The Health and Safety at Work Act 1974 and other relevant legislation, incorporating the recent Construction (Design & Management) Regulations 2015.

CDM Systems Monitoring

During the construction and takedown phases, the event will be monitored and supervised in accordance with CDM systems.

New Purple Guide Compliance:

The event will, as far as reasonably practicable, adhere to the New Purple Guide, superseding HSE 195, "The Event Safety Guide."

Event Safety File:

An Event Safety File will be maintained, including:

- Event Safety Management Plan (ESMP) and appendices with Event Risk Assessments.
- Event Emergency Plans.
- Detailed scale plan of the site.
- Copies of current Combined Liability Insurance certificates from the Company, Suppliers, Contractors, and Public Liability Insurance from non-PAYE staff, including self-employed contractors.
- Copies of Risk Assessments, Method Statements, and safety documentation from contractors, suppliers, and self-employed individuals.
- Structural information and wind loading data for all temporary demountable structures.
- Documentation for PAT, Gas Safe, or other appliance safety.
- Food Hygiene certificates and local authority registration information from catering units.

Incident Reporting:

Incidents, accidents, or dangerous occurrences will be documented and reported to Festival Managers. RIDDOR reporting will be handled by the Medical Managers, supported by the Management Team. RIDDOR accidents will be accompanied by a site incident report created by the Aero Ambulance.

Insurance Coverage:

Xcstasy Jouvert has secured Public Liability and Employee Liability insurance with coverage of £5 million. Contractors and suppliers must provide documented evidence of Public and Employers Liability, stored in the Event Safety File online.

Safety Management during Construction Phase:

- Construction commences on Tuesday, 2nd July 2024.

- Entrance point control maintained per licensing conditions.
- Only accredited individuals/Key Personnel allowed on-site during construction; guests will not enter.
- Dynamic assessments by the Management Teams will be ongoing.
- Accreditation passes for vehicles issued to contractors for site build activities.
- Stewards have access to vehicle registration numbers and an approved list of vendors and contractors allowed on-site during setup.
- Vehicle movements restricted at the end of the festival for customer departure; vehicle entry permitted after the festival concludes.
- Adequate lighting provided for nighttime work.

Event and Site Breakdown Phases

Event Phase:

- The event will be open to guests from 13:00 to 22:00 on Saturday, 6th July 2024
- Guests can arrive and gain entry during this time, with general management under the direction of the relevant event's Management Team.
- During live hours, the Management Team will actively monitor event activities and customer movement
- The Crowd Safety and Stewarding team will ensure site perimeter integrity and social order are maintained, prepared to act in emergencies.

Site Breakdown Phase:

- All activities will cease at 22:00
- The main area will be cleared of all customers promptly after the final DJ performances.
- Contractors and vendors will dismantle and leave the site once guests have departed.
- During the build, welfare provision and lighting will be available to on-site contractors. First aid will align with provisions during site build.

Performances, Attractions, and Displays:

- Music: One stage on each event day will feature live music with DJs. Music will commence at 13:00 and conclude at 22:00, in accordance with the agreed license.
- Stage Management is responsible for all stage activities, monitoring movement, and overseeing performances.
- The stage and sound system speakers will be positioned to direct sound away from nearby residents, contained within the party grounds under a tent.

Food and Drink Vendors

Food – There will be 6 caterings stalls split over 2 areas selling a combination of hot and cold food, vendors are currently sending in applications for a slot.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Prior to the event, catering units are required to submit safety documentation. This documentation should encompass current certifications for various aspects:

1. Insurance:

Catering units must provide valid insurance documentation to ensure coverage during the event.

2. PAT, Electrical Systems, and/or Gas Safe Certificates:

Catering units are expected to furnish current Portable Appliance Testing (PAT) certificates, along with valid certificates for electrical systems and, if applicable, Gas Safe certifications.

3. Registration with Local Authority and Hygiene Rating:

Catering units should demonstrate registration with the local authority and provide their hygiene rating in accordance with the National Food Hygiene Rating Scheme. Only ratings of 3, 4, or 5 will be accepted (Scores on the Doors).

4. Food Hygiene Certificates:

Submission of current food hygiene certificates is mandatory for catering units participating in the event.

By adhering to these requirements, catering units contribute to the overall safety and quality standards of the event, ensuring a positive and secure experience for all attendees.

Drink – There will be 2 bars selling Alcohol, Soft Drinks & Water run and managed under our own personal license.

For public convenience, two bars will be available on-site, each managed by a named personal license holder who also serves as the Designated Premises Supervisor (DPS), holding a valid DPS License as per the license agreement.

These bars will be situated in enclosed areas within the event site, with a capacity limited to under 200 people per bar. To regulate attendance, a click in/out system will be implemented to continuously monitor the number of patrons.

Bars will also be cashless.

To maintain a secure environment, the bar area will be under the supervision of SIA Licensed stewards and Security personnel, ensuring the prevention of social disorder.

Operating under a "Think 25" system, the bars will rigorously check IDs to prevent underage drinking. Clear signage outlining this policy will be prominently displayed at all entry points and bars. Acceptable forms of ID include MoD Identity cards, photo driving licenses, current passports, and government-approved cards featuring a "PASS" logo.

In compliance with the licensing agreement, alcohol sales will only be permitted between 13:00 and 21:30 on event days. However, the management reserves the right to close the bars earlier if deemed necessary. A "last orders" announcement is anticipated before all other activities cease at 22:00, ensuring the event concludes on time and attendees can depart accordingly.

Noise Management

In adherence to Licensing Objective 2, "Prevention of Public Nuisance," Xcstasy ouvert Management are committed to minimizing the impact of noise and disturbance on the neighbouring public. The following measures will be implemented:

1. Site Design Considerations:

- The event site will be under a tent so this softens the noise bleed.
- The event site will be strategically designed to position speakers away from the nearest residents and businesses.
- Prevailing wind patterns and land contours will be taken into account to further minimize noise transmission.
- The arrangement and direction of all loudspeakers will be finalized and aligned with the Licensing Authority's approval at least 28 days before the event.

2. Monitoring and Recording:

- KP Acoustic Ltd engineers will be engaged to monitor noise levels emanating from the stage.
- Noise measurements will be recorded on an hourly basis to ensure ongoing compliance with established limits.

3. Speaker Orientation:

- Speakers will be oriented in a manner that directs sound away from residential and commercial areas.
- Continuous assessment and adjustments will be made to optimize speaker positioning during the event.

4. Collaboration with Licensing Authority:

- Unrestricted access to sound mixing positions and backstage areas will be granted to the Licensing Authority.
- This access is facilitated to enable real-time sound level measurements and direct communication with the event's sound engineers.

5. Proactive Noise Management:

- Event organizers will actively collaborate with local authorities and residents to address any concerns related to noise levels.
- Rapid response mechanisms will be in place to adjust sound levels promptly if required.

6. Public Communication:

- Clear communication channels will be established to inform residents and businesses about the event's schedule and potential noise impact.

- Contact details for addressing noise-related concerns will be provided to encourage open dialogue.

7. Post-Event Review:

- After the event, a comprehensive review of noise management strategies will be conducted to identify areas for improvement.

- Feedback from the Licensing Authority, residents, and stakeholders will be considered for future planning.

Communications

To facilitate efficient communication and coordination during Xcstasy Jouvert, the following communication protocols will be in place:

1. Event WhatsApp Group:

- All operational staff members will be part of a dedicated event WhatsApp group.
- This group will serve as a central communication hub for disseminating important information, updates, and announcements.
- Team leads and key personnel will monitor and actively participate in the group to address queries and provide real-time assistance.

2. Connected Walkie-Talkie Devices:

- Team leads will be equipped with connected walkie-talkie devices to ensure direct and instant communication within their respective teams.
- Walkie-talkies will be programmed with designated channels for specific operational areas to streamline communication.
- Team leads will maintain constant connectivity with event organizers and key stakeholders through this secure channel.

3. Emergency Communication Protocol:

- In case of emergencies or urgent situations, a designated emergency channel will be used on both the WhatsApp group and walkie-talkie devices.
- Event organizers will have a direct line of communication with all team leads to swiftly address any unforeseen challenges or incidents.

4. Information Dissemination:

- Important information, schedule changes, or critical updates will be communicated promptly through both channels to ensure that all staff members are well-informed.
- Team leads will be responsible for relaying relevant information to their respective teams, ensuring a cascading flow of communication.

5. Testing and Training:

- Prior to the event, a testing and training session will be conducted to familiarize all operational staff with the proper use of walkie-talkies and the event WhatsApp group.

- Emergency procedures and communication protocols will be emphasized during staff briefings to ensure a clear understanding of response mechanisms.

6. 24/7 Availability:

- The event WhatsApp group will be monitored and accessible 24/7, allowing staff members to raise queries, report incidents, or seek assistance at any time.

- Team leads with walkie-talkie devices will be on standby to address immediate on-site requirements.

By implementing these communication protocols, Xcstasy Jouvert aims to create a streamlined and responsive communication network, enhancing overall operational efficiency and ensuring a coordinated approach among all staff members.

Crowd Control, Security, Stewarding and Counterterrorism

The organization is committed to implementing a comprehensive plan for crowd management, security, and stewarding in accordance with BS 8406: 2009, the Code of Practice for Event Stewarding and Crowd Safety Services. All security personnel involved in licensable activities will possess valid SIA licenses.

Crowd Management:

Crowd management involves systematic planning for the orderly movement and assembly of people. It includes assessing the handling capabilities of the event space, evaluating projected occupancy levels, ensuring adequate means of ingress and egress, managing ticket collection procedures, and anticipating various types of group behaviour.

Security Management Team:

- Responsible for creating a deployment schedule for the festival.
- Conducting pre-event briefings for all stewards and SIA security.
- Equipping and monitoring stewards and SIA security.
- Overseeing the deployment of staff and resources.
- Executing agreed emergency plan procedures.
- Coordinating with the Event Manager, First Aid Officers, Management, and all Security and Stewarding Staff to ensure everyone is aware of their roles and responsibilities.
- Ensuring compliance with the security plan and Safety Officer's instructions.
- Overseeing the operation of the Control Room.
- Accounting for all security and steward staff.
- Restricting staff and vendors from exiting and entering the premises during the event, except under approved mitigating circumstances.
- Assuming responsibility for managing and recording significant incidents and liaising with relevant authorities, including the Police and Fire Brigade.
- Producing the Security Risk Assessment.

On-Site Restrictions and Planning:

- The maximum number of individuals on-site will be restricted to 3,200.
- The site plan will clearly indicate the positions of the performance area and food court activities to optimize audience flow and provide an adequate viewing area in front of the Main Stage.
- The front (pit) and side of stage areas are designated as "working areas" and not for general audience viewing.

Access Control and Security Measures:

- Preventing unauthorized access to the grounds without a valid ticket or pass.
- Deterrence of prohibited items such as glass, cans, alcohol, fireworks, dogs, weapons, or any item deemed to represent a threat.
- Evacuating the public, staff, and performers in case of an emergency to the appropriate evacuation area.
- Monitoring internal gated entry and emergency exit points to ensure they remain clear.
- Providing information to the public about welfare facilities on-site.

Staff Briefing and Emergency Procedures:

- All staff, including stewards and security, will receive a briefing on emergency procedures, radio protocol, and the use of code words.
- Each staff member will have a lanyard/laminated card with essential information pinned on their person.

These measures aim to ensure the safety, security, and smooth operation of Xcstasy Jouvert while adhering to legal and ethical standards.

Toilets and Waste Management

Onsite, there will be 25 portable toilets/cubicles available for the public, staff, crew, and performers, all equipped with hand cleansing facilities. Accessible toilet units for individuals with mobility issues will be conveniently located on the main site. Specific toilets will be designated exclusively for use by food traders to mitigate the risk of cross-contamination.

To ensure easy access for patrons and service vehicles, toilets will be strategically positioned within the event area.

Toilets will also be present outside of the festival space for customers awaiting entry to venue.

For effective waste management, the event organizers will provide 1100-litre "Euro bin" skips for litter, as outlined in the Waste Management Plan (Appendix 8). A team of volunteers, wearing gloves or using pick-stickers, will conduct litter picking throughout the event, promoting recycling practices through designated receptacles.

The bar will employ recommended wax paper cups and/or recyclable plastics, avoiding the distribution of glass bottles to attendees. All alcohol will be decanted before serving. Litter pickers will maintain cleanliness during and after the event, employing hygienic methods such as gloves and picking sticks.

Skips will be available for the disposal of catering, bar, and trade waste, with a focus on encouraging recycling practices. Dogs, except for pre-arranged guide dogs, will not be permitted on-site, minimizing the need for dog waste cleanup.

Regarding glass bottles, the bar will decant all glass bottled drinks into plastic cups for the public. Empty glass bottles will be securely tied in rubbish bags and placed in the bar skip, located in a secure compound.

Vendors and caterers will be requested to remove some of their waste, and the festival site will be mowed before the event, with trimmings appropriately removed. This comprehensive waste management strategy aims to uphold cleanliness and environmental responsibility throughout the festival.

All operations and documentation will comply with the Environmental Protection Act 1990, the Environmental Protection (Duty of Care) Regulations 1991 and the Waste Management Licensing Regulations 1994.

Power Supply and Site Lighting

Awaiting details from contractor will have 2 generators

Lighting for departure

Lighting within the tent area

Staging and Tent

To regulate and control entry, the event site will be enclosed with temporary fencing structures and a central tent to house everything. The boundaries of the event area will be marked on the ground and enclosed using sturdy mesh-style fencing panels or similar materials. Crowd control barriers will isolate stages from the public.

Ensuring the integrity of the enclosure, event stewards, staff, and security personnel will patrol the site to prevent tampering with fencing and unauthorized access to restricted areas.

In adherence to the Construction (Design and Management) Regulations 2015 issued on April 6, 2015, Events Management commits to compliance. Contractors supplying temporary demountable structures will be selected based on competence and adherence to these regulations.

Site crew will operate under the supervision of the Principal Contractor, and workers will be under the supervision of the Contractors mentioned above.

Regarding staging, a certified stage will be erected, complete with safety documentation, insurance, adherence to guidance & LOLER, and official sign-off. All relevant documents will be retained at the site office. Fabrics, drapes, and textiles used in the staging must be certified as fire-retardant to ensure safety compliance. This comprehensive approach reflects our commitment to maintaining a secure and well-organized event environment.



Water Supply

The provision of clean water supply will be managed by the event organizers through the purchase of bottled water. This ensures a reliable source of clean water for various purposes.

Free supply of water will be provided with the medical team to hand out where required.

For water used within catering units, the company responsible will bring it onto the site in sterile containers or utilize the water storage facilities within their trailer unit. This approach guarantees the quality and safety of the water used in food and beverage services.

To meet public demand, bottled water will also be available for purchase through catering vendors or the bar, operating in compliance with The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010. This arrangement ensures accessibility to clean water for event attendees while adhering to licensing regulations.

Health and Safety

Traffic Management Plan

Ready for review w/b 19th Feb

Adverse Weather Plans

The event is designed to be held under a tent with open sides, providing a versatile and adaptable space for various weather conditions. The adverse weather plans are as follows:

1. Rainy Conditions:

- In the event of rain, the tent's design will provide coverage to protect attendees from the rain.
- Additional measures, such as ground coverings, may be employed to mitigate mud and enhance guest comfort.

2. Very Hot Conditions:

- If the weather becomes exceptionally hot, all sides of the tent will be removed to facilitate the circulation of air.
- This approach aims to ensure the comfort and well-being of attendees by allowing natural ventilation.

These plans are implemented to enhance the overall experience of the event while prioritizing the safety and comfort of all participants. The adaptability of the tent structure allows for a seamless response to changing weather conditions, ensuring that the event can proceed smoothly regardless of environmental challenges.

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The premises licence holder shall (ensure) –

1. Any queue to enter the premises that forms outside the premises shall be kept orderly and supervised by Security Industry Association (SIA) front line license holders to ensure that there is no nuisance or obstruction to the public highway and footpaths.
2. All overt security staff having contact with the public shall wear high-visibility tops.
3. Operate crime prevention policy part of which will encompass a search and seizure policy that includes searching everyone who enters the event including all staff and artists. All bags will be searched and all those entering the event enclosure will pass through the metal detector and/or wands search area.
4. Storage and disposal procedures for contraband found and seized at the entrance and bars will be agreed with the police prior to the event.
5. Public signage will be displayed throughout the premises regarding contraband. It shall be a condition of entry that customers agree to be searched and that police will be informed by event security staff if anyone is found in possession of a controlled substance or weapons. The policy must be agreed in writing with Croydon Police Licensing Team 30 days prior to any event.
6. An incident log shall be accessible at the premises by the organiser and made available on request to police or other officer with lawful authority. The following details shall be recorded: 1. Date of incident 2. Time of incident 3. Location of incident 4. Persons concerned 5. Summary of incident 6. Identification of any Emergency Services Personnel who attended
7. There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Police Licensing Team. Any amendments to the policy must be agreed in writing with Croydon Police Licensing Team 30 days prior to any event.
8. A Challenge 25 scheme will be operated to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that they are over 18 years of age. Proof of age shall only comprise a valid and in date passport, photo card driving licence, military card or a card bearing the PASS hologram. Refusals shall be recorded by bar staff and these records shall be viewable to the public.
9. All drink will be served to members of the public in plastic or polycarbonate containers without screw cap lids.
10. Ensure that customers are prevented from leaving the event site with bottles or open containers.
11. SIA security who are frontline license holders will be deployed inside and around the perimeter of the event at a minimum ratio of 1:50 members of the public attending. SIA security staff involved in searching and ejections will wear body Worn Video (BWV).
12. A record of all SIA security staff who are on site and have received a security briefing specific to the events will be kept with the following details: 1. Name and date of birth 2. Full 16 digit SIA badge number 3. Dates and times employed 4. Copy of the security briefing 5. Signature of person confirming they have understood and received the security briefing provided
13. A direct telephone number (mobile to be held by a duty manager) will be provided to neighbouring premises to be used in the event of a complaint of noise nuisance.

14. The premises shall run the event in line with the latest Event Management Plan (EMP) that has not been objected to during a relevant SAG meeting by a relevant responsible authority.

15. The EMP for each event shall include the following information as a minimum; site plans and minimum specifications of perimeter security fencing, stewarding/security plans to include regular weapon sweeps before, during and post egress, crowd management plans, medical plan, fire plan, site safety policy, traffic management plans, noise nuisance prevention plans, and ingress/egress plan.

16. All bar staff at the event will be trained, a record of this training will be documented and signed by the member of staff that they have received and understood this training that will include relevant input on the Licensing Act 2003 and include the licensing objectives, proof of age, identifying and seizing counterfeit documents, and conflict management. All staff training records should be maintained and kept on site. A designated member of staff should be able to produce the records on the request of police or other authorised person.

17. The event will operate a vulnerable person policy, and include WAVE training for all relevant members of staff.

18. Each bar shall be individually managed by a personal licence holder, during licensable hours.

19. Engage with freely available counter terrorism advice and guidance through Counter Terrorism Protect Officers and Counter Terrorism Security Advisors.

20. No persons under the age of 18 years will be permitted to attend the event.

21. Entry for members of the public shall be by non-transferable tickets which have been purchased no later than 12pm on the day of the festival.

22. CCTV and Body Worn Video (BWV) will be operated on the site in accordance with the event organiser's EMP. Static cameras will operate at the bar, stage, and entrance/ exit areas. Recordings from CCTV and BWV must be retained for up to 31 days after the event and made available to Police or Council upon request. During the event, CCTV recordings requested by Police must be provided in a useable digital format within 2 hours.

23. All event management, staff, stewards, and security employed at the event must carry out reasonable requests by police officers to ensure the licensing objectives are met.

24. Evidence will be provided within 7 days and at least 24 hours prior to the event (whichever is soonest) upon request of relevant council and police officers. This evidence will demonstrate relevant suppliers and contractors have agreed to supply to the event organisers sufficient critical staff and materials necessary to support the EMP submitted to and agreed by the Safety Advisory Group (SAG).

25. The event site will be built in accordance with the EMP submitted to and agreed by the SAG and accessible to the police and relevant council officers at least 24 hours prior to the start of the event.

26. The EMP will specify perimeter fencing of at least 6ft, with heras/mesh fencing in an inner cordon for the event site.

27. The maximum number of tickets that shall be sold for the event and the maximum number of attendees shall be 1000 persons.

Rep 1. (Please also see attached document in support of [REDACTED] representations.)

Hello,

I would like to object to the proposed licencing request for the event at Addington Park on 06/07/2024 (link [here](#)) on the grounds of the prevention of **crime and disorder** and **public safety**. I have attached full details of my complaint below, based upon my experience in 2021 and subsequent years. The details within the 2021 complaint hold true for this application and must be taken into consideration. I have also attached the response from the council which is relevant to support my objection.

For this application, the supplementary information doesn't make **any** reference to any transport additional controls or procedures to deal with the strong likelihood that a percentage of attendees will elect to travel to the event via a private motor vehicle and will look to park in the nearest road, and one of these roads will be Crossways based upon its proximity to the proposed event location. In 2021, no provision was made for this and the situation was chaotic and dangerous. In one case, dangerous parking made the road unpassable for an emergency vehicle. The council have previously acknowledged that the parking controls on Crossways have been implemented to deal with commuters, not a large-scale event. The only vague reference to the transportation in this application is that attendees will be informed of (something?) two weeks before the event – this is not clear, nor adequate as many attendees would have already purchased tickets and likely have made travel plans on that basis.

Because there is no reference to communicating with residents regarding traffic management (and the aforementioned lack of detail within the application) then there is no commitment from the promoter regarding their obligations to residents. Last year during the event security responsible for road closures arrived late (read: after the event started) on both days. It was also observed on several occasions that those responsible for preventing non-residential access were at times, less than thorough with the job and let several festival attendees through to park. In addition, the promoter last year made no attempt to communicate with residents – causing much confusion on the day for those that had visitors / deliveries due to arrive my car.

As per the previous applications, I would like to make a complaint that the council or the applicant hasn't made adequate attempts to engage with local residents prior to making this application. I still do not accept that placing signage around the park is likely to capture the attention that such an event deserves. I have contacted my local resident's association regarding this matter with a request to cascade news of this planned event more broadly and was met with a response that stated "It will be discussed at the meeting next Tuesday" [06/02]. Assuming this information is cascaded, this would place residents under pressure to expedite a response.

I am happy for the details of my objection to be passed to the applicant. It is unlikely that I will be able to attend the hearing for this application, can my objection be taken at face value as per this email and attached documentation?

Thanks,

[REDACTED]

Food & Safety Team
Place Department
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA
Tel/typetalk: 020 8726 6000

[Redacted]
[Redacted]
Croydon

Contact: Michael Goddard
Email:
Michael.goddard@croydon.gov.uk
Our Ref: COM/6922
Date: 16 September 2021

By email

Dear [Redacted]

I am writing in respect of your email of complaint dated 16 August 2021, with accompanying photographs, in respect of Addington Festival Event – Crossways – Council Failings. I have dealt with your complaint at Stage 1 of the Council's complaint procedure.

Your Complaint

I would like to make a complaint regarding the event that took place in Addington Park over the weekend of the 14th – 15th August. This complaint will likely involve the failings of multiple departments within the council and therefore the webform on complaint area of your website that expects me to pre-filter this to a single team is unhelpful. I expect a coordinated response from the council, rather than an attempt to blame a different team.

I am a resident on Crossways and as a result of this event I would like to complain about the lack of parking controls, anti-social behaviour and the inability to contact the council / the council to respond in a meaningful timeframe.

To summarise my complaint:

1. The council granted a licence to use this park for the weekend, why weren't residents notified or warned in advance? Given this restricted access to green space and (as I will detail) this was always likely going to negatively local residents I find this to be disappointing
2. The event attracted a lot of visitors that elected to drive to the event. The parking controls on Crossways are clearly not designed for an additional 50+ cars to park on the road safely, let alone the hundreds of cars that spent the majority of Saturday and Sunday afternoon circling

trying to find a parking space – Why wasn't this anticipated and controls reviewed in advance?

3. To expand this point, myself and my neighbours experienced 'desperate' event attendees parking opposite and adjacent to driveways, making it extremely dangerous to exit our properties. Again, no provisions were put in place to protect residents.
4. In many cases these attendees parked on the pavement, on the grass verges, on the corners of junctions and in at least one case, smack bang in the middle of the green space island on Crossways.
5. Early Saturday afternoon it was noted that a traffic officer did ticket 2 vehicles within sight of my property (the aforementioned vehicle on the island and one partially blocking the pavement). After this initial ticketing a traffic warden wasn't seen for the rest of the weekend, allowing attendees to park illegally with impunity from the council, at the expense of the local residents.
6. In some instances cars parked dangerously opposite each other, severely impeding the width of the road – this almost certainly would have prevented a large emergency vehicle from accessing the road. At the same time, a vehicle on the Gravel Hill / Crossways slip road had also parked badly (read: at least 30cm off the curb) which would have also prevented an emergency vehicle accessing the top end of Crossways as this is the only alternative route into the road. The council should think themselves extremely lucky that there wasn't an emergency and nobody lost their life over the weekend.
7. On both Saturday and Sunday afternoon I attempted to call the parking offence team (020 8726 7100 – option 3) but the number would just disconnect after the initial ring. Why can't this team be effectively contacted? Why isn't there an answerphone? Why isn't a duty officers contact details published?
8. The main contact number for the council is Monday – Friday 9 – 4pm, in this type of example how is a resident supposed to contact the council? It might surprise you that people can illegally park their vehicles outside of these hours, especially when there is a large event ongoing (which the council ultimately authorised)
9. I reported multiple offences via the council 'report it online' service, as mentioned, nobody from the council attended – why not? [Image attached]
10. As mentioned, 10's of vehicles parked on the grass verges – when will the council be inspecting these for damage? Who will ultimately brunt the cost of any repairs?
11. As mentioned, several vehicles were parked dangerously on the corners of junctions and this was reported inline with the councils process. Why wasn't action taken to remediate these issues? A vulnerable road user (such as a cyclist) could have been injured
12. I have seen several examples of smashed bottles on the pavement (likely linked to the event). I haven't seen anybody from the council cleaning up the streets – why not?

13. Directly opposite my property I witnessed a man urinating on a tree after the event, again, no council presence or any community policing presence was to be seen

I would like to understand:

1. Who is responsible for each of these failings?
2. Why these risks were not foreseen and if they were, what mitigations were put in place?
3. A response as to why the council just left residents on my road on their own?
4. What steps are going to be put in place to deal with the issues mentioned?
5. Cynically, given the council ignored these issues your official metrics are not going to make record of the vehicles that were illegally parked and the other issues outlined are they? How is this to be recorded the next time a licence request is made this is taken into account?

I have attached a range of images captured at around 8pm on Saturday and 7pm on Sunday which should add some colour to the words above. Croydon Council should be embarrassed by the way this has been handled. As a local tax payer I believe there are serious examples of incompetence and neglect here which need to be urgently addressed.

My Findings

I have spoken with officers from the Council's Public Events, Parking Services and Environmental Services teams. For ease of reading, I will endeavour to answer each of your points in turn.

An application for a premises licence (under the Licensing Act 2003), time limited to 14 and 15 August, was submitted to the Council (as Licensing Authority) by the applicant, Butterfly Enterprise Limited. I can confirm that the application was properly advertised by the applicant. Representations were made on the application by local residents and ward councillors and the application was therefore referred to the Council's licensing sub committee to consider, which they did at a meeting on 23 June 2021. The licence was granted, with conditions attached and expired at the end of 15 August.

In respect of the concerns you raise about parking, in the months preceding, the event was discussed by the Safety Advisory Group (SAG), a multi agency group comprising different Council teams, the Metropolitan Police, the London Ambulance Service and public transport providers, such as Transport for London and Tramlink, amongst others. The event organiser also attended the SAG meeting. Please note that the SAG is distinct from the licensing process. A post event SAG debrief meeting was recently held. This meeting considered the positive safety controls and the safety aspects that were lacking in respect of the event.

Whilst conversations had taken place between the Councils Highways Team and the event organisers prior to the event, it was formally recognised that parking was extremely poorly controlled. The belief was that due to the location and the available public transport links, most attendees would use public transport. Many will have done but clearly, a significant number attended in private motor vehicles, which caused the resultant parking issues.

It was recorded by the SAG that traffic/parking restrictions and parking enforcement must be fully considered and appropriately implemented should any future, similar events take place in the same location. Without such controls, any such similar event may not be considered as safe to proceed by the Event Safety Advisory Group. In addition, the Council's events process will be reviewed.

In respect of calling re parking offences, I am advised the parking enforcement team are operational 7 days a week, Monday to Saturday 7am to 10pm and Sunday 9am to 4pm but that currently, there is no service outside of these hours. Parking offences can be reported to the parking team directly during these operational times on 020 8760 1966 option 3.

With regards to enforcement during the event weekend in question, the restrictions in the area are as follows:

Crossways – Monday to Friday 8am – 6:30pm and Monday to Friday Noon – 1pm
Rawlings Close – Monday to Friday Noon - 1pm
Gravel Hill – Monday to Friday Noon – 1pm
Kerr Close – Private

These restrictions were implemented for the purpose of preventing commuter parking and therefore at weekends the entire area is unrestricted, which means that all of the vehicles parked on yellow lines during this event weekend did so legitimately and there are no grounds for us to legally enforce any of these vehicles. The parking bays are also unrestricted and offer free parking to anyone all day every day.

The footway and grass verge parking can be enforced and it is unfortunate that our officers did not patrol at the peak times of parking, but due to there being no weekend restrictions in the area it would not have been part of our routine patrols over the weekend.

With regard to the online reporting system, this method of reporting issues is not as immediate as reporting over the phone and the reports wouldn't have been processed and reached the front line enforcement team until Monday morning, which would have been too late to take any action in regards to this specific case.

In respect of the main contact number for the Council, I can confirm that the core hours are 9am to 4pm Monday to Friday. The Council can still be contacted on that number over a weekend but callers may experience delays in calls being answered due to reduced staffing resources outside of the core hours. I am also advised that there have been recent technical issues, particularly at weekends, with the telephony system which has resulted in calls not being able to be answered and this may have coincided with a time when you tried to call the Council.

In respect of vehicles parking on grass verges, the council will endeavor to inspect all roadside verges via its Highways contractor and Grounds Maintenance teams and check for damage. If found to be damaged the Council will attempt to recover all associated costs from the event organisers.

In respect of a post event clean up, this was done but only extended to the immediate vicinity outside of the event space and did not extend on to the highway/roads. Waste and litter on the highway/roads would be cleared by our street cleansing contractor as part of scheduled cleansing. Please let me know if there is still broken glass in the area and I will ensure this is removed as a priority.

In respect of the individual urinating on a tree, this is clearly unacceptable behaviour and the Police would have dealt with this individual, as they would anywhere in the borough, if they had been in vicinity at the time and seen this.

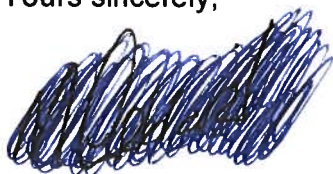
In summary, it is acknowledged that parking issues were underestimated prior to the event, specifically in regard to the number of people who might attend the event in private vehicles and where they may decide to park as a result and that steps need to be taken, going forward to try and ensure this does not happen again – and the SAG have undertaken to do that. I can only add my apologies that you and other residents were inconvenienced by this and I also acknowledge the potential risks you highlight to emergency vehicle access/egress.

If you feel that your complaint has not been investigated properly or you wish to provide significant new information then you may complain to the next stage of the complaint procedure. For your complaint to be considered you will need to contact the Complaint Resolution team explaining clearly why you feel your complaint has not been investigated properly, or provide details of any new significant information or evidence that may alter the decision made:

Complaint Resolution Team
Floor 7, Zone C
Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA
Phone: 020 8604 7015
Email: complaints@croydon.gov.uk

Should you wish to discuss matters or require clarification on any point, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing as a dense, scribbled mass of lines.

Michael Goddard
Departmental Complaints Officer
Croydon Council

Representations concerning Addington Park License application 6th July 2024

There is now a considerable body of knowledge on the issues associated with running events in Addington Park. After each previous event I have submitted a lessons learned document to officers, the most recent of which is attached. Broadly, if there is a sound plan which takes in advice from residents and the plan is executed professionally, the event goes well. If not, then there is a high risk of failure.

The issue of greatest impact on residents that has occurred at every previous event is aggressive parking. Eventgoers must be strongly advised that there is no local parking. However, our experience is that despite this advice, at least ten percent of attendees will arrive by car. Some arrive early in the hope of securing whatever parking places might be available, so restrictions must be in place well in advance. Others arrive at the last minute and are aggressive. These latecomers may claim to be residents and when refused entry can be abusive, threaten violence and make accusations of racism. This group will park on grass verges, in private driveways, and block entrances with no regard for the needs of others.

In the interests of public safety, prevention of crime and disorder, and prevention of public nuisance appropriate Traffic Management Orders must be in place.

Local residents can advise on where barriers and security personnel are best placed and the timing, as well as effective means of distinguishing eventgoers from residents. A parking officer and tow-away truck must be available and appropriately active. The groups of roads needing protection are listed in Appendix 1.

The application shows a considerable number of vehicles parking within the park. Parking within the confines of the park is to be strongly discouraged. Eventgoers will try to blag their way in, clogging up the entrance and blocking back onto the main road and across the tram tracks when they are refused. The restricted ability for a car that is refused entry to turn around can result in chaos. Alternatively inexperienced security staff shrug their shoulders and let them in anyway. If there is rain the park grass becomes severely damaged.

Other residents are entitled to walk in the park and use the children's playground. They should be able to do so during the period of the festival.

This application is for a relatively small number of attendees. However, care must be taken to ensure long queues do not result in people outside the venue not having access to toilets. Consideration must be given to protection of heritage sites, especially the church.

Once the event finishes there is still a need to manage egress, prevent event goers from loitering and anti-social behaviour. Litter must be cleared not only in the park, but also from surrounding areas. I expect the site to be cleared and returned in good condition by the Monday 8th July 2024.

I have the following additional representations:-

Prevention of crime and disorder

1. There is a favoured spot for drug dealing not far from the planned venue. This would require potential purchasers to go through the residential area with the added advantage that it is away from the immediate supervised area. How will this be prevented?
2. No mention is made of the number of security personnel. This must be defined.

Public safety

1. We have two dangerous bends outside Addington Village Church as evidenced by the frequent damage to the railings outside the church. With many pedestrians and potentially poor parking how will an accident be prevented?
2. Typically a phone number is provided for residents and others to call with issues. In practice the number often elicits no response on the day. This is not acceptable.

Prevention of public nuisance

1. Inadequate transport to clear the site risks littering **outside** the area of the park. How will this be prevented, and cleared up afterwards? A post event plan is mentioned, where is it and who judges whether this is adequate?
2. Has the church been consulted? How is the risk of damage to a heritage site being mitigated?
3. Noise has been an issue in the past, as much determined by weather conditions as the orientation of the speakers. Appropriate noise restrictions must be enforced.

Appendix 1

Area 1

- Boundary Way
- The Wicket
- Spout Hill
- Fullers Wood/Bridle Way
- Roxton Gardens
- Addington Village Road (two sections)
- Kent Gate Way

Area 2

- Huntingfield
- Palace Green
- Falconwood Road
- Featherbed Lane

Area 3

- Abbots Green
- Gravel Hill

Area 4

- Gravel Hill
- Crossways
- Rawlins Close
- Selsdon Park Road

Report on ~~the previous~~ event, Addington Park 16th September 2023

In recent years there has been a steady flow of one and two day events in Addington Park. Local residents' associations have played an active role in communicating the concerns of residents to the event promoters. Event promoters have found that the local knowledge of both residents and councillors can be applied to mutual benefit. The residents' associations and councillors have in turn gained knowledge and experience of how to work with event promoters, which has resulted in a steadily improving management of events.

Regarding this event, there were concerns from the outset. By far the greatest concern of residents from past events was parking and control of eventgoers who, despite being advised that there is no parking in the area and that they should travel by public transport insist on traveling by car. Not only that, they typically arrive late, and park aggressively. Traffic islands, residents' driveways, and central reservations are all regarded as fair game.

The promoter copied the transport plan of a previous promoter. This was concerning but given that the previous transport plan had evolved over time and had worked well it was not in itself a red flag. Unfortunately, the plan was executed poorly:

- Traffic was not managed as per the plan. Stewards were not placed at the entrance to Addington Village Road (AVR), which is the sole entry to much of Addington Village. Instead, pairs of stewards were stationed elsewhere, for example preventing access to Boundary Way. Consequently fly-parkers streamed in and parked in AVR and other accessible areas. There were confrontations prior to the chair of the Residents Association and the local councillor, with police support getting the stewards moved to the proper place. The stewards had insisted they had been told where to stand and initially refused to move. Nobody seemed to be in charge.
- Fortunately access to AVR was prevented before the parking there became too disruptive. However the fly-parkers moved elsewhere to other areas - the entrance to Fullers Wood, the church car park, New Place and areas around the Shell station.

Other issues were:

- The promotor notified Addington RA but not Addington Village RA.
- Tickets were issued, but one car is understood to have remained for three days after being ticketed. There may have been a tow truck, but no sightings were reported.
- Some residents complained they had not been informed of the event, and especially of the access password. A leaflet some weeks before can quickly be forgotten. A more effective means of communicating with residents would be helpful.
- The help line number required in the police conditions did not pick up. The promoter is not the first to provide a useless help line number. Can we perhaps include a performance criterion here, tied to retention of the promoter's deposit?
- The music over-ran by at least ten minutes.
- The orientation of the stage changed from previous events. Whilst this resulted in less disturbance to Addington Village residents, it increased noise levels elsewhere.
- The park was cleared at least one day later than specified in the application.

Overall, the promoter performed much less well than promoters of previous similar events.

Rep 2. (please see attached document called Rep 2 Cllr Robert Ward)

Contact details:

Correspondence address:

Croydon Town Hall
Katharine Street
Croydon
CR0 1NX

Email: robert.ward@croydon.gov.uk

Rep. 3

Rep 3. (2 emails were sent with comments).

Email 1.

I am writing to express our deep concerns regarding an upcoming event scheduled to take place at Addington Park on the 6th of July 2024. Specifically, we are troubled by the impact of the event, particularly the noise pollution, on our wedding ceremony scheduled to take place on the South Lawn on the same date, and events in general held at our venue, especially those taking place outdoors.

Please see these link with videos documenting the noise disturbances experienced during similar events last year: <https://photos.app.goo.gl/SFcLyxbiwqy1JJSvy9>.

As a licensed events venue, we understand and respect the need for proper licensing procedures and compliance with local regulations. However, the noise and disruptions caused by events at the park have significantly affected the ambiance and solemnity of our wedding ceremonies in the past. Despite our previous efforts to address these concerns with your office, we have seen no improvement in the situation, and in fact we have noticed the number of events grow over the past few years.

Given the proximity of our venue to the park and the importance of maintaining a peaceful and serene environment for our wedding couples and their guests, we feel compelled to take action to prevent further disruptions. Therefore, we are reaching out to enquire about the appropriate channels through which we can voice our objections to the approval of this event and work towards finding a solution that safeguards the interests of our clients and the local community.

Could you please advise us on who we should contact to halt the approval process for this event? Additionally, we would appreciate clarity on the steps that need to be taken to prevent similar events from being approved in the future, particularly those that adversely affect our operations and the experiences of our clients.

We are puzzled as to why our previous representations seem to have made no difference to the outcome of such events. If our concerns are not being considered, we would like to understand why, and whether there are alternative avenues through which we can address this issue.

Ultimately, our goal is to find a mutually beneficial resolution. However, if legal action is the only viable option available to us, we would appreciate your advice on how to proceed in that regard.

Email 2 with further comments.

I am writing to address a matter of significant concern regarding an event scheduled at Addington Park on 6th July 2024. This event has the potential to escalate into a public nuisance, particularly due to the adverse impact it could have on a wedding ceremony scheduled at Addington Palace on the same day.

Weddings are not just events, weddings symbolize profound moments of love and commitment, carefully planned and cherished by couples. The outdoor ceremony planned for 6th July at Addington Palace represents the culmination of dreams and aspirations for one such couple. However, the tranquillity of their special day is now under threat due to the proposed event at the park.

We understand the importance of community events and their positive contributions. Nonetheless, it is essential to ensure they do not encroach upon the rights and experiences of others. The noise disturbance generated by the park event could disrupt the serene atmosphere necessary for the wedding ceremony, transforming what should be a joyous occasion into one marred by distress and frustration.

Furthermore, the significance of the wedding day cannot be understated. It is a once-in-a-lifetime moment that cannot be rescheduled without considerable logistical and financial repercussions. The impact of this disturbance extends beyond mere inconvenience; it jeopardizes the integrity of cherished memories and undermines the fundamental right to celebrate without undue interference.

In light of the potential public nuisance and the profound implications for the couple and their guests, I urge you to reconsider the approval of the park event on 6th July. It is crucial to prioritize the well-being and happiness of all members of the community, especially during significant life events.

For your reference, please see this link with videos documenting the noise disturbances experienced during similar events last year: <https://photos.app.goo.gl/SFclYxbiwqy1JSvy9>

In relation to the application itself we note that there are a number of gaps such as crowd control and health and safety.

I trust that you will carefully consider our concerns and take appropriate action to prevent any unnecessary disruption.



Addington Palace, Gravel Hill, Croydon, CR0 5BB

Rep 4.

See attached document called Rep ~~4~~ 4

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Representations concerning Addington Park License Application 6th July 2024
Ref: DSFX1705246996588

This representation is put forward by me [REDACTED] as a Resident of Addington Village and in my capacity as [REDACTED] of Addington Village Residents Association. I wish to state that the initial Application that had been posted on the Council website, had some inconsistencies and omissions in it. Apart from a small number of Public notices that were posted on the Park perimeter fence, this Application only came to our attention when Councillor Ward sent it to me.

I was surprised that the Applicant's details was in a Company name of Smith and Smith and a PO Box number and a Companies House Registration number. This aroused suspicion as there was no easy way of checking their validity other than what was listed as part of their Application.

As has been pointed out by Cllr Ward in his own submission to you, we have had several major music events in recent years in the Park, of which there have been issues of safety, traffic management, event management and impact to local residents in the surrounding areas. Most notably is the aggressive and often threatening behaviour of a minority of attendees to the event and their persistent attempts to park their cars rather than utilising the good public transport. Some events have gone well and this has been helped as a result of some significant input from Addington Village Residents Association. Good liaison has in the main resulted in a beneficial cooperation between Residents, the Police, Ward Councillors and the event organisers.

In terms of the Application and meeting the Licensing objectives, it is unfortunate that there was no communication early on and we were not contacted until the 14th February by [REDACTED] of Xcstasy Jouvert. This has left very little time to question the organisers on many important aspects of the information contained in their application which sometimes looked like a "cut and paste" exercise. At a face to face meeting, we were able to explain our concerns. They agreed to amend and add several elements that were missing from the official application, but I did not receive the revised pages covering important security and TMO information until yesterday 21.02.24.

Therefore to keep this brief and not repeat much of what Cllr Ward has already covered in his representation document, I will list a few additional main points that are of huge concern to Residents and should be established in respect of the main Licensing objectives. Whilst accepting that some of these points were discussed at the face to face, it is imperative that they are formalised in writing to enable the Licensing committee to read and judge whether or not they should grant a Licence to Xcstasy Jouvert. In the case of the last Licence granted for the event held on the 16th September 2023 (please refer to the report attached) despite the organisers agreeing to various conditions, there were a number of critical elements off site, that were not in place and adhered to that necessitated the Police being called to resolve a matter that should have been the responsibility of SIA personnel. This occurred because the dedicated Security hotline was not answered as indeed the event management hotline wasn't either. It went to an answerphone.

Key information not provided or that needs clarification in the current application for July 6th.

1. The number of qualified SIA Security that will be deployed for off site duties to deal with any aggressive behaviour. In the past this has been left to inexperienced Stewards.
2. The computerised site map has not been drawn to scale. There are no measurements and the orientation of the enclosed area within the Park is not referenced at all. The large tent is not shown.
3. Under the section toilets and waste Management, it refers to waste bins within the site area. There is a need for some waste disposal at the main entrances to the Park. This applies to a number of toilets being required at the main entrance (opposite the Police Station) as mentioned in the revised document.
4. Regarding glass and bottles at many of the previous events there have been bottles and broken glass left in the Park after alleged clear up. This appears to be in the backstage area. I personally cleared up some broken bottles that a young child was playing near in the longish grass. This is dangerous.
5. Under the section Staging and Tent, it appears to mention the use of Heras Fencing around the whole perimeter. Recent events have had a closed steel panelled outer fence with a further inner Heras fence running in parallel. This sturdy solid fencing does add to a reduction of sound leakage.
6. The TMO whilst not directly affecting the alcohol license, it is critical to the Residents and there is no mention of the Council enforcement officers (ticketing) and the need for a towaway truck on the day. Good signage and extensive coning is a must. Emergency vehicles need access to the narrow roads. This has worked well in the past. This can be sorted out at a SAG meeting but it would be reassuring if this aspect formed part of the conditions of the License being granted.
7. Once the event finishes and the egress commences, there needs to be a number of senior SIA security at various points in the Village as there have been a number of over exuberant festival goers who hold street parties either in the Churchyard or Roxton Gardens. On one occasion this didn't break up until 1am.
8. Regarding on the day communications, there is no mention of dedicated telephone/mobile numbers for contacting either management or security should there be an issue.
9. There appears to be some discrepancy over the total number of attendees and staff/vendors. In one part of the application it says a maximum of 1,500 people on site. But under the Crowd Control, Stewarding and Security etc. there is a figure of 3,200 individuals. Which is the correct figure?
10. The July event on the 29th/30th 2023, the Security briefing took place extremely late and it was chaotic. This resulted in Security not being stationed as planned at the key hot spots until one and a half hours after the start time. This resulted in myself and the Chair of Addington Village Residents dealing with some extremely aggressive behaviour from people trying to park. Again, the Police had to be called.

I have attempted to add some information that was not available to Cllr Ward when he submitted his representations. I apologise for the last minute submission but I only received additional information from ~~myself~~ late yesterday 21.02.24.

Report on ~~Addington Park~~ event, Addington Park 16th September 2023

In recent years there has been a steady flow of one and two day events in Addington Park. Local residents' associations have played an active role in communicating the concerns of residents to the event promoters. Event promoters have found that the local knowledge of both residents and councillors can be applied to mutual benefit. The residents' associations and councillors have in turn gained knowledge and experience of how to work with event promoters, which has resulted in a steadily improving management of events.

Regarding this event, there were concerns from the outset. By far the greatest concern of residents from past events was parking and control of eventgoers who, despite being advised that there is no parking in the area and that they should travel by public transport insist on traveling by car. Not only that, they typically arrive late, and park aggressively. Traffic islands, residents' driveways, and central reservations are all regarded as fair game.

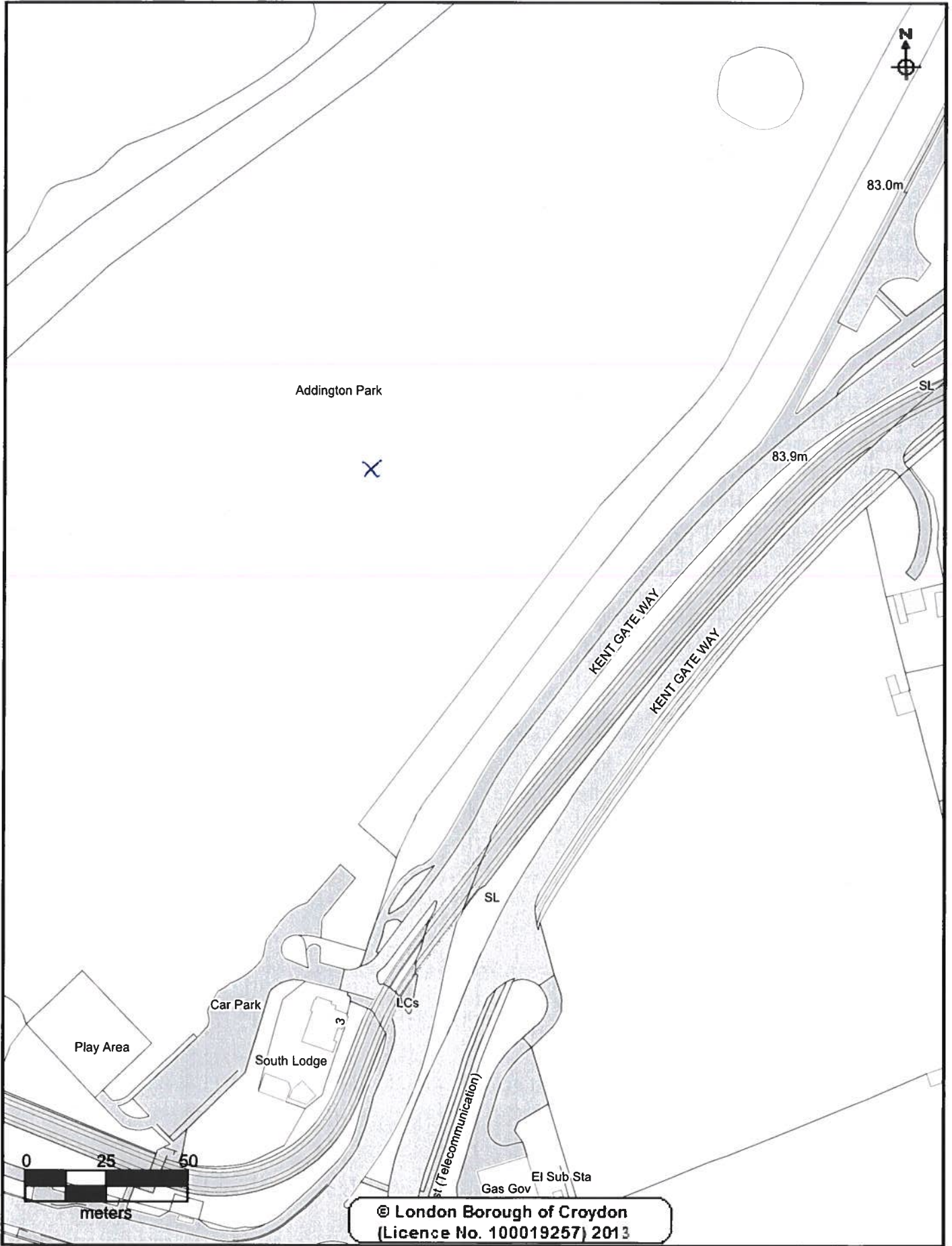
The promoter copied the transport plan of a previous promoter. This was concerning but given that the previous transport plan had evolved over time and had worked well it was not in itself a red flag. Unfortunately, the plan was executed poorly:

- Traffic was not managed as per the plan. Stewards were not placed at the entrance to Addington Village Road (AVR), which is the sole entry to much of Addington Village. Instead, pairs of stewards were stationed elsewhere, for example preventing access to Boundary Way. Consequently fly-parkers streamed in and parked in AVR and other accessible areas. There were confrontations prior to the chair of the Residents Association and the local councillor, with police support getting the stewards moved to the proper place. The stewards had insisted they had been told where to stand and initially refused to move. Nobody seemed to be in charge.
- Fortunately access to AVR was prevented before the parking there became too disruptive. However the fly-parkers moved elsewhere to other areas - the entrance to Fullers Wood, the church car park, New Place and areas around the Shell station.

Other issues were:

- The promotor notified Addington RA but not Addington Village RA.
- Tickets were issued, but one car is understood to have remained for three days after being ticketed. There may have been a tow truck, but no sightings were reported.
- Some residents complained they had not been informed of the event, and especially of the access password. A leaflet some weeks before can quickly be forgotten. A more effective means of communicating with residents would be helpful.
- The help line number required in the police conditions did not pick up. The promoter is not the first to provide a useless help line number. Can we perhaps include a performance criterion here, tied to retention of the promoter's deposit?
- The music over-ran by at least ten minutes.
- The orientation of the stage changed from previous events. Whilst this resulted in less disturbance to Addington Village residents, it increased noise levels elsewhere.
- The park was cleared at least one day later than specified in the application.

Overall, the promoter performed much less well than promoters of previous similar events.



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