

APPENDIX D

Applicant: Francisco Rivero

Location: On the footway where Dingwall Road, Lansdowne Road & Caithness Walk meet, Croydon.

Measurements: The application seeks a trading area of length 3.6m, width 3m and height 2.1m. This area of highway is maintained by Croydon Council and the minimum required clear pavement would be 2.0m. There is sufficient pavement width around the proposed trading kiosk to give this required clearance.

Appendix D1 shows a plan of the site. Appendix D2 shows some photographs of the display and available pavement space

Proposed Times of Trading:

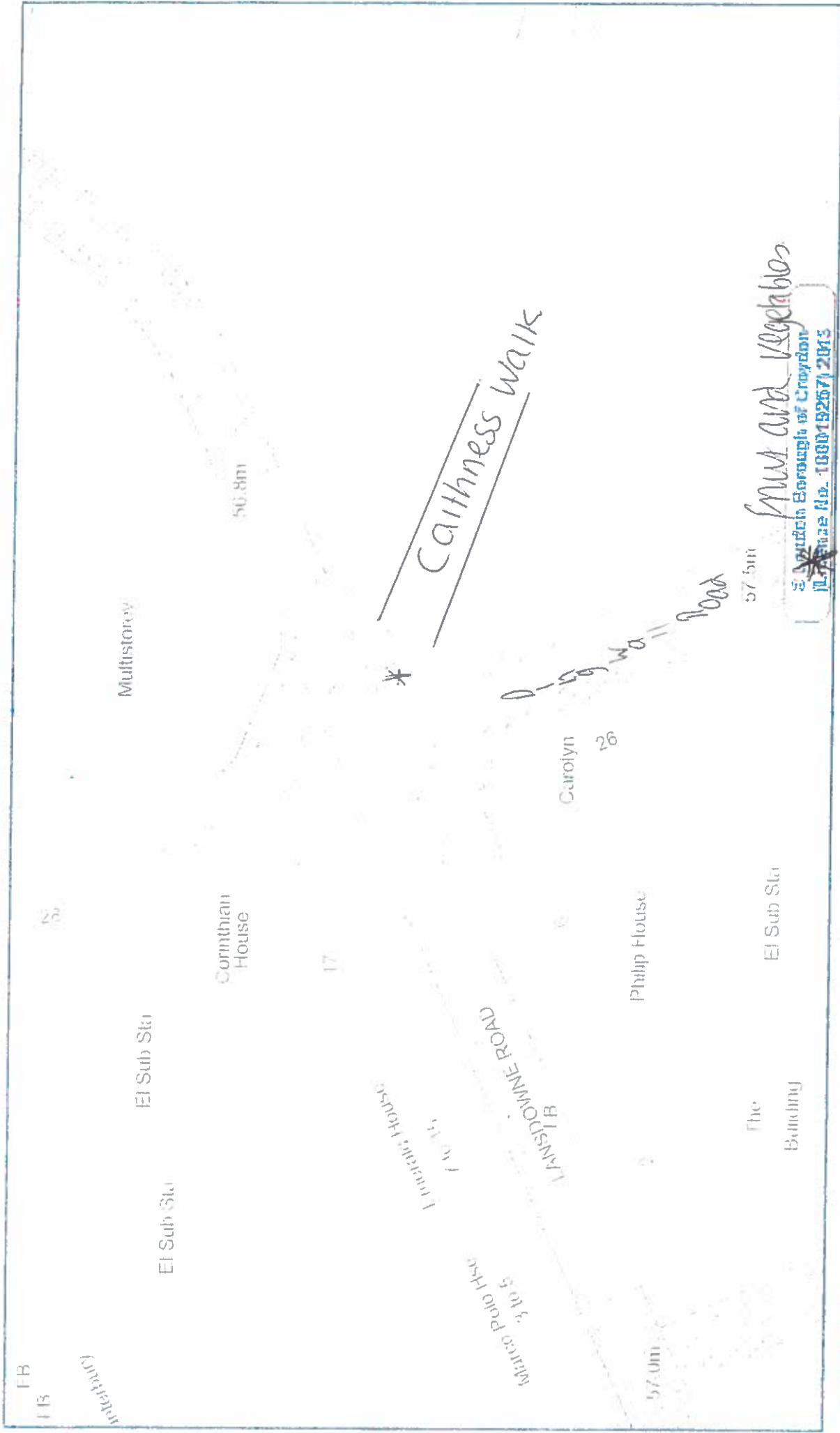
The application seeks trading hours of 6am to 6pm Monday to Sunday.

To Sell: Coffee, pastries, soft drinks, sandwiches and other food stuffs, as per the application.

1. Detailed Considerations

- 1.1 A copy of the application is attached at Appendix D3. There is also a subsequent e mail from the applicant attached in which he sets out his position.
- 1.2 The application was duly advertised in the Croydon Guardian.
- 1.3 The Police Licensing Officer, Food Safety team, Planning, Highways, Parking Services & Croydon BID were invited to comment on this application. Croydon BID raised concerns about the display on application and a copy is attached at Appendix D4. Subsequent to this, the Council Transport Planning Team have advised that TfL, working with Croydon Council, is assessing options to increase capacity on the tram network in the coming years and an option that may be considered would be to extend the tram along Dingwall Road. Should that happen, the proposed trading site would very likely need to be removed and the Council would probably need to consider de designating the site for street trading. The BID have subsequently modified their position with regard to the display, following apparent improvements by the applicant and advise that they would not object to temporary licences being issued to the applicant that would allow monitoring for compliance. A copy of that correspondence is attached at Appendix D5. This, coupled with the possibility of future street works indicate it may be better for the committee to not designate the site but rather consider whether it may be more appropriate to grant temporary street trading licences, of perhaps 6 months duration at a time, to the applicant. This would allow business continuity and it appears that the applicant is happy with this proposal.

- 1.4 The measurements outlined above have been checked and agreed by an Enforcement Officer during a site visit.
- 1.5 A temporary licence has been granted to the applicant pending the committee hearing. A copy is attached at Appendix D6.
- 1.6 There are no other sites nearby holding a street trading licence.
- 1.7 If the application for a street designation order is granted the applicant will be invited to apply for a Street Trading Licence which will then be valid for a year.



fruit and vegetables

London Borough of Croydon
 Licence No. 100019257/2013

Crown Copyright Ordnance Survey (License No: 100019257) 2009

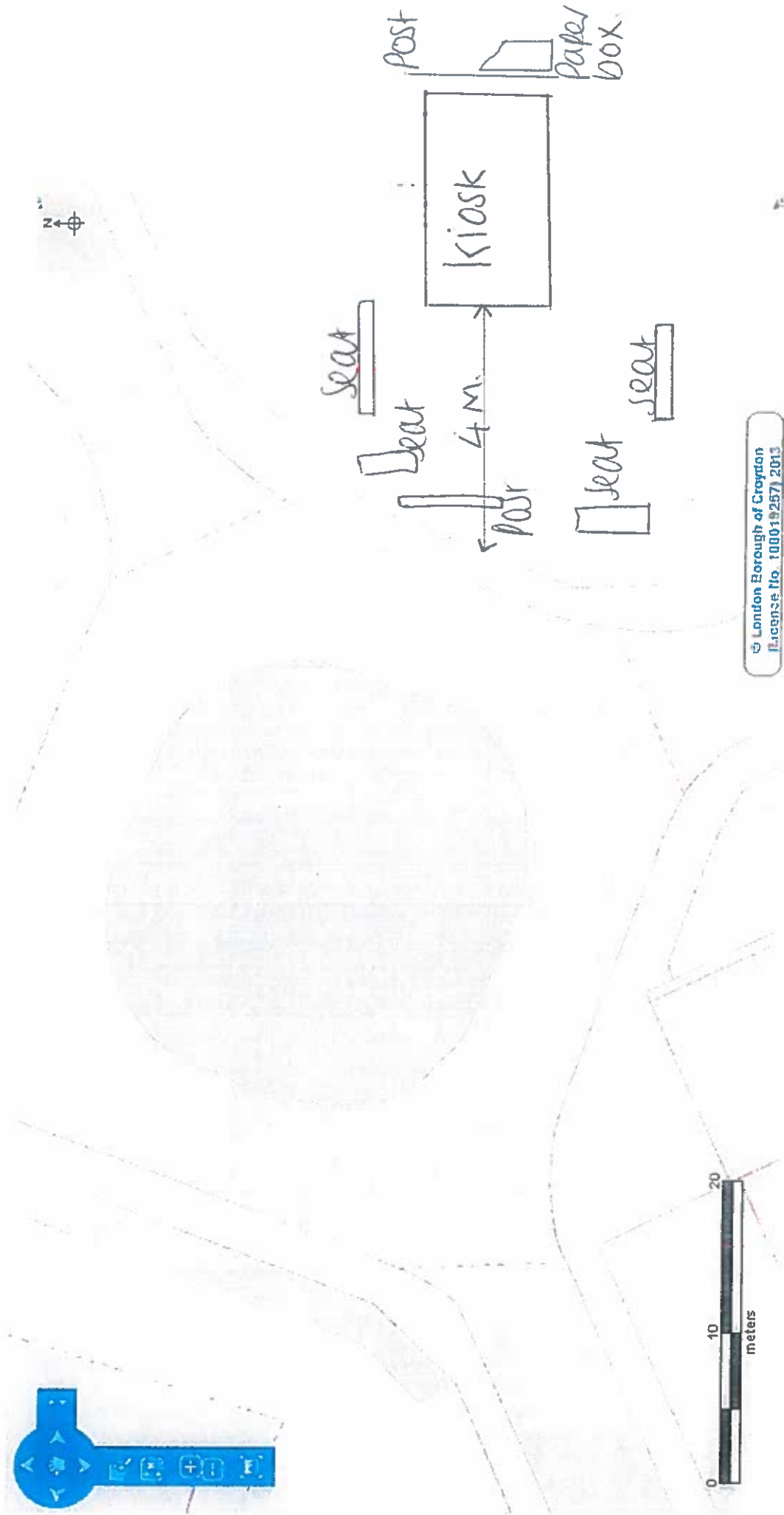
CROYDON COUNCIL

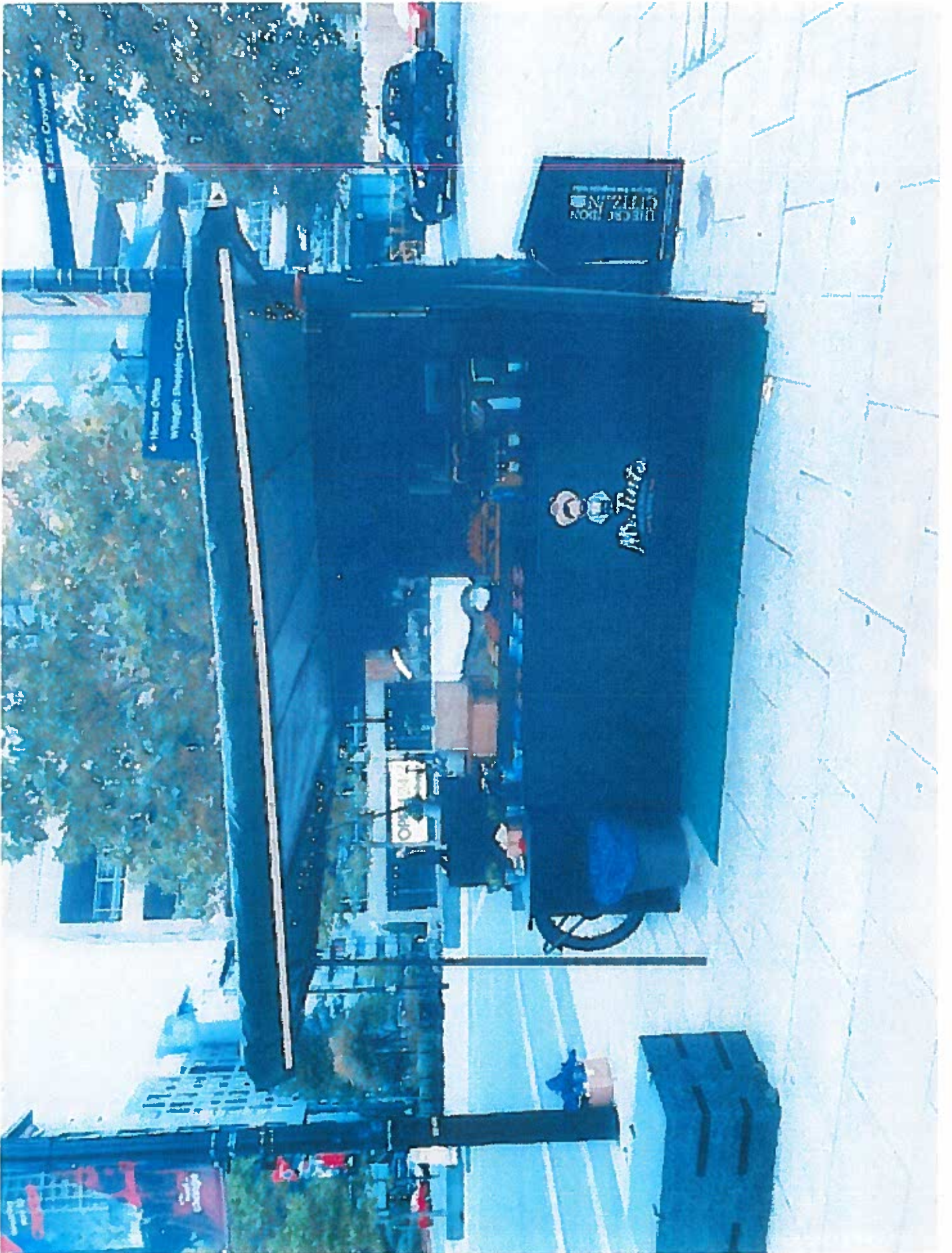
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London Borough Croydon

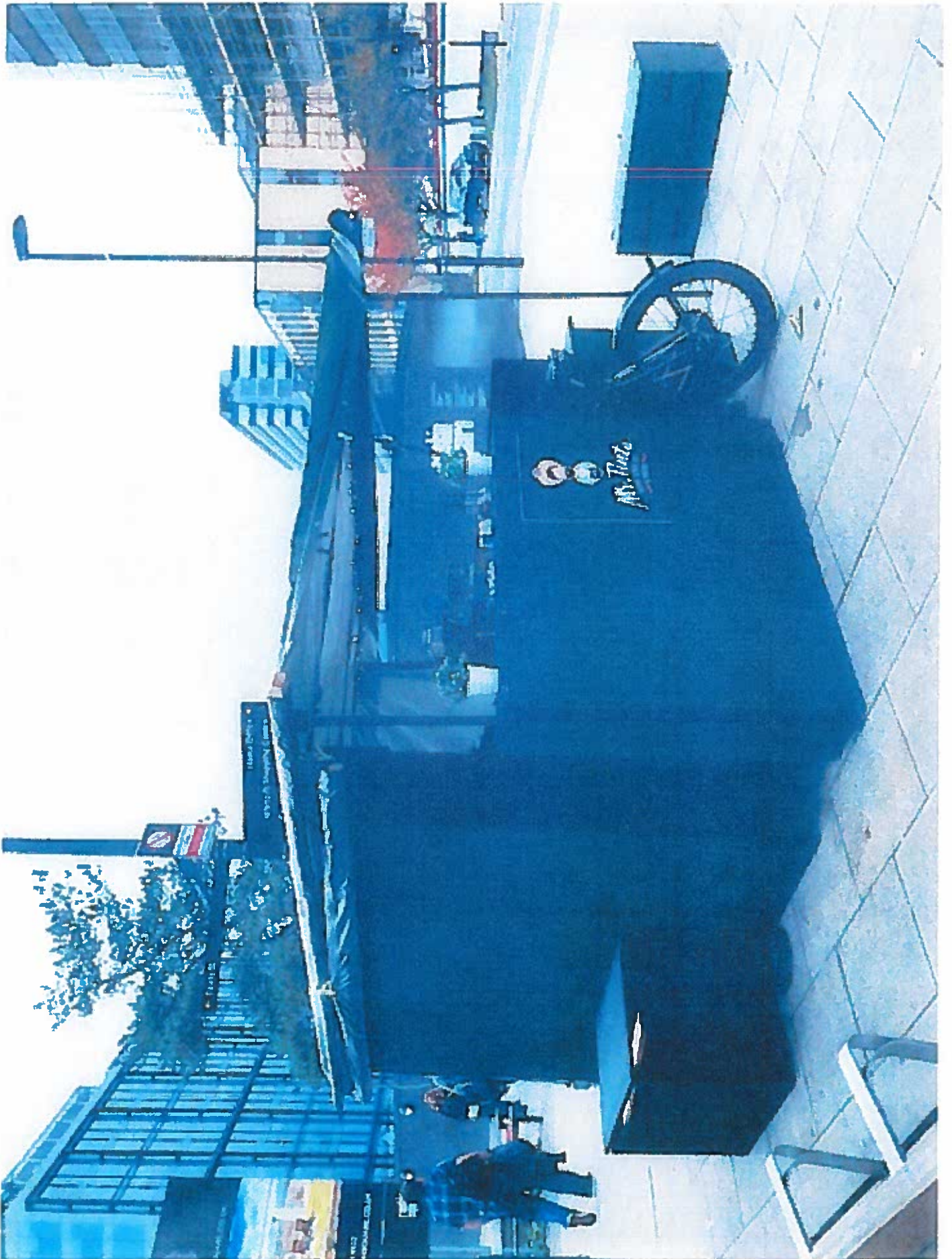


1. Dingwall road junction with Landsdowne Road and Caithness walk









b) Hours that you would like to display the goods/services on the highway.

Sunday: from 6:00 to 18:00 Thursday: from 6:00 to 18:00
Monday: from 6:00 to 18:00 Friday: from 6:00 to 18:00
Tuesday: from 6:00 to 18:00 Saturday: from 6:00 to 18:00
Wednesday: from 6:00 to 18:00

c) Type of goods or services to be displayed: Coffee, Pastries, soft drinks, Sandwiches, Hot soup, Cereal bars, smoothies, Papini/Sandwich, Juice

4. MOBILE VEHICLE/TRAILER (See note D)

a) Address of proposed pitch: At the beginning of Caithness Walk
and Dringwall Rd

b) Approx dimensions of vehicle/trailer (state whether measured in feet or metres)

Length 3,60mt Width 3mt Height 2,10mt

c) Registration No

d) Proposed hours and days of trading: 6:00 - 18:00hrs Monday to Sunday

If you propose to sell hot food and drink after 2300 hours then you will require a premises licence under the Licensing Act 2003.(see note D)

Office Use only Premises Licence No

I declare that all the information given on this form is accurate to the best of my knowledge.

I enclose a fee of £ 365.

Please make cheques payable to Croydon Council. Alternatively payment can be made by debit or credit card on 0208 760 5466. There is an additional surcharge of 1.65% for credit card payments. There is no additional charge for debit card payments.

Signature of applicant(s) or applicant's Solicitor or other duly authorised agent:

Date 06/08/17

I understand that by signing this application form I confirm that I have been made aware of the 'Council's Street Trading Policy' in relation to the saturation areas in London Road and High Street Thornton Heath (see Note E on the attached guidance notes)

If you require any assistance with the completion of this form please contact the Licensing Team on 0208 760 5466

Office Use Only Uniform No:

DB

Woodcock, Fiona

From: Woodcock, Fiona
Sent: 30 August 2017 06:59
To: Woodcock, Fiona
Subject: coffee stand Dingwall Road junction with Lansdowne Road supporting document

Fiona Woodcock
Market Inspector

CROYDON | Delivering
www.croydon.gov.uk | for Croydon

Street Trading & Licensing
Place Department
Regulatory Services
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

Tel: 07747118668
mail: Fiona.woodcock@croydon.gov.uk

Following our recent application which was done to include a few things to our original setting. I'm writing this letter to explain and expand on the reasons why we believe the new changes are needed.

We understand that our original request back in December was only for the bicycle, however since then we have become aware of few challenges which we had no knowledge of at the time of our original application and had lead us to make the following changes we had applied for.

The Wooden Cabinet and frame with fabric over it.

The Business faces two main challenges due to its Location; the first a social problem of the area, and the second is more of a logistic nature.

Social challenge: We are geographically located at the centre of three hostels making our location the meeting point for many beggars, drug-addicts and alcoholics which at times show erratic behaviour. Being the second exit to East Croydon makes the area even more appealing to these individuals to hassle commuters for money and for their underhand activities. Although we have reported many of these incidents since we have been in business the problem seems much bigger than we can help with. As the pictures, we have attached with this email show, many of these people sit on the benches next to where we are, some try to get free food and drinks while others observe us while we serve our customers, seeing money being taken and put away in our cash-draw. As an example of the seriousness of the matter, a few weeks back we had an incident when someone broke into the garage where we store the bicycle (Croydon Minis) in Lansdowne Rd, in the hope to find cash or something of value, the cash-drawer was destroyed as

the result of this incident. We believe it was ~~somebody who was desperate to get something of value rather than a well-planned crime,~~ as whoever broke into the garage knew the bicycle was there as that was all they went for, also the way we found the bicycle after the event showed that someone was desperate to get something of value rather than a well-planned crime,

The purpose of the Wooden Cabinet and frame with fabric over it to combat the social challenges.

1. Blocks the view from anyone to see us behind the counter (the counter being the bicycle), meaning money and equipment are out of sight. As any business that trades from formal premises, a van, wagon or a pop up stall on the street needs some sort of behind the counter area we had found the need of that too due to the points described before.
2. Stops people getting too close to our valuables and money something that we experience a lot before we had the cabinet. The new set up fences people out, creating a barrier to anyone who might fancy trying their luck.
3. The cabinet serves as storage, unlike before when we used to leave everything on the bike, we now leave everything locked in the cabinet making it more difficult as the incident described before for thieves to steal from us.

Logistical challenges: The site where we operate is also at the centre of high buildings some were already there, while others are being built, this means that high currents of wind are created making that area a wind tunnel, when rain is added to the mix it makes it impossible to work or for customers to stop. Our original set up left us exposed to the elements this meant that we could not always operate, this arrangement makes it impossible to set up a serious business on which a family and full time worker depends on. Furthermore, the bicycle does not offer sufficient bench space for us to put all our equipment and the food we sell on display. Moreover, food and drinks are exposed to dirt brought by the wind.

The purpose of the Wooden Cabinet and frame with fabric over it to combat the logistical challenges.

1. The cabinet and canopy serves as a protective shield for us and our customers. During challenging times, due to the weather this set up enable us to remain open and operating where otherwise we would be forced to close.
2. It protects the food and drinks from dirt brought by the wind.
3. Provides space to work. The cabinet has a good bench to host the grinder, the blender for ice coffees, smoothies, panini press among other things use on our daily work. This then releases the surface of the bicycle to display our products.

The generator

The bicycle is purpose build that comes with an espresso machine and everything that is needed to make it work. It operates by gas and battery - the gas heats the water of the coffee machine and the battery is for the electrical side of things. Since we started our trade has grown substantially, meaning that our energy use is much higher

and the battery can't keep up with the demand for the whole of our trading hours and products we provide. Furthermore, a new register which operates with electricity has now been added on, a key piece of kit that keeps records of all our transactions by card or cash, provide receipts, take card payments and keeps our inventory.

The restriction on power is one of our biggest challenges, although the bicycle is design to operate between gas and battery it is not design to sustain a thriving business like ours. The list of products we offer, the hours we trade and the volume we supply is much more than the battery can cope with. We had looked into various options such as, solar panels (not available for us yet as the amount of power we need will require the size of a house's roof). Another battery (the battery we use is the biggest we can get for what we do and adding another battery will mean to create a system in which once a battery is finish the fully charge kicks into action, this is something that no one is willing to do even the factory that made the bicycle). connecting to the lamp post next to us which has an electrical socket (but we were told that was not an option). Therefore, we were left with the only option of the generator.

The generator is a low noise emitting German manufactured 2.8kw unleaded fuel powered machine which runs in a purpose built, soundproof box to keep the noise to 40db even when a person stands next to it. We also try and not keep it on always but only during peak hours, and during the quiet times in which we only use the grinder and espresso machine we run from the battery.

Customers response to the new set up and our business ethos.

Since the new set up we had a lot of complements from customers and people passing by, for the people that work locally the new set up gives them the assurance that we are going to be in business in the long run, as one of our customer put it ... "it's nice to see that you guys have a more formal set up, the place is looking good" ...

Comments like this and many others encourage us to continue to do what we are doing. We as a business have at the heart of our ethos to provide good food and drinks at affordable prices, at a time when all prices since to be escalating and a coffee and croissant can cost £5 which should be the price of a lunch, we are proud to be able to offer the same and even better quality of many places for £3. We think that many people that comes to work in our area should not be taxed with extra cost just because London is expensive, when many are already struggling to make ends meet.

Thank you for considering our application and understanding that all our changes are not made without a serious challenge behind it, and not without exploring all our options.



D4

Eunice Crassie
Street Trading and Licensing
Place Department
Regulatory Services
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

Wednesday 18th October 2017

Dear Eunice

Street Designation Order – Footway Area where Dingwall Road and Lansdowne Road intersect

I don't have the benefit of having the coffee cart's temporary licence in front of me, so cannot comment on any caveats within the licence that restricts their mode of trading. Despite the latter, I comment on their current and proposed trading operation as per below:-

- We have no objection to a coffee cart in this location.
- The original design of cart is attractive and adds both a worthwhile customer service and attractive venue in this location.
- The primary problem is the metamorphosis of the above into a canvass and metal structure that completely contains and visually obliterates the original coffee cart.
- The current structure is ramshackle and without any relationship to the original cart in either concept or branding (see attached)
- The location of the cart is on one of Jo Negrini's designated "golden routes" into town and as part of Connected Croydon these were meant to showcase the best of what Croydon has to offer in terms of design and finishes. This current structure along with the fruit stall container at the other end of Dingwall Road, does not meet any the criteria associated with Connected Croydon.
- Ruskin Square and the developments along Dingwall Road/Lansdowne Road have had to meet stringent design criteria as part of their planning process. This structure makes a mockery of that process and is in stark contrast to them.
- The new application makes a case for having the structure due to the surrounding "social challenge" from "beggars, drug-addicts and alcoholics". This is a "moving" challenge across Croydon dependent upon local enforcement. With the development and building of One Lansdowne Road next year, one of the local hostels and a focal point for some of the anti-social behaviour in this specific area will disappear. I would suggest that it would be unwise to grant a concession based on a problem that will substantially decrease in the near future.

A handwritten signature in black ink, appearing to be "Eunice Crassie", is written over a large, dark, scribbled-out area.



D4

- The applicant subsequently supports the above by stating that the area is a “wind tunnel” and “left us exposed to the elements”, and that the bike “ doesn’t offer sufficient bench space for...our equipment and the food”. In essence, they are suggesting that standard British weather was not considered as part of their business plan, nor was the restricted serving area provided by the cart that they purchased. In short, they want Croydon Council to agree to expanded and covered facilities to make up for a material shortfall in their original business planning and choice of location.
- They further compound this original lack of forethought by wanting an increased power supply in the form of a generator as the cart “is not design (sic) to sustain a thriving business like ours”. We have to question why they purchased the cart without factoring in the potential for operating “a thriving business”
- Their requested awning and the addition of a generator is out of kilter with the high grade environment that Croydon Council and all of its regeneration stakeholders are creating at Croydon’s major entrances and at its town centre. If the business is unviable as a coffee cart in its original design format at this location, then I would suggest that the applicant revisits their business plan and subsequently identifies an alternative location that factors in both the environmental challenges that they have faced, and the level of business that the coffee cart is able to achieve from a limited counter availability.
- For all of the above reasons Croydon BID objects to the applicant’s proposal to expand beyond the confines of their original cart, along with an objection to the introduction of a generator to the site.
- All of the above assumes that Croydon Borough has a significant measure of design and operational control over any trading entity allowed onto the site, and if such is not the case, then Croydon BID therefore objects to this location being designated as a street trading location in any form.

Yours Sincerely

A handwritten signature in blue ink, appearing to read "A Bauer", is written over a horizontal blue line.

Andrew Bauer
Chairman, Croydon BID

cc. **Fiona Woodcock**
Steve Iles
Shifa Mustafa
Steve Yewman

D4



Goddard, Michael

From: Andrew Bauer <~~andrew.bauer@...>
Sent: 05 December 2017 09:02
To: Woodcock, Fiona; Goddard, Michael
Cc: Matthew Sims; Crassie, Eunice
Subject: RE: Dingwall road Coffee kiosk~~

Hello Fiona

The designation period for the licence is to me secondary to the requirement to maintain a high standard of presentation at this "gateway" site.

His current trading entity is vastly improved on what was there a few months ago and as long as this quality is maintained as a minimum, I would have no objection to him continuing to trade in this location on six month temporary licences until 2020.

On the latter basis I would be looking to the licensing committee to be prescriptive on quality standards and the definitive area of operation (he has a tendency to spread/expand) within the granting of the licence , and for an ability to revoke/not renew the licence if he transgressed on either item.

Regards

Andrew

**TEMPORARY LICENCE –
STREET TRADING**

The Council of the London Borough of Croydon being the Local Authority for the purposes of the London Local Authorities Act 1990

**HEREBY LICENCE
TO USE SITE KNOWN AS**

MR RIVERO FRANCISCO
Tinto Coffee
Street BLPU For
Dingwall Road
Croydon
Surrey

TO DISPLAY

Coffee, Pastries, Soft Drinks, Sandwiches, Hot
Soup, Cereals Bars

**SIZE OF DESIGNATED DISPLAY
PERMITTED DAYS & TIMES**

Length 3.60m, Width 3m Height 2.10m
Sundays 06:00 - 18:00 hours
Monday - Saturday 06:00 hours - 18:00 hours

This licence is issued subject to compliance with the licence conditions attached.

**Please note that the person named on the licence and whose photograph appears on the licence is responsible for the premises at all times.
This licence may not be transferred to any other person.**

Date Licence Valid From: 06.08.2017

Date Licence Expires: 31.12.2017

Licence Number: 16/01136/STT



**Issued on Behalf of : Licensing Manager
Place Department**

Licence Conditions

Non Transport for London Maintained Roads

1. The Licence shall ensure that there is a minimum clear passage of **2.0 metres** between the front edge of their display and the edge of the kerb or any item of street furniture (railings/lamp posts etc) – whichever is the nearer to the display
2. A clear copy of the licence shall be displayed in the front window of the premises at all times and should be visible to passers – by.
3. Please note that the person named on the licence and whose photograph appears on the licence is responsible for the premises at all times.
This licence may not be transferred to any other person.
4. The right to trade from the designated site will be temporarily suspended when Utility Companies or the Highway Authority require access to the footway to carry out necessary works, until the completion of those works.
5. The limits of the designated area may be marked on the footway/roadway by the Council to enable verification by Council & Highway Officers.
6. If the application for a street designation order and the subsequent application for a full licence are granted then premises displaying tables and chairs must then enclose the display area with a suitable barrier material e.g. rope.
7. The licence holder is responsible for removing all litter from the licensed area and adjacent footway at regular intervals during the day and at the close of business each day.