

APPENDIX A

1. The application

- 1.1 This report concerns an application from Brazilian Grill Ltd for a premises licence at 87-89 High Street, Croydon CR0 1QF.
- 1.2 The application seeks the following licensable activities between the hours shown:-

Sale by retail of alcohol

Monday to Thursday	11:00 hours until 00:00 hours (midnight)
Friday	11:00 hours until 04:00 hours
Saturday	08:00 hours until 04:00 hours
Sunday	08:00 hours until 00:00 hours (midnight)

On the morning of the commencement of British Summer Time, the licensable activities shown above may be provided for an additional beyond the terminal hours shown above. 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.
Bank holiday weekend Thursday and Sunday with the terminal hour of 04:00.

Provision of regulated entertainment

Live music

Monday to Thursday	18:00 hours until 11:30 hours
Friday to Saturday	18:00 hours until 01:00 hours
Sunday	15:00 hours until 11:00 hours

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
Bank holiday weekend Thursday and Sunday with the terminal hour of 01:00.

Recorded music

Friday to Saturday	18:00 hours until 02:00 hours
Sunday	15:00 hours until 00:00 hours (midnight)

On the morning of the commencement of British Summer Time, the licensable activities shown above may be provided for an additional beyond the terminal hours shown above. 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.
Bank holiday weekend Thursday and Sunday with the terminal hour of 02:00.

Provision of anything of a similar description to live music, recorded music or performances of dance

Friday to Saturday	18:00 hours until 04:00 hours
Sunday	15:00 hours until 00:00 hours (midnight)

On the morning of the commencement of British Summer Time, the licensable activities shown above may be provided for an additional beyond the terminal hours shown above. 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

Provision of late night refreshment

Monday to Thursday	23:00 hours until 00:00 hours (midnight)
Friday to Saturday	23:00 hours until 02:00 hours
Sunday	23:00 hours until 00:00 hours (midnight)

On the morning of the commencement of British Summer Time, the licensable activities shown above may be provided for an additional beyond the terminal hours shown above.

Friday and Saturday off sales of late night refreshments from 23:00 hours to 04:00 the following day. Customers to be served via a serving hatch from 02:00 hours on the stated days.

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

Bank holiday weekend Thursday and Sunday with the terminal hour of 02:00.

- 1.3 The relevant pages of the application are attached at Appendix A1
- 1.4 Would the sub-committee please note that, following discussions with the Police licensing team, the applicant has amended their application to have the following conditions attached to the licence if the application is granted –
The premises licence holder shall ensure:
 1. Staff shall be given training by the DPS in relation to Licensing Act 2003, conflict management and the protection of children from harm. Refresher training shall be given every 6 months and records shall be kept at the premises and made available for inspection by the police or authorised official from the local authority
 2. The venue must provide its own written policy in relation to searching, drugs, weapons and theft. Signage shall be displayed at the entrance of the premises and in toilets explaining a zero tolerance to drugs
 3. A CCTV system shall be installed at the premises covering the entrance, the external area and all internal areas. A head and shoulders image to identification standard shall be captured of every person entering the premises. Images

shall be kept for 31 days and supplied to the police or local authority on request.

4. The premises licence holder shall comply with any reasonable request from the Metropolitan police in relation to the Prevention of Crime and Disorder Licensing Objective.
5. Staff will assist customers by providing a license taxi number or have a license taxi called to the venue if so required.
6. Ensure that a comprehensive incident register is maintained, at the premises. The DPS shall ensure that details of incidents shall be added to the register within 24hrs of any incident. CCTV images of any incident will be recorded and kept at the premises along with a copy of the incident report and written reports from all members of staff involved

The following details shall be recorded: -

Date /Time

All ejections of patrons

Any complaints received

Persons concerned

Any incidents of disorder

Identification of any Emergency Services Personnel who attended

7. A glass removal policy shall be in place at the premises.
 - ii) No alcohol shall be permitted to leave the premises unless in the designated area outside.
 - iii) From 2100 hours Friday and Saturday nights SIA approved door supervisors shall be employed at the venue.
 - iv) A challenge 25 policy shall be in operation at the premises with operate signage on display throughout the premises.
 - v) A refusals register should be maintained at the premises
 - vi) Last entry to the restaurant of 0200hrs
 - vii) Connection to Croydon Safer radio

8. any external DJ's hired or performing other than the regular DJ's will require a 696 risk assessment which must be completed at least 14 days prior to the event.
9. any risk assessment for large bookings or hiring the restaurant will ensure that the details of the person hiring are recorded and proof of identification is copied and retained.

2. Promotion of licensing objectives

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

3. Relevant representations

- 3.1 Representations have been received on this application. Copies are attached at Appendix A2.
- 3.2 The applicant has been provided with a written copy of the representations made.

4. Policy considerations

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

- 4.1 Nothing in the 'Statement of Policy' will:
 - undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have each application considered on its individual merits, or,
 - override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.
- 4.2 Parties should be aware that, for a representation to be considered relevant, it must be one that is about the likely effect of the grant of a new licence/variation of an existing licence on the promotion of the four licensing objectives. Also, if the representation is made by an 'other person', it will not be relevant if the licensing authority considers it to be 'vexatious or frivolous', or in the case of a review, 'repetitious'.
- 4.3 Applicants and those making relevant representations in respect of applications or seeking a review of a licence or a certificate have the right of appeal to the Magistrates' Court against the decisions of the Council.

- 4.4 In considering all licence applications, the Council will take into account the character of the surrounding area, the impact of the licence on that area and the nature and character of the operation.
- 4.5 As part of any application for a premises licence/club premises certificate or a variation to an existing licence/certificate, applicants are required to submit an 'Operating Schedule', which must include the steps proposed to promote the Licensing Objectives set out in paragraph 2.2.
- 4.6 Part 5 of this Statement gives guidance to applicants on some of the matters applicants may wish to consider when preparing their Operating Schedules.
- 4.7 Licensing is about the responsible management of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions are likely to be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.
- 4.8 However, the Council acknowledges that it can only impose conditions where relevant representations have been received on an application and that such conditions must be considered necessary for the promotion of the licensing objectives raised by the representations. Where no relevant representations have been made, the application will be granted by the licensing authority in terms consistent with the applicants operating schedule.
- 4.9 When considering these conditions, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

Need and cumulative impact

- 4.10 The Council will not take 'need' into account when considering an application, as this concerns 'commercial demand' and is a matter for the planning process and the market.
- 4.11 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.
- 4.12 Where the Council recognises that there is such a cumulative effect it will consider adopting a specific Cumulative Impact Policy for that area, if this is shown to be necessary.
- 4.13 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 would

be, for example, an increase in permitted hours or to add a licensable activity on the premises licence.

4.14 Based on the Statutory Guidance to the Act, in deciding whether to adopt such a Policy in an area, the Council considered 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 specific hospital admissions for under 18's
- Statistics on alcohol related emergency attendances and hospital admissions
- Complaints recorded by the local authority
- Evidence from local councillors and
- Evidence obtained through local consultation.

4.15 In recent years Croydon town centre has been identified by the Police and the Council under their respective crime and disorder prevention responsibilities, as well as other stakeholders, as an area with serious nuisance and disorder problems arising from the large number of licensed premises situated in a small geographical area.

4.16 The implementation of the 2003 Act saw a significant number of licensed premises, that did not previously have public entertainment licences and/or extended drinking hours, applying for these as variations to their existing licences.

4.17 The Metropolitan Police and a number of bodies representing local residents have indicated that they consider a 'special saturation policy' necessary in respect of Croydon town centre area.

4.18 The Council therefore considers that it is appropriate to adopt a special policy of refusing new licences within the designated Croydon town centre area when it receives relevant representations about the cumulative impact on the licensing objectives and which it concludes, after hearing the representations, should lead to refusal, such that:

- there will be a presumption against granting new premises licences or material variations in respect of premises used exclusively or primarily as cafés/take-aways and/or mobile food vans providing late night refreshment, having regard to the crime, disorder and nuisance (including litter/food remains) generated;
- there will be a presumption against granting new premises licences or club premises certificates or material variations in respect of premises used exclusively or primarily for the sale/supply of alcohol and/or loud amplified recorded music;

- within this special policy each individual application will be determined on its merits, but favourable consideration will be given to encouraging more diverse types of premises, i.e. for an older clientele/over 21's, live music, restaurants, etc, including giving careful consideration to any applications resulting from the proposals of the Cultural Strategy for a 'cultural quarter' within the designated town centre area.
- The extent of the designated Croydon town centre area is set out in the map at Appendix '2'. Read in conjunction with the map, the area is bounded by the following roads: Crown Hill, Church Street, Old Palace Road, Church Road, Charles Street, Wandle Road, West Street, Mason's Avenue, Edridge Road, The Croydon Flyover, Park Lane, Wellesley Road (to junction of Walpole Road/across to junction with Dingwall Avenue) and George Street and includes the premises on BOTH sides of these roads.

4.19 The Council has taken the following steps when considering the adoption such a special saturation policy in Croydon town centre:

- identification of concern about crime and disorder or nuisance
- consideration of whether it can be demonstrated that crime and disorder and nuisance is arising as a result of customers of licensed premises, and if so identifying the area from which problems are arising and the boundaries of that area, or that the risk factors are such that the area is reaching a point where a cumulative impact is imminent
- consultation with those specified by Section 5(3) of the 2003 Act as part of the general consultation required in respect of the whole statement of licensing policy
- subject to that consultation, inclusion of a special policy about future premises licences or club premises certificate applications from that area within the terms of the Statutory Guidance in the Statement of Licensing Policy
- publication of the special policy as part of the Statement of Licensing Policy required by the 2003 Act

Crime and disorder

- 5.1 Croydon Council is committed to reducing crime and disorder within the Borough and creating an environment where people feel safe.
- 5.2 In addition to the requirements under the 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.

- 5.3 Licensed premises, especially those offering late night/early morning entertainment, alcohol and/or refreshment, can be a source of crime and disorder problems.
- 5.4 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.
- 5.5 The Council will expect applicants to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained so as to minimise or prevent crime and disorder in and around the vicinity of their premises and events.
- 5.6 The Licensing Authority recommends that for certain events (please see note below), a comprehensive risk assessment is undertaken by premises licence holders to ensure that crime and disorder and public safety matters are identified and addressed. Accordingly, for premises that wish to stage promotions, or events (as defined below) the Licensing Authority recommends that applicants address the Risk Assessment and debrief processes in their operating schedule.

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

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

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

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

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

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

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

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

- effective and responsible management and supervision of the premises, including associated open areas
- participation in responsible management schemes such as the Croydon 'Best Bar None' accreditation/award scheme
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder
- adoption of existing and future best practice guidance (e.g. Safer Clubbing, the National Alcohol Harm Reduction Toolkit and other recognised codes of practice including those relating to drinks' promotions, i.e. The Point of Sale Promotions published by the British Beer and Pub Association and cheap drinks deals/Happy Hours)
- acceptance of accredited 'proof of age' documentation, as recognised by the Council in consultation with the Police
- employment of sufficient SIA licensed door staff, i.e. within nationally accepted standards
- provision of toughened or plastic glasses
- provision of secure deposit boxes for confiscated items as recognised by the Council in conjunction with the Police
- provision of litterbins and security measures, such as lighting outside premises

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

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

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

1. The licensee shall undertake a risk assessment of any promotion/event (as defined below) using the MPS Promotion/Event Risk Assessment (Form 696) or an equivalent and provide a copy* to the Metropolitan

Police Service and the licensing authority not less than 14 days before the event is due to take place.

2. Where an 'event' has taken place, the licensee shall complete an MPS After Promotion/Event Debrief Risk Assessment (Form 696A) and submit this* to the Metropolitan Police and the Licensing Authority, within 14 days of the conclusion of the event.

*submission of electronic documents by e-mail is preferred

Public safety

- 6.1 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.

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

- 6.2 Each of these types of premises present a mixture of different risks, with many common to most premises and others unique to specific operations. These will range from fire safety, including fire precautionary and means of escape arrangements in all types of premises, to the use of scenery and pyrotechnics in theatres and special lighting effects in night clubs.
- 6.3 It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 6.4 The following examples of influencing factors are given to assist applicants when addressing the issue of public safety during the preparation of their Operating Schedule:
 - the number of people attending the premises
 - the condition, design and layout of the premises, including the means of escape in case of fire
 - the nature of the activities to be provided, in particular the sale of alcohol and including whether those activities are of a temporary or permanent nature
 - the hours of operation and hours of opening if different
 - customer profile (i.e. age, disability, etc.)
 - the use of special effects such as strobe lighting effects, lasers, pyrotechnics, smoke machines, foam machines, etc.

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

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

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

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

6.7 The Council will consider attaching Conditions to licences and permissions to promote safety, and these may include Conditions drawn from the Model Pool of Conditions relating to 'Public Safety' and 'Cinemas and Fire Safety' contained in the Statutory Guidance to the Act.

6.8. 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.

6.9 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.

6.10 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.

6.11. 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.

- 6.12 The Council recognises that longer licensing hours for the sale of alcohol will avoid concentrations of people leaving premises at the same time, necessary to reduce the friction at late night fast food outlets, taxi ranks/minicab offices and other sources of transport that can lead to disorder and disturbance.
- 6.13 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.
- 6.14 However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.
- 6.15 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.
- 6.16 However, there is local concern about crime and disorder associated with shops licensed to sell alcohol off the premises. Accordingly, while the Council will treat each case on its individual merits there will be a presumption that permitted hours for the sale of alcohol will be restricted to between 8am and 11.30pm on Sunday to Thursday and 8am to midnight on Friday and Saturday in respect of shops in residential areas or within one of the four relevant Cumulative Impact Zones where representations are made by the police and/or local residents and where premises are shown to be a focus of crime, disorder or nuisance. Applications to vary the permitted hours for the sale of alcohol off the premises within the above hours shall similarly be treated on their merits
- 6.17 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.
- 6.18 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

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

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

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

- 6.20 Additionally, when preparing their Operating Schedules applicants are recommended to seek advice from Council Pollution Enforcement Officers.
- 6.21 The Council will consider attaching Conditions to licences and permissions to prevent public nuisance, and these may include Conditions drawn from the Model Pool of Conditions relating to 'Public Nuisance'.
- 6.22 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.
- 6.23 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.
- 6.24 The Council will consider the merits of each application before deciding whether to impose conditions limiting the access of children to individual premises.
- 6.25 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.
- 6.26 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.

6.27 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.

6.28 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.

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

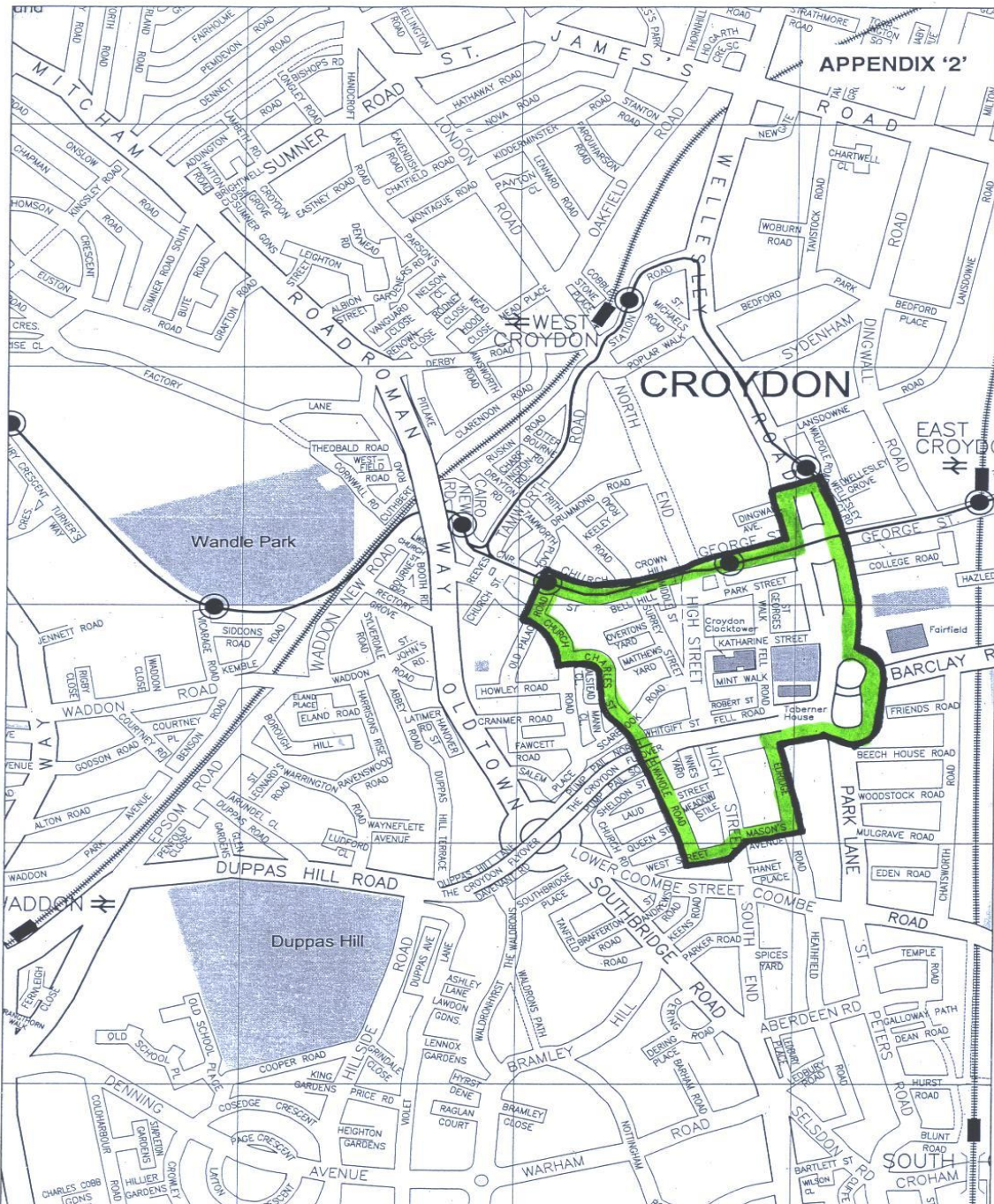
At Chapter 10 of the Guidance, paragraph 10.8 states:

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.

8.00 All relevant parties have been made aware of the date, time and location of the Sub Committee meeting.

9.00 An ordinance survey extract map of the area with the application premises shown at the centre is attached at Appendix A3.

MAP OF CROYDON TOWN CENTRE SPECIAL SATURATION POLICY AREA



APPENDIX '2'

**CROYDON TOWN CENTRE
SPECIAL SATURATION POLICY AREA**

Scaled to fit

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**CROYDON
COUNCIL**