

Dear Sir/Madam,

I would like to make an objection to the application of a licence to Jose Reis/Brazilian Grill Limited under the grounds of prevention of public nuisance.

The proposed site of the business is directly below a residential building with at least four separate households in current residence. I know for a fact that the household directly above us is home to several [REDACTED] who would be adversely affected by the proposed opening hours of the establishment in question.

Me and my partner occupy [REDACTED], both of us also work shift work which makes it difficult enough as it is to find suitable time to sleep, I would direct your attention to my attachment which shows that the proposed licence would allow the Brazilian restaurant [REDACTED] to provide alcohol and entertainment until at least 04:00 in the morning on Fridays and Saturdays, this would adversely affect the amount of sleep I am able to get as I often have to be awake at 04:00 in the morning in order to travel to work.

I also have concerns over where the smoking area of this restaurant would be, I have noticed that the building works that have been undertaken have involved the opening of a passage directly [REDACTED] our bedroom window, I am concerned that the all night alcohol dispensary listed in the application could be directly [REDACTED] where I sleep as well as that smokers could congregate in that area as well.

I would also like to point out that during the recent building works there has been an obnoxiously loud sound coming from what I presume is some form of extractor fan. These fans do not only produce sound directly into my bedroom but also to those of the studio flat and both sets of domiciles on the level [REDACTED].

Additionally, the building works have also taken place on bank holidays and weekends in excess of what would usually be expected of building works, they have also blocked access to the road impeding us getting our car out.

I would appreciate a reply to my concern and am happy to provide further information if required.

Kind regards  
[REDACTED]

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LICENSING ACT 2003

APPLICATION FOR GRANT OF PREMISES LICENCE

Jose Reis has applied to the London Borough of Croydon for the grant of a Premises Licence in respect of the following premises:

Brazilian Grill Restaurant and Bar  
87-89 High Street, Croydon CR0 1JA

which would authorise the following (possibly not all):  
Provision of Live Music Sun 15:00-23:00, Mon-Fri 18:00-23:30,  
Fri-Sat 18:00-01:00, Provision of Recorded Music Fri-Sat 18:00-  
04:00, Sun 15:00-04:00, Provision of anything of a similar  
description to Live Music, Recorded Music or Performances of  
Dance Fri-Sat 18:00-4:00, Sun 15:00-00:00, Late Night  
Refreshments Sun-Thurs 23:00-00:00 Fri-Sat 23:00-04:00, Supply  
of Alcohol Mon-Thurs 11:00-00:00 Fri 11:00-04:00 Sat 08:00-04:00  
Sun 08:00-00:00

The record of this application may be inspected during normal office hours by an appointment at the Croydon Council Licensing Team, 107th Floor, Zone 9, Standard (a small town) of South Walk, Croydon CR0 2EA or via the licensing authority's website at [www.croydon.gov.uk/licensing](http://www.croydon.gov.uk/licensing)

A responsible authority or any other person may make representation to the licensing authority in respect of this application. Representations must be made in writing, either by post to the above address, or by email to [licensing@croycdn.gov.uk](mailto:licensing@croycdn.gov.uk) and must be received no later than

3rd January 2017

It is an offence to knowingly or recklessly make a false statement in connection with a licensing application, and the maximum fine for which a person is liable on summary conviction for that offence shall not exceed level 5 on the standard scale (£5,000).



The following representation submitted on the 30<sup>th</sup> December 2016 addresses the application for the premises 87-89 High Street Croydon. I address my representations as follows:-

The premises are situated at 87-89 High Street Croydon operating on the ground floor and basement within a block of shops with either residential or commercial rooms above.

I have not been able to gain access to the premises in my capacity as the Relevant Authority (Licensing), and cannot advise further to its structure, layout or situation.

All applicants for a premise licence are advised take the opportunity to study the legislation and guidance under S182 of the Licensing Act 2003 before making any application.

Within the guidance it suggests applicants contact each relevant authority before committing the application to print.

The purpose of this is to ensure any local and community needs are addressed or issues, locally elected officer, relevant authorities and residents have that can be considered by the applicant and resolved within the objectives or conditions as needed. There is no evidence the applicant has done this.

The application does not address within the application many of the questions I need to ask, and in particular the plan does not give any indication as to the layout or the way the business intends to address the complex risk within the premises.

I am not able to consider the business plan to ensure compliance with the application made, if it were to be granted in its current form.

The application does not contain any observations within the objectives section of the applicant to describe how the operator addresses risk under:-

Prevention of Crime and Disorder  
Protection of Children from Harm  
Prevention of Nuisance  
Public Safety

I wrote to the applicant by e-mail on the 24<sup>th</sup> November 2016 and to date I have not had any reply.

I am of the opinion that the application and current layout plan, intended use conflicts/has not been shown to my satisfaction it will comply with current Legislation, Codes of Practice and Guidance as laid down in:-

Regulatory Reform (Fire Safety) Order 2005,  
D of C Fire Safety Risk Assessment (Offices & Shops)  
Building Regulations 2010 & Approved Document B Part (B1)  
Management of Health & Safety Regulations 1999

The applicant has had the opportunity to resolve these issues, and bring solutions to me but unfortunately by not responding cannot address these matters before the 28 day consultation period is reached.

Therefore I ask that the application should be refused on the basis of my observations and none co-operation of the applicant.

Should the decision be taken to grant a licence before I am satisfied the premises are compliant and safe, the conditions HSC1, HSC2 HSC3 HSC4 and HSC5 be attached to any licence granted.

HSC1. The Licence holder shall operate an industry standards "Challenge 25" policy. The licence holder and each member of staff will ensure that any person who may attempt to purchase alcohol, and appears to be "under 25" shall be required to provide 'suitable identification', to show that they are over "18" years of age. Note 'Suitable identification' shall mean Passport; UK Driving License or a "PASS" approved proof of age card.

HSC2. The licence holder shall be responsible for ensuring that all members of staff are suitably trained in the sale of alcohol before they commence work in the licensed premises and re-trained at six monthly intervals thereafter. The employees 'signed' individual training records shall be retained within these licensed premises, being made available to the employee, Local Authority Officer or Police Officer immediately upon request.

HSC3. That the authority within the premises licence cannot be used, until such time as the operator has provided the Local Authority Safety Officer and Local Authority Licensing Officer with a robust escape/evacuation plan supported together with a comprehensive written strategy, that will ensure that a safe evacuation of the premises can be made, in all its configurations, based on the occupancy level of two persons per square metre. This must be submitted to the Licensing Authority for all relevant authorities with sufficient time for each to consider the documents in relation to the layout of the building, this submission being no less than 7 days before the intended use of the premises for any licensable activity.

HSC4. That the authority within the premises licence cannot be used until such time as the Local Authority Safety Officer and Local Authority Licensing Officer have:-

a. Consulted as necessary with the London Fire Brigade Safety Officer. At such a time when the premises is in a fully completed state and ready to take patrons.

b. Had sufficient time after inspecting the premises to consider all the relevant documentation and records [Fire Risk Assessment, & Safety risk Assessment] to ensure they are satisfactory and compliant with the raft of legislation and guidance addressing the risk at these premises.

c. Have sufficient time to inspect those certificates required under legislation and find them of satisfactory standard/quality to ensure the safe operation of these premises.

d. Allow sufficient time for the inspecting officers to record their findings with the Licensing Authority.

HSC5. No person shall be allowed into the premises at any time during the hours granted for each or any licensable activity unless they have attained the age of 18 years.

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**Stephen Moore – Public Safety & Licensing Officer (Enforcement)**

[stephen.moore@croydon.gov.uk](mailto:stephen.moore@croydon.gov.uk)

London Borough of Croydon - Licensing Team – direct line: 020 8760 5466 Fax: [[02086339410]]

[Licensing@croydon.gov.uk](mailto:Licensing@croydon.gov.uk)

Licensing Team, Regulatory Services, Place, Development & Environment, Floor 10, Zone B Bernard Weatherill House 8 Mint Walk Croydon CR0 1EA

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