

RECEIVED 07 JUN 2017

APPENDIX A1

Dear Croydon Licensing Team

Please find attached an application for a premises licence for the Higher Level club at
1-8 Brigstock Parade
Brigstock Road
Thornton Heath
CR7 7HW

The venue had previously been operating as a night club / bar for over 2 years and had an excellent record of safety and security until an incident in November 2016 when a serious incident occurred in the venue. Since the incident we have done everything possible to support the subsequent investigation and remained closed as the previous manager voluntarily surrendered the premises licence.

This, as it happens, was a mistake and done without the knowledge or agreement of the owner Mr Hamilton who did not want the licence surrendered. We are therefore applying for a new licence as we have been advised that we need to in the circumstances.

We have employed the services of specialist independent licensing consultants to ensure we develop a plan to ensure the licensing objectives are met and put in place interventions to enhance the safety of the venue, the prevention of crime and disorder, the prevention of nuisance and the protection of children and vulnerable people from harm.

If there is anything further you need from me please let me know.

Yours sincerely

Caulis Badchkam



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Application for a premises licence to be granted under the Licensing Act 2003

AI

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/We CAULIS BADCHKAM
(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			
Higher level club 1-8 Bridgestock Parade Thornton Heath CR7 7HW			
Post town	Croydon	Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant Details

RECEIVED 14 JUN 2017

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club 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)
- ga) 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:

Please tick yes

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	2	06.2017

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)

First Floor bar Set out for occasional meals, dancing to a DJ, live music and private parties with a capacity of 250 people and the supply of alcohol and food.

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

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 tick any 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)

At

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 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 4)			
Thur						
Fri			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 (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11.00	04.00			
Tue	11.00	04.00			
Wed	11.00	04.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	11.00	04.00			
Fri	11.00	05.00			
Sat	11.00	05.00	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 5)		
Sun	11.00	04.00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	0.400	<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	11.00	0.400			
Wed	11.00	0.400	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	11.00	0.400			
Fri	11.00	0.500	<u>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</u> (please read guidance note 5)		
Sat	11.00	0.500			
Sun	11.00	0.400			

1

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	0.400 ^{am}	Please give further details here (please read guidance note 3)		
Tue	23.00	0.400 ^{am}			
Wed	23.00	0.400 ^{am}	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	0.400 ^{am}			
Fri	23.00	0.500 ^{am}	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 5)		
Sat	23.00	0.500 ^{am}			
Sun	23.00	0.400 ^{am}			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption</u> – please tick (please read guidance note 7)	On the premises <input checked="checked" type="checkbox"/>	
				Off the premises <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	11.00 ^{am}	0.30 ^{am}			
Tue	11.00 ^{am}	0.30 ^{am}			
Wed	11.00 ^{am}	0.30 ^{am}			
Thur	11.00 ^{am}	0.30 ^{am}			<u>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</u> (please read guidance note 5)
Fri	11.00 ^{am}	0.40 ^{am}			
Sat	11.00 ^{am}	0.40 ^{am}			
Sun	11.00 ^{am}	0.30 ^{am}			

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

Name	MISS CAULIS BADCHKAM
Address	XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX SURREY
Postcode	XXXXXXXXXX
Personal licence number (if known)	16/00573 / 41 PERS
Issuing licensing authority (if known)	LONDON BOROUGH OF CROYDON

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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	0.400	<p>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 (please read guidance note 5)</p>
Tue	11.00	0.400	
Wed	11.00	0.400	
Thur	11.00	0.400	
Fri	11.00	0.500	
Sat	11.00	0.500	
Sun	11.00	0.400	

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 9)

Higher Level will develop a bespoke action plan with the support of specialist independent licensing consultants to fit in place specific interventions to support each of the four key licensing objectives as well as ensuring an effective training and awareness package is in place for all staff. We will look to employ accredited SIA security for the venue and ensure a coordinated security and safety plan is in place.

b) The prevention of crime and disorder

We will employ the services of specialist independent licensing consultants to develop a crime and disorder prevention plan incorporating access control, training and awareness around responsible management of the venue and crime prevention strategies.

c) Public safety

As part of the above plan we will undertake a full safety review prior to re-opening the venue and develop a specific section of our overall plan to ensure safety of staff and patrons.

d) The prevention of public nuisance

A part of our overall plan will include noise prevention arrangements and a dispersal plan to prevent nuisance when the premises closes. Again we will look to employ the services of experts in ensuring all reasonable steps are taken and an effective monitoring regime is in place.

e) The protection of children from harm

We will adopt a Challenge 25 policy and ensure training for all staff in recognising and preventing drunkenness, identifying potentially vulnerable patrons and effective interventions and appropriate action in dealing with young people trying to gain access to the venue.

A1

Checklist:


Please tick to indicate agreement

- I have made or enclosed 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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	20/5/17
Capacity	MANAGER

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). 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 13)

Post town	Postcode
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

NOTE

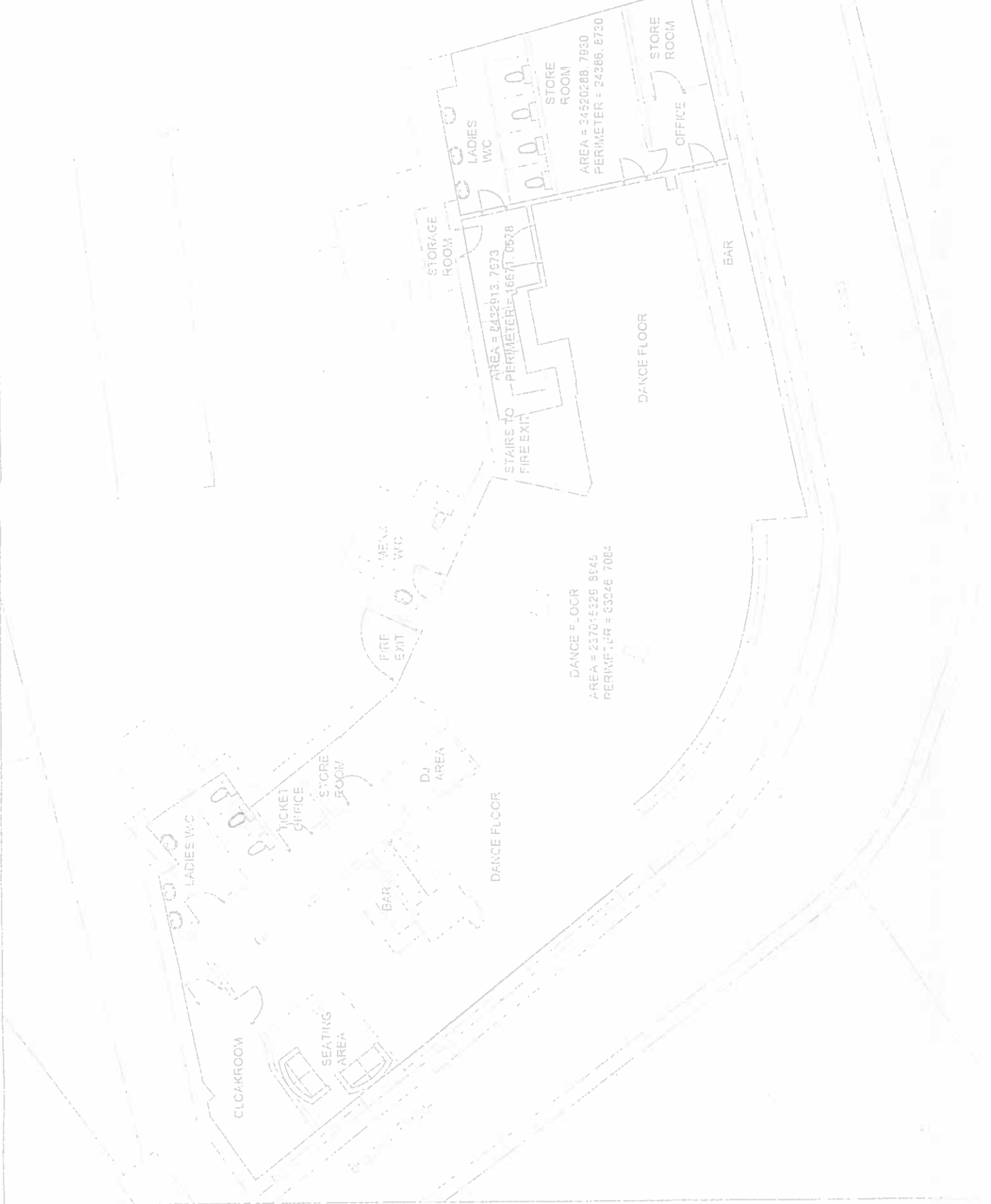
1:0 SCALE

- 1. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL RELEVANT PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT PROPOSAL FOR THE PROJECT.
- 2. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL RELEVANT PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT PROPOSAL FOR THE PROJECT.
- 3. ANY DIMENSIONS NOT SPECIFIED SHALL BE TAKEN FROM THE CENTERLINE UNLESS OTHERWISE NOTED.
- 4. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL RELEVANT PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT PROPOSAL FOR THE PROJECT.

PLANNING DRAWINGS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	MAY 16, 2011
2	REVISED FOR PERMIT	MAY 16, 2011
3	REVISED FOR PERMIT	MAY 16, 2011

PROJECT	HIGHER LEVEL NIGHTCLUB
LOCATION	1-8 PASADE, THUNDERBOLT, WYOMING
DATE	MAY 16-01
SCALE	1/100 @ AS SHOWN
DESIGNER	PLANNING DRAWINGS
PROJECT NO.	1-8 PASADE
DATE	MAY 16-01
SCALE	1/100 @ AS SHOWN



**RERESENTATIONS ON BEHALF OF THE COMMISSIONER FOR THE
METROPOLITAN POLICE**

PREMISES: HIGHER LEVEL

APPLICANT: MISS CAULIS BADCHKAM

I am Andrew O'Donnell the Licensing Sergeant at Croydon Police Station and enter the following representations in regard to the application for a premises licence at Higher Level Function Rooms. The MPS have serious concerns about this venue in regards to crime and disorder due to the history at the venue linked into the running of the premises. This new application does nothing to allay those concerns. The new proposed operating schedule lacks detail and actually increases my concerns that should this application be granted another incident of serious crime is highly likely to occur.

History of Venue:

There have been 2 serious incidents of crime and disorder at the venue in last 3 years. Both of these involved a member of the public being shot and one of them was fatal.

On the 30th November 2014 there was a promoted event at the club. A male claimed that as he left the club he went down an alleyway opposite the premises to go to the toilet and was shot at three times. He was hit once and injured. Forensic evidence casts doubts on whether this was the true location of the shooting. There was also a large disturbance outside the venue during which police officers were assaulted.

On 26th November 2016 there was another promoted event at the venue with the same promoter. At 0500 there were several calls to the venue re a large disturbance and claims that someone had been stabbed. The victim was transported to hospital where it was established he had been shot, he later died of his wounds in hospital.

The investigation into this murder highlighted a number of breaches of the premises licence which contributed to the shooting, and revealed a number of serious concerns about actions of DPS and staff post shooting. A summary of the main points of concern from this investigation:

- The promoter for this event was the same male that promoted the 2014 event which resulted in a shooting. A risk assessment form (696) had been submitted to the police on both occasions and on both occasions efforts had been made to conceal the true details of the promoter and the nature of the event to lower the risk.
- In interview the previous DPS stated that he was not in control of the club all the decisions were made by the owner Antony Hamilton. Mr Hamilton had authorised the event and all the details. Initial plans for this event were that there would be only 3 security staff on for this event. This was raised by the security manager who pointed out this would be a breach of contract and stated he would want 9 security staff to manage the risk. The venue would only pay for 4.
- CCTV from the premises on the night shows that the venue was operating after its licensed hours, and I believe that this was a significant factor in contributing to the shooting. It is believed that the victim and the suspect argued at another venue which then closed. The victim has then attended Higher Level with his friends. The suspect and a group of friends have then entered the venue without being searched and shot the victim. It is believed there were at least three firearms and one knife in the venue. The shooting itself happened in a CCTV blind spot.

- A number of calls were made to both Police and Ambulance after the shooting by members of the public. No call was made by any member of staff working at the venue that night.
- Alarming CCTV shows that staff and promoter cleaning the crime scene inside the venue prior to police arrival.
- The applicant was a member of staff at the premises this night but was not responsible for the point above

Concerns:

My concerns about issuing a new licence for this premises are based on 3 main factors:

1 – Governance at the venue.

During the investigation into the Murder the DPS made it clear that they had no control over the premises. All the decisions were being made by Antony Hamilton the owner of the premises. Both previous licence holders Mr [REDACTED] and Mr [REDACTED] surrendered the premises licence because of this lack of control. Mr Hamilton is not a personal licence holder or being proposed as DPS, yet it seems clear to me that he was the one who was making the decisions which led to the event on 26th November 2016. The letter submitted with the premises licence application shows that Mr Hamilton is the driving force behind the new application and states that the surrender of the licence was done by mistake and without his permission.

I also have concerns about the suitability of the applicant being named as DPS. Caulis Badchkam holds a personal licence and was working at the premises on the night of the shooting. Having read the letter accompanying this application I am fearful that a) The applicant has no previous experience in running a late night venue and b) Mr Hamilton will continue to play a key role in the decision making around future events at the premises. I am very concerned that the applicant will be a DPS in name only. In the letter the applicant states that since the incident the venue has done everything possible to support the subsequent investigation. I would raise several points that disprove this statement. No one at the venue including Caulis Badchkam called the police or ambulance service in relation to the incident, venue CCTV shows staff at the venue cleaning the crime scene prior to police arrival and staff at the venue were slow to come forward and speak to police with the accounts given in many cases being disproved by CCTV. She is a new licence holder and I believe that he has not shown historically she does not in accordance with the licensing objectives around crime and disorder and public safety.

2 – Operating Schedule

The investigation into the murder at the venue showed that previously the venue was opening later than its permitted hours on the licence. This was a major factor in the shooting as the parties involved had been out drinking at other venues and then attended Higher Level. The proposed hours for licensable activity in this application give rise to concern that would allow people potentially already under the influence of alcohol to attend the premises thus increasing chance of crime and disorder. A repeat of the circumstances which led to the murder in conjunction with such late hours significantly increase the likelihood of another incident as happened in November 2016.

There is no detail on the application about what steps will be put in place in order to support the licensing objectives. A bespoke report is mentioned but this has not been delivered. I believe that this is unacceptable for a venue which has been linked to 2 shootings, one of which fatal in two years.

17

3 – Suitability of the venue.

An experience licensing officer from Croydon Police has attended the venue since this application. It has been found that the premises is not of a suitable design to allow for the security requirements that would be necessary to operate this high risk venue. There is no space for a metal search arch, ID scanner or safe search area, all of which I would consider as minimum security requirements for the venue should it reopen in any capacity providing licensable activities.

Conclusion:

In my opinion as a police officer of 20 years' experience and in my capacity as the licensing sergeant at Croydon I can only recommend that this application is **refused**. I have serious concerns as listed above, and I am of the opinion that the building is totally unsuitable in its design to put in place effective physical measures to prevent these types of incidents happening again. This application is one of the worst that my office has seen. It lacks any detail with regard to the prevention of crime and disorder licensing objective. This application was submitted on the 8th June 2017 and yet 3 days before last date for representations (24th July) the Metropolitan Police Service have still not seen any 'bespoke action plan from a specialist licensing consultant' in support of this application.

If the licensing sub- committee form the opinion that the application does indeed support and promote the four licensing objectives and decide to grant this application then I as a minimum I would ask them to address the following measures in the form of enforceable conditions to reduce the risk of crime and disorder and harm to the public.

- Opening hours limited to 0200 Hrs with last entry at 0030 Hrs
- CCTV system to be replaced with HD system ensuring there are no blind spots inside the venue, coverage outside the venue at all entry and exit points with head and shoulder capture of anyone entering the venue for identification purposes.
- Instillation of a metal search arch at the venue
- ID Scanner at the venue to record the details of every person entering the premises regardless of age
- Appointment of an experience DPS to manage the risk associated with the property.
- MPS and Croydon Council to be given at least 28 days' notice of any promoted event with completion of form 696 and a copy of full safety and security plan to be provided.
- All security staff to be deployed must be from company accredited with ACS status by the SIA. All door supervisors deployed at the premises must wear body worn video cameras whilst on duty. Images shall be downloaded and handed to police on request.

Andrew O'Donnell PS 37ZD

A2

CROYDON COUNCIL

MEMORANDUM

TO Michael Goddard, Licensing

FROM Sara Quinn, Food and Safety Team Manager
6th Floor, Bernard Weatherill House
E-MAIL sara.quinn@croydon.gov.uk
TELEPHONE Ext: 64055
DATE 20th July 2017

Licensing Act 2003

Premises: Higher Level, 1-8 Brigstock Parade, Thornton Health, London, CR7 7HW

I refer to the application for a new Premises Licence for the above premises.

The premises does not currently benefit from a licence.

The applicant has submitted plans.

This representation is based on the plans, application, proposed draft conditions and information submitted.

The applicant is seeking the following licensable activities:

1. The Supply of Alcohol for consumption 'on' the premises Sunday to Thursday 11:00 to 03:00 hours and Friday to Saturday 11:00 to 04:00 hours.
2. To provide Live Music indoors at the premises Sunday to Thursday 11:00 to 04:00 hours and Friday to Saturday 11:00 to 05:00 hours.
3. To provide Recorded Music indoors at the premises Sunday to Thursday 11:00 to 04:00 hours and Friday to Saturday 11:00 to 05:00 hours
4. To provide late night refreshment on the premises Sunday to Thursday 23:00 to 04:00 hours and Friday to Saturday 23:00 to 05:00 hours

I wish to make the following representations in relation to the above application:

1. The Supply of Alcohol and the hours may impact upon Public Safety.
2. The Provision of live music and recorded music may impact upon Public Safety.

The conditions with the operating schedule do not address the concerns of the Food and Safety Team.

A2

My concerns are based on the current premises layout and I have taken into account the representation from the police.

Firstly I would have concerns that the installation of a knife arch would impinge on the current entrance and prevent safe access and egress as the width of the entrance would potentially be restricted to such a point it would be unusable.

I have verbally informed the applicant that I cannot see how the premises could be safely used in current layout with heightened security measures that are required.

I would support the police in requesting a condition whereby the licence holder notify the Council and police in advance of any promoted event.

Additionally if any licence was granted I would ask the committee to impose a condition restricting the capacity of the venue. I will enter into discussions with the applicant and other relevant authorities on the capacity level prior to any set hearing date.

Should you wish to discuss the matter further please do not hesitate to contact me.

Sara Quinn
Food and Safety Team Manager

From: King, Stuart
Sent: 23 July 2017 20:41
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Fw: Licensing Applications for West Thornton and Upper Norwood

I am writing in relation to the licensing application for Higher Level.

I am concerned that when the premises were operating under the previous licensee there were notable problems that impacted in residents in the immediate vicinity.

If the licensing committee is minded to accept this application then I would ask that conditions are attached that specifically address the following concerns, all of which occurred when the club was last open:

- complaints about patrons arriving and leaving the premises in a noisy manner;
- patrons regularly park in nearby roads such as Alma Place (not in itself a problem) but when leaving in the early hours of the morning there was often complaints about noise nuisance and disturbance.
- drug dealing and cannabis smoking in Raymead Passage and Alma Place

I would also request that a knife arch is required at the entrance to the premises.

Finally, given the concerns that exist amongst local residents, , I am uncertain that a 5am closing time is reasonable. I think the committee should consider an earlier closing time, which could be extended through a new application if concerns about noise disturbance prove to be unfounded after, say, an initial 12 month period.

Stuart King
Councillor for West Thornton ward

A2

From: Young, Callton
Sent: 24 July 2017 16:00
To: LICENSING <LICENSING@croydon.gov.uk>
Subject: Representation regarding Higher Level at 1-8 Brigstock Parade Thornton Heath

Dear Licensing Team,

I am writing to make a representation regarding an application for a premises licence by Caulis J Badchkam in respect of Higher Level at 1-8 Brigstock Parade, Thornton Heath CR7 7HW. The premises are in West Thornton Ward where I am a Councillor.

I have heard concerns from a few residents about the potential environmental impact of the premises if licensed to operate for the hours sought (namely 7 days per week until 4.00am Sundays to Thursdays and 5.00am on Fridays and Saturdays). One resident has drawn specific attention to the parking pressure the 250 capacity venue places upon the local area in the late evening. Another has raised concerns about past experiences with the premises where littering has been a problem and anti-social behaviour after clients leave in the early hours. That said, residents do want the premises to be a success as there is a need for such an outlet within the community. They just want to be confident that it will be properly managed by any licensee.

I have read the application and it is difficult to see how I can reassure residents on that score. The problem is the application promises an action plan for promoting the four licensing objectives under the 2003 Act rather than actually providing one. In the absence of a concrete plan I therefore object to the application as it stands.

Yours sincerely

Cllr. Young



**SHIELD
ASSOCIATES**

Higher Level – Licensing Action Plan

Protective Marketing
Publication Scheme
Summary
Relevant to
Author
Date Created
Review Date

Confidential

Licensing action plan to meet the Licensing Act Objectives of 2003
Owner, Operating manager, DPS, Security door team and Higher Level
Internal staff.
David Gair Director Shield Associates
28th June 2017
28th July 2017

APPENDIX A3



**SHIELD
ASSOCIATES**

Key to Risk rating within action plan summary

Higher Level action plan document is a 'live' working document that should be updated monthly on this document and supervised by the Owner/Manager of Higher Level (supported where appropriately by Shield Associates). The action plan has been designed and developed to help achieve the key Licensing Act 2003 objectives and support the management, staff and security team take reasonable steps to deliver positive, auditable and measurable outcomes to: **1) Prevent crime & disorder 2) Prevent ASB & public nuisance 3) Ensure the safety of the venue and 4) Protect young and vulnerable people from harm.**

- R** Red signifies – Risk is High if not addressed within plan.
- A** Amber signifies – Likely to occur if not implemented within plan, but mitigated with some processes already in place.
- G** Green – No risk likely as good systems and processes in place, with stringent compliance policy.

AN

A3

Action	Lead/Deputy	Delivery Timescale	Governance Measure	Success Measure	Monthly Update	RAG
<p>1</p> <p>To critically review all existing operational policies. Support existing policies with updates and create new ones if required.</p> <p>Policies:</p> <ul style="list-style-type: none"> Admission, dispersal and ejection including queuing, capacity, search/ seizure, ASB, Litter and Noise. CCTV recording / retention. Protection of vulnerable persons including young people (e.g. 'Spiking of alcohol' and sexual assaults) Thefts / Mobile phones. Incident reporting and recording of Intelligence. Drinks promotions and event planning. Lost / Found property. False Identification. <p>Supporting Licensing Act Priorities 1, 2, 3 & 4.</p>	<p>Owner/DPS of Higher Level and management team.</p> <p>Supported by:</p> <ul style="list-style-type: none"> Shield Associates (Independent Licensing review company) 	<p>Within 4 to 6 weeks from 28/06/2017</p>	<p>Operational check list for all staff (full time and temporary) to read and sign as understood and compliant.</p>	<p>Reduction of Incidents of crime and complaints from local residents and recorded by local Police, local authority and venue.</p> <p>Reduction in number of complaints made about staff / management at venue.</p>		<p>R</p>

AN

Action	Lead/Deputy	Delivery Timescale	Governance Measure	Success Measure	Monthly Update	RAG
<p>2</p> <p>To provide regular relevant training including: alcohol awareness, operating policies, licensing priorities, dealing with drunkenness, personal safety to all staff including - Owner, Operations manager, and internal staff i.e. bar staff, toilet attendants and door SIA security team.</p> <p>Supporting Licensing Act priorities 1, 2, 3 & 4.</p>	<p>Owner/DPS of Higher Level and management team. Supported by: Shield Associates</p>	<p>Within 4 weeks of venue opening.</p>	<p>Training to staff every 6 months including part time members.</p> <p>Training records to be documented and retained on premises and with 'HR'</p> <p>Review each quarter of all staff on pay roll against training records.</p>	<p>Incidents of crime and complaints recorded by local Police and venue.</p> <p>Complaints made about staff/ premises to venue and/or local authority.</p>		R
<p>3</p> <p>To conduct a full visual physical risk assessment of internal and external areas of Higher Level club to identify appropriate crime & disorder prevention opportunities and act on its recommendations.</p> <p>To conduct an Environmental Visual audit (EVA) of locality in relation to potential nuisance from Higher level club.</p> <p>Supporting Licensing Act priorities 1, 2, 3 & 4.</p>	<p>Shield Associates Independent Licensing review company.</p>	<p>Within 4 to 6 weeks.</p>	<p>Documented risk assessment and EVA review process every 12 months.</p>	<p>Incidents of crime and complaints recorded by local Police, local authority and venue.</p>		A

73

Action	Lead/Deputy	Delivery Timescale	Governance Measure	Success Measure	Monthly Update	RAG
4 To create an induction package for all staff to ensure understanding of the licensing objectives and their roles and responsibilities in supporting the objectives. Supporting Licensing Act priorities 1, 2, 3 & 4.	Owner/DPS of Higher Level and management team. Supported by: Shield Associates	Within 4 to 6 weeks.	Review each quarter of all staff on pay roll against training records.	Incidents of crime and complaints recorded by local Police, local authority, local residents and venue.		A
5 Agree information sharing protocols with local police/council to enable owner to interrogate Crime data, complaints and Anti-social behavior reports. To look for opportunities to reduce crime and improve the quality experience for customers and local residents. Supporting Licensing Act priorities 1 & 2	Owner/DPS of Higher Level and management team.	Weekly to begin with after venue opening.	Spreadsheet maintained by Higher Level using information provided by Police, local authority, residents and external partners.	Incidents of crime and complaints recorded by local Police, local authority, residents, external partners and venue.		R
6 To meet with local police licensing team, local authority licensing team on a regular basis to discuss crime data, complaints of ASB, Crime prevention initiatives and information sharing. Supporting Licensing Act priorities 1 & 2	Owner/Manager of Higher Level club.	Every three months from venue opening.	Documented minutes of meetings and structured agenda to meet needs of Police, Local authority and local residents.	Incidents of crime and complaints recorded by Police, local authority, local residents and venue.		A

Action	Lead/Deputy	Delivery Timescale	Governance Measure	Success Measure	Monthly Update	RAG
7 Introduce ID scanning and recording technology for all patrons attending the venue supported by CCTV and a metal detecting arch at the street entrance to ensure most effective crime prevention technology is in place to protect customers and staff. Supporting Licensing Act priorities 1, 2, 3 & 4.	Owner/Manager of Higher Level club.	Upon venue opening.	Incident record to account for use of technology and provide auditable trail of use.	Incidents of crime recorded by local police.		
8 All drinks promotions or private parties will be discussed with local police licensing team and a documented risk assessment will be completed prior to any event taking place. Supporting Licensing Act priorities 1, 2, 3 & 4.	Owner/Manager of Higher Level.	Upon opening venue.	Implementation through venue policies and enforced through staff and management team.	100% compliance through local Police licensing team.		A
9 Covert and overt visits undertaken periodically by Shield Associates to test and ensure policies are being adhered to by all staff.	Shield Associates (Independent Licensing review company)	Upon venue opening then once a quarter.	Shield Associates Independent Licensing review company	Incidents of crime and complaints recorded by local Police and venue.		A

AN

A3

Action	Lead/Deputy	Delivery Timescale	Governance Measure	Success Measure	Monthly Update	RAG
<p>A documented report of findings will be submitted to the management team of Higher Level to highlight good practice and support areas of potential vulnerability.</p> <p>Supporting Licensing Act priorities 1, 2, 3 & 4.</p>			Documented report to Owner and management team.	100% compliance of policies by staff.		
<p>10</p> <p>Employ an accredited and industry approved contractor status SIA door team.</p> <p>Identify an experienced head of door to work with a SIA team to ensure effective deployment and supervision.</p> <p>Supporting Licensing Act priorities 1, 2, 3 & 4.</p>	Owner of Higher Level.	Upon opening the venue.	SIA team from an accredited company.	Incidents of crime and complaints recorded by local Police, local authority, local residents and venue.		A
<p>11</p> <p>Consider introducing other security measures to search arch e.g. overt body-worn recording cameras to prevent crime, ASB and achieve best evidence.</p> <p>Ear pieces should be worn by all door staff and</p>	Owner/Manager/DPS of Higher Level and management team. Supported by: Shield Associates	Upon venue opening.	Part of briefing and patrol strategy by new door team.	Incidents of crime and complaints recorded by local Police local authority,		A

A3

Action	Lead/Deputy	Delivery Timescale	Governance Measure	Success Measure	Monthly Update	RAG
connected to the venues radio system. Supporting Licensing Act priorities 1, 2, 3 & 4.				local residents and venue.		
12 Full review of CCTV inside and out of venue. To ensure working correctly, is of good quality and records in 'HD'. Supporting Licensing Act priorities 1, 2, 3 & 4.	Owner/Manager/DPS of Higher Level.	Before venue opens.	Review process and playback capabilities. 31 day recorded footage retention policy to support CCTV policy.	Feedback from local licensing team or Police from isolated incidents taking place inside /outside of venue.		R
13 Due to the premises being near residential properties the club will take all possible measures to reduce / mitigate any potential noise impact on local residents. Supporting Licensing Act priorities 2.	Owner/Manager/DPS of Higher Level	Before venue opening.	Review process to be in place with local residents notified of club contact details and complaints procedure.	Feedback from local residents and complaints to local authority.		A

Further Police representations in regards to the application for a premises licence at Higher Level Function Rooms.

I am PS Andrew O'Donnell, the licensing sergeant at Croydon Police Station and I enter these further representations in response to the action plan that has been submitted by the venue. The submission of this report raises the following concerns.

1. Who is the owner mentioned? Concerns have already been raised about the suitability of the owner and his participation in running a club.
2. Point 1 should have been addressed by now and findings available for scrutiny.
3. Point 2. Why staff training and policies within 4 weeks of opening. Training should be provided to staff prior to any opening date. Why are policies not available for us to inspect prior to the hearing?
4. Point 3 should have been addressed by now....why no update as to findings
5. Point 5. Information sharing protocols should be agreed with the police prior to any opening. What does this mean and to what purpose. No agreement is required to
6. Point 7 is not graded???? Where will the ID scanner be positioned? Where will the metal detection arch be? Where will the search area be? Site visit by Police shows there is no safe place for this equipment to be fitted or searching to take place.
7. Point 8. Police have no confidence in the venue to provide accurate details of the event. Who will conduct risk assessment? What training will they have?
8. Point 11. Consider other measures?....these should be offered as part of the application especially given our verbal and written concerns and the previous history of the venue

In my opinion this is a generic risk assessment and not site specific to higher level. It fails to address any of the concerns raised in the Police objection. There have been no detailed policies put forward for consideration which addresses any of the serious concerns we have around the venue.

This action plan appears to be quite generic and is very much document based. Ultimately this action plan does not fully address the concerns in my representation.

Kind regards

Sara

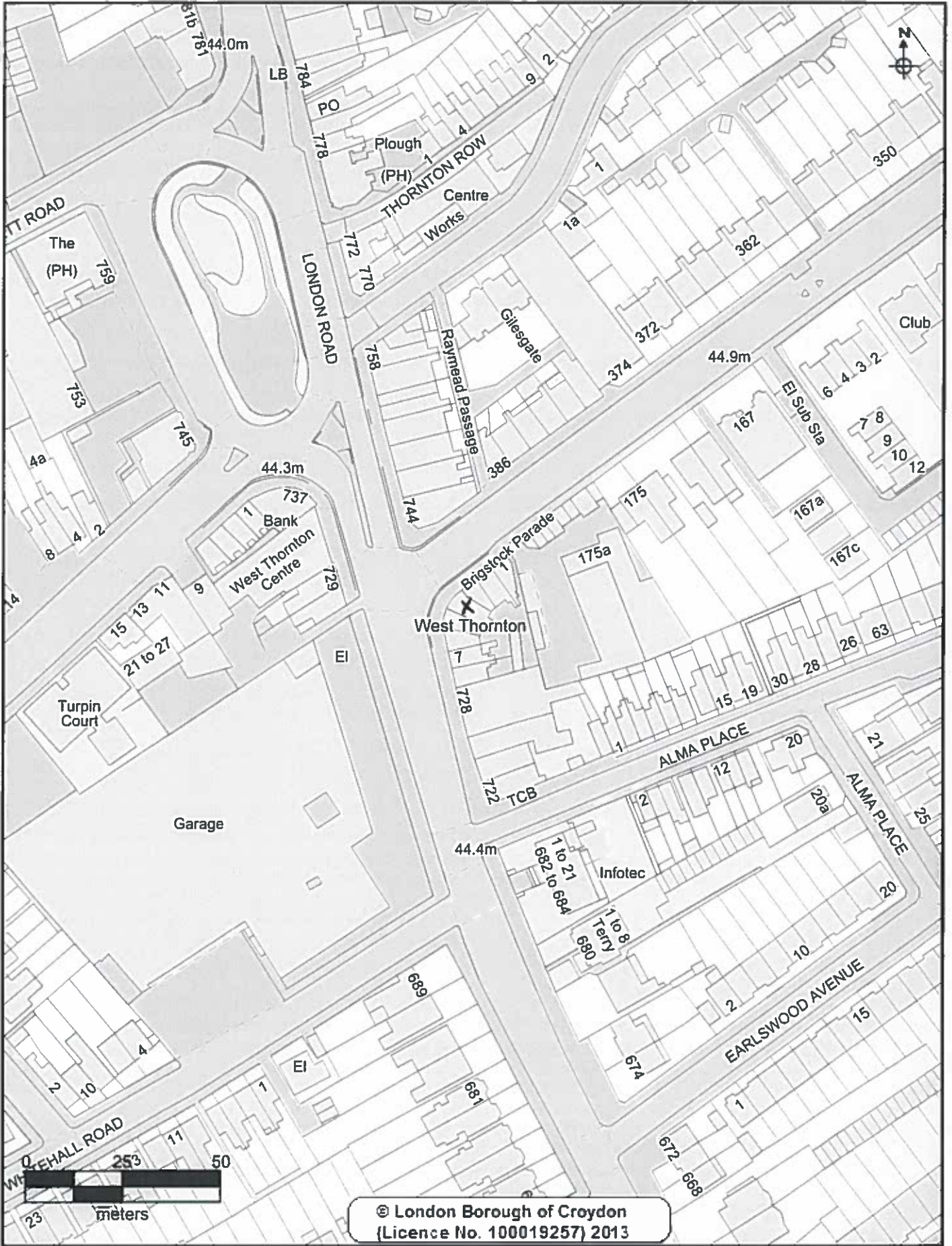
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Please note this role is a job share and I work Wednesday, Thursday and Friday



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