

# Licensing Sub-Committee Supplementary Agenda



**6. LICENSING ACT 2003 - Application for a review of the premises licence at 3 Brighton Road, South Croydon, CR2 6EA (Pages 3 - 10)**

The Sub – Committee is asked to consider the application for a review of the premises licence at 3 Brighton Road, South Croydon, CR2 6EA under the provisions of Section 53C of the Licensing Act 2003 (“The Act”) and pursuant to the provisions of Section 53D of the Act, a review of the Interim Steps imposed.

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## **Existing conditions for Aachis Masala Chennai, 3 Brighton Road, South Croydon, CR2 6EA**

### **Annex 2 – Conditions consistent with the operational schedule**

The premises licence holder shall:

1. Employ SIA registered door supervisors at the premises on Friday and Saturday nights when any event is booked for the first floor
2. Provide a closed circuit television system to cover the entrance and internal public areas, all to the satisfaction of the local police crime prevention officer, with recorded tapes kept by the DPS for not less than 28 days and made available in useable form to police and Council officers on request.
3. Comply with all reasonable requests of the Metropolitan Police crime prevention officer.

#### **5. Promoted Events -**

The Metropolitan Police Service must be given at least 14 days' notice of all forthcoming events and have received an MPS Promotion/Event Risk Assessment (Form 696) 14 days in advance of any event

The Metropolitan Police Service must receive an MPS Debrief Promotion/Even Risk Assessment (Form 696A) three days after any risk assessed event.

Sufficient SIA registered door supervisors, as agreed with the Metropolitan Police, shall be employed at the premises at any promoted event

6. No 18th birthday party bookings will be accepted.

### **Police would ask that all existing conditions are removed and replaced with the following :**

1. Staff must be given training 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. All members of staff working at the premises will undertake counter terrorism training, on an annual basis, this may include (but is not limited to) Action Counter Terrorism Awareness E-learning (ACT-E). Such training is available through <https://www.gov.uk/government/news/act-awareness-elearning>
3. The premises licence holder will operate a vulnerable person policy, this must include (but not limited to); Welfare And Vulnerability Engagement (WAVE) and Ask

For Angela training for all staff, on an annual basis (As long as such, or similar training is available).

4. A CCTV system must be installed at the premises covering the entrance, the external area and all internal areas. A head and shoulders image to identification standard must 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.
5. The CCTV system will display, on screen and on any recording, the correct time and date that images were captured.
6. CCTV signage must be displayed, reminding customers that CCTV is in operation.
7. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
8. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises is open to the public in order to show police images if required. A member of staff suitably trained to download CCTV footage must then be available within 24hrs. The downloaded footage is to be supplied in a useable digital format.
9. A comprehensive incident register must be maintained, at the premises. 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
  - a. The following details must be recorded: -
  - b. Date of the incident
  - c. Time of the incident
  - d. Location of the incident
  - e. Persons concerned in the incident
  - f. Summary of incident
  - g. Identification of any Emergency Services Personnel attending where possible
10. A challenge 25 policy shall be in operation at the premises with `appropriate signage on display throughout the premises.
11. Ensure that a refusal book or electronic system to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.
12. A personal licence holder must be present at all times that licensable activities are taking place.

13. Ensure all bookings are made at least 14 days in advance of the event and may only be made by a person over the age of 21 years.
14. Ensure all bookings are made in person at the premises and an application completed on a booking agreement form agreed with the Metropolitan Police and all records of these bookings and a guest list must be available for inspection by an authorised officer of the police at any time that the premises is open. Copies of photographic ID must accompany any application (Passport, Driving Licence, Pass logo ID)
15. There shall be no promoted events held in any area of the premises, events should not be advertised on social media and no tickets should be sold for events.
16. All events held in any part of the premises must be ancillary to a table meal, the main function of the premises is to operate as a restaurant.
17. The premises will provide all alcohol and food for events. Only alcohol purchased by the DPS or premises licence holder can be sold at the premises and these events are to be staffed by persons employed by the premises.
18. When the upstairs event space is being used a minimum of two SIA door supervisors shall be deployed at the venue from 21:00hrs until the premises closes.
19. Ensure that records are kept by the DPS, at the premises, of the following details of any door-supervisor employed at the premises: -
  - a. Name and date of birth
  - b. Full 16 digit SIA badge number
  - c. Dates and times employed

These records must be made available, in useable form, to the Metropolitan Police, Croydon Council officers or authorised officers of the Security Industry Authority upon request.

### **Existing hours for premises are:**

### **The times the licence authorises the carrying out of licensable activities**

#### **Sale by Retail of Alcohol**

Monday to Sunday                      10:00 to 02:00

#### **Provision of Regulated Entertainment**

Monday to Sunday                      10:00 to 02:00

Regulated entertainment, namely recorded music, may be provided throughout the premises without restriction on times

Regulated entertainment, namely music and dancing or any other entertainment of the like kind, may be offered at the premises for pre booked private events, for pre invited guests, without restriction on times.

**Provision of Late Night Refreshment**

Monday to Sunday 23:00 to 02:30

**Non-Standard Timings – For all of the above**

On the morning on which British Summer Time begins the terminal hour shall be 03:00 hours.

Christmas Eve and Boxing Day 10:00 hours until 04:00 hours on the following days  
New Year's Eve, from the end of the permitted hours on New Year's Eve to the start of the permitted hours New Year's Day or, if there are no permitted hours on New Year's Day, until the end of the normal permitted hours for the day on which New Year's eve falls.  
On 12 occasions during the year the applicant may extend the terminal hour for events held within the premises, with the police having an absolute veto on such events.

**Police would ask that all existing times are removed and replaced with the following:**

**Sale by Retail of Alcohol**

Monday to Thursday & Sunday 10:00 to 23:00

Friday and Saturday 10:00 to 00:00

**Provision of Regulated Entertainment**

Monday to Thursday & Sunday 10:00 to 23:00

Friday and Saturday 10:00 to 00:00

**Provision of Late Night Refreshment**

Friday and Saturday 23:00 to 00:00

**No seasonal variations**



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I HAVE INSRUCTIONS FROM MY CLIENT TO AGREE THE FOLLOWING.

1. THE STATEMENTS OF THE POLCE OFFICERS ARE NOT CHALLENGED INsofar AS THE INTERVIEWS ARE CONCERNED.

2. THAT A SUSPENSION OF THE LICENCE WAS CORRECT PENDING ENQUIRIES AND OBSERVATIONS BY THE LICENSING DEPARTMENTS OF CROYDON, MET OFFICE AND 3RD PARTIES WERE BEING CONSIDERED.

MY SUBMISSIONS TO LIFT THE SUSPENSION OF THE LICENCE ARE IN LIGHT OF RETAINING MY CLIENT'S LIVELIHOOD ARE AS FOLLOWS:

[1.TO](#) VARY THE PRESENT LICENCE CONDITIONS AFTER CONSULTATION WITH PC C. WOODS TO ALLAY FUTURE RISK OF ANY BREACH OF THE LICENCE AND TO BUILD BACK TRUST IN THE LICENSEES' ABILITY TO COMPLY WITH THEIR LEGAL OBLIGATIONS:

[2.TO](#) VARY TIME OF CLOSING TO MIDNIGHT.

3.STRICTLY NO ADVERTISING PROMOTIONS. (THIS WAS THE CAUSE OF THE PRESENT BREACH.)

[4.TO](#) PROVIDE FOOD AS THE MAIN CONDITION WITH ALCOHOL AS SUPPLEMENTARY AND ONLY SUPPLIED BY THE LICENSEES.

[5.TO](#) SUPERVISE ANY FUNCTION IN PERSON.

6. ANY OTHER CONDITION WHICH MAYBE RECOMMENDED BY THE LICENSING DEPARTMENTS OF THE COUNCIL AND OR MET POLICE.

DAVID PHILLIPS,

SOLICITOR- ADVOCATE.

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