

Licensing Sub-Committee Supplementary Agenda



6. Licensing Act 2003 - Application for a Premises Licence
(Pages 3 - 14)

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Agenda Item 6

To whom it may concern;

Please find below the context of the premise license application for 53 Stoats Nest Road and my responses to the representations by residents at ■ and ■.

It is also important to note that no other neighbours have raised any concerns and the residents at ■ are in support of the small enterprise and do not share the concerns raised in the representations to the council.

The home brewing wine and beer industry is a small batch pastime enjoyed by thousands of people all over Britain. I have been making Vermouth at my home for personal use for over a year, and no one outside of my home, would have noticed until now. It's a small pastime utilising standard homebrew equipment and as far as I am aware no objections have been made directly to us or authorities under the title of noticeable smells, noise or importantly from our perspective, preventing our valued neighbours from enjoying their properties. We appreciate and respect the value that our neighbours can enjoy their homes unhindered and without quarrel. Comparable to many small initiatives who try to transfer from their kitchen to market, alongside their day job, I would like to be able to sell my product - potentially a few bottles at local markets on the weekends, potentially online such as Amazon and Shopify and possibly 1 out of the 4 main vermuth bars in central London.

An example of some of the specialist Vermouth bars based in central London are;

<https://londonist.com/london/food-and-drink/where-to-drink-vermouth-in-london>

15 Dec 2019

- Vermuteria, 38 Coal Drops Yard, N1C 4DQ.
- The Tapas Room, Unit 3, Broadway Market, 29 Tooting High Street, SW17 0RJ.
- Mele e Pere, 46 Brewer Street, W1F 9TF.
- El Vermut, 28 Nunhead Green, SE15 3QF.

The production capacity is one of a small batch homebrew and as I work full time, this will be solely produced in my spare time. I appreciate the concerns of some local residents at learning about one of their neighbours applying for an alcohol license; however I am not starting a large enterprise, shop, bar or pub that will take up parking or increase levels of traffic to the area. In fact the idea is more aligned to an ecommerce style business model.

I have listed additional details about the product, the process and the type of equipment used if the members of the Sub Committee are not familiar with Vermouth.

What is Vermouth?

Vermouth or aromatised wines fits into the category of a type of fortified wine. There are many varieties of fortified wines, sherry, port and Madera wines. There are many types of Vermouths, of which the production and process will vary from brand to brand. Large brand examples are Martini, Cinzano and Noilly Prat Vermouths. Most Vermouths are around 15% - 18% ABV.

How are Vermouths made?

Vermouth producers start with a low-ABV wine using either one or a blend of grape varieties, then add a neutral spirit making it a fortified wine. A similar process is employed in the type of Vermouth I produce, however there is no distillation or grape crushing process directly involved.

What equipment is used in making Vermouth and how is it stored?

Once all the ingredients are ready, they are introduced and fused with each other at various stages. These individual stages of production is what makes the Vermouths' unique. Fusing of the ingredients can happen in a number of different types of vessels, depending on the producers techniques. The most common vessels are glass containers and or steel tanks. These containers are used for the fermentation and storing phases.

The 2 common types of home brew vessels are;

- 1) The Demijohns – glass containers



a.

- 2) Steel Tanks – the steel tank volumes are comparable in litres to a small council wheelie bin.



a.

Response to the representations

In respect of promoting the four licensing objectives; “The prevention of crime and disorder; public safety; the prevention of public nuisance; the protection of children from harm”. This briefing note therefore focuses upon the representations made and the specific licensing application and allied measures that the applicant will undertake and implement to prevent any form of public nuisance.

I recognise the importance to properly review the representations received by local residents and other parties to the application and to design and implement business practices, operating schedules and premises licence conditions that fully address such concerns.

I feel the bulk of the representations centre upon the issues of;

1. Increase of traffic / public to the area via advertising;
2. General nuisance; and
3. Concerns regarding safety to the neighbours.

These three areas reflect the majority of concerns on the part of those making representations and I will rightly focus my response directly to their objection letter below.

However, I will also address the remaining areas of the objections in conjunction with the conditions and through the provisions of the additional information contained within this briefing note.

There is a question over business signage?

1. I deliberately and specifically do not want random members of the public entering the property to purchase Vermouth nor any other alcohol product. There is no intention of installing any advertising on the property. There are many businesses that purely advertise via social media, websites and Amazon for example. This is not new and in current conditions will be the norm in many areas of daily life
2. No members of the public are permitted to enter the premises to purchase alcohol or drink purchased alcohol onsite.


There is a question over why not rent a warehouse?

1. This does not make financial sense to do so on such a small enterprise and at such an early stage.
2. In the current global situation, this is not a viable option. Many businesses are facing financial hardship due to Covid 19 restrictions

1. Crime and Disorder

- a. Concern over attracting criminals to the area
 - i. Burglars will target a property specifically over alcohol.
 1. I don't believe this is comparable to my current application.
 - ii. I believe that concerns over break-ins, certainly to the neighbourhood, pre-exist. Many properties, 53 Stoats Nest road included, have had some sort of security lights at the rear. This greatly assists in the deterrent of criminals.
 1. Crime concerns in the local areas in Croydon – Coulsdon Town is the 6th safest out of 27 areas in Croydon.

eastcoulsdon.co.uk/information/police-and-safer-neighbourhood-team-neighbourhood-watch/

 East Coulsdon Residents' Association Transport News About ECRA Diary Dates

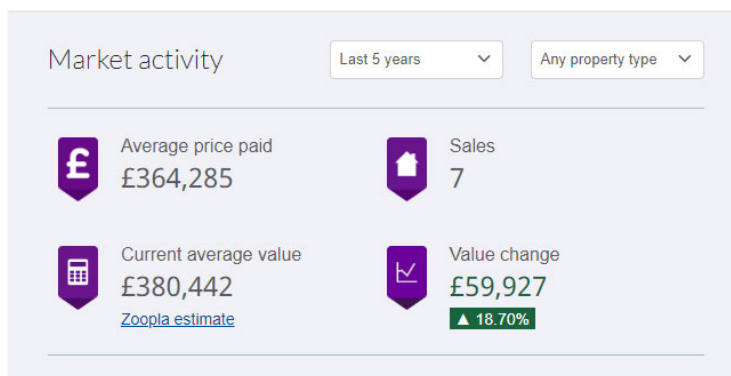
Police

Coulsdon East is one of the safest parts of the London Borough of Croydon with a very low crime rate. [Print Friendly](#)

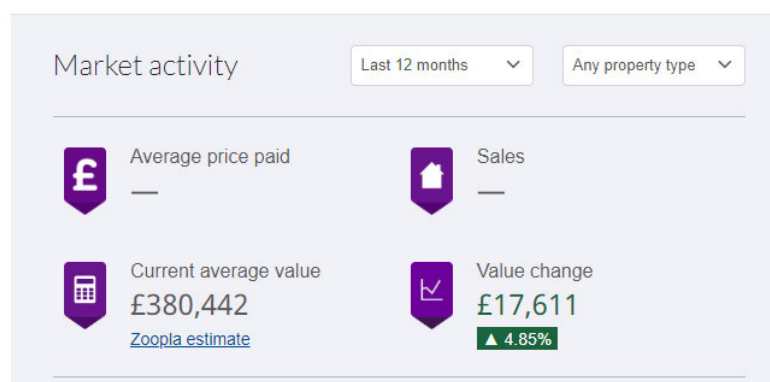
However, it is not crime free, and we do suffer from two particular crimes that can be prevented with a little bit of thought.

- iii. The post code has seen one of the highest property valuation growths in the area over the last 5 to 10 years up 18% and 53% respectively

House prices in Stoats Nest Road, Coulsdon CR5 2JJ



House prices in Stoats Nest Road, Coulsdon CR5 2JJ



iv.

- b. The concern that a middle property is apparently a higher risk for burglaries.
- i. I would argue that the peripheral properties are more at risk and responsible owners take to protect their own premises.
- c. Crime spikes in Coulsdon.
- i. Were those properties mentioned in the report on the 20th April as a result of a businesses or alcohol onsite?
- ii. Caterham Drive and Chaldon road are both 3 miles respectively from Stoats Nest road.

d. CCTV

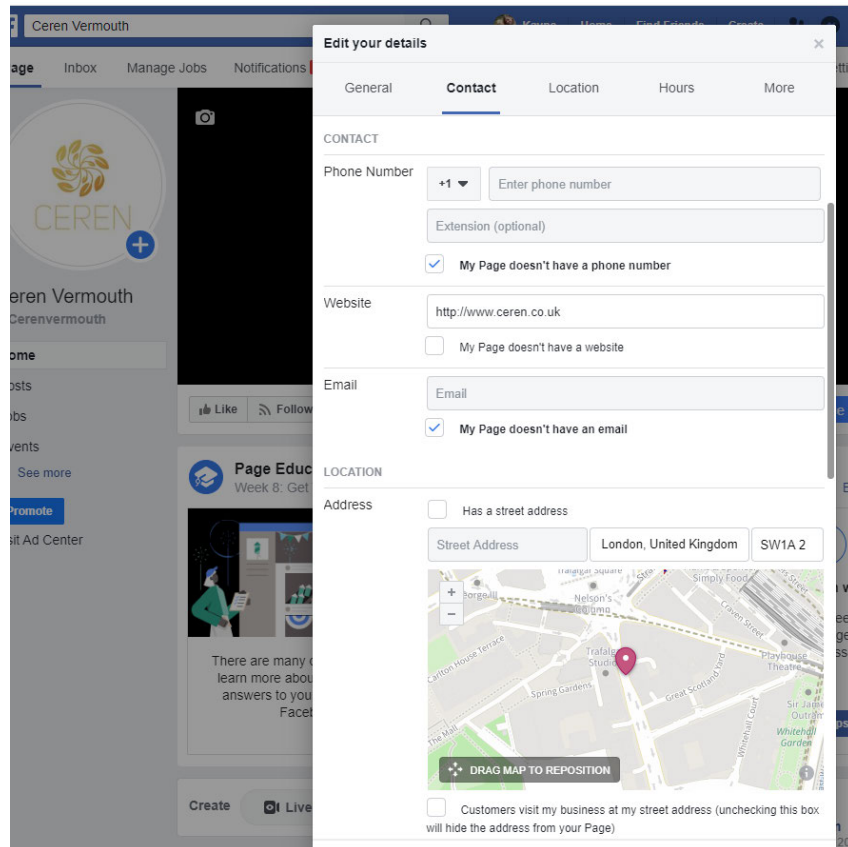
- i. Many residential properties around the UK have CCTV for insurance, security and crime prevention. Not just for Premise License applications.
- ii. The role of CCTV has more than a single primary function in regard to the prevention of Crime and disorder portion of the licensing objectives – i.e. not just preventative break-ins
- iii. As per the agreed conditions with the Met Police, the CCTV will only cover the areas specified and not the neighbour's gardens or the public areas.
- iv. How would criminals deduce that as a result of CCTV signage, alcohol may be present on the property – this is not clear to me?
- v. There has not been nor will there be any applications to the council for business signage at the front of the property. As mentioned in previous points I don't want the public entering the property.

e. Concerns over Allotment Security

- i. The allotments are secured with padlocks at the entrances.
- ii. There are a number of sensory security lights monitoring the rear of the properties on Stoats Nest Road facing the allotments that activate via motion detection.
- iii. At the rear of 53 Stoats Nest road, I have plans to improve security lighting and I believe this will greatly assist in the deterrent of criminals using the allotment.

f. Labelling

- i. By law it is a requirement to have certain criteria clearly displayed on the product. It is irresponsible and illegal to not follow those guidelines. The label does not have the house number of the property.
- ii. Creating a Facebook page and stating that I have new labels for the vermouth does not draw attention to the premises. Firstly, there is no mention online of the address. I have put a screen shot below to show evidence of that.



1.

- iii. The website is currently a holding page under construction with no details about the premises. No sales will be done via the website. Apps such as Amazon and Shopify will do a much better job. This is purely informational about the product.

2. Public Nuisance

- a. A concern over the use of the property as a business.
 - i. Was a complaint made to the council in reference to the title deeds and the business operating from the premises of the Cladmaster at 47 Stoats Nest Rd?
 - ii. Less than 30% of the property i.e. the kitchen, will be used to make the Vermouth and possibly, if I am lucky, a handful of times per month. The premises will remain as its primary function as a residential dwelling with less than 40% used in any business-related capacity.

iii. Utilising Google for research, the area has a number of businesses operating or registered at the premises.


iv.

- 69-71 STOATS_NEST_ROAD MANAGEMENT COMPANY LIMITED
- 02525127 - Incorporated on 24 July 1990

v. 47 Stoats Nest Road CR5 – The CladMaster Business operated until 2019. A business next door to 49 Stoats Nest Rd for 9 years.

1. 47 Stoats Nest road utilised the shared road at the rear to have regular skips stored for offloading waste.

2.

<p>Company Information</p> <p>Company Age 9 Years</p> <hr/> <p>Company Status ACTIVE</p> <hr/> <p>Company Type Non-limited Business</p> <hr/> <p>Business Activity Other Specialised Construction Activities N.E.C.</p>	<p>Registered Address</p>  <p>Address 47 Stoats Nest Road Coudsdon Surrey CR5 2JJ</p>
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3.

b. Concern over Increased traffic to the area and the disabled parking bay.

- i. No alcohol sales are permitted to the public on the premises.
- ii. Most deliveries will be made by myself in my own existing personal vehicle.
- iii. Stoats Nest road is an arterial route B road which remains as one of the few 30 mile per hour roads in Croydon. It is a busy through road connecting to Caterham.

iv.

- 1. During the weekdays as many residents choose to park their vehicles off the busy road on their properties or at work parking is available. 2 photos shown. A weekday / Monday | photo outside 53 Stoats Nest Road.

2. Google Images – Stoats Nest Road Monday June 2019



Stoats Nest Road Dated Saturday 16/5/2020



- v. The disabled bay is currently occupied by a vehicle at all times – registered to 51 Stoats Nest Road. However, as I understand it, if it is available and another registered blue badge holder may use the bay.

c. Section 15 Operation Schedule Concerns

- i. Most street or village markets are only open weekends. In order for me to be able sell / supply on Saturday or Sunday, the license / licensee has to cover those periods.

3. Public Safety

- a. In the last 3 years, the property has gone through an extensive refurb. Unlike some of the adjoining properties, 53 Stoats Road meets the latest building control regulations, with fully wired smoke alarms, fire exits, modern wiring standards and gas safe UK certificates.
- b. There is a total of 3 permanently wired smoke alarms on the property.
- c. There are a number of exits from the property. A quick release exit downstairs and a fire exit window upstairs.
- d. Fire extinguishers are on site.
- e. All equipment used in the process of making Vermouth is electric.
- f. From my own personal research, regarding the public figures for alcohol related fires there is no published data that I can find that specifically states fires caused by the direct or accidental ignition of alcohol. I am happy to be corrected if you could provide that information?
- g. Unlike neighbouring properties, 53 Stoats Nest Rd is a none smoking premises, with no open flamed gas appliances.
- h. Alcohol as a substance is flammable, however 50% proof is the minimum for an alcoholic drink to be flammable. None of the ingredients I use have that value.
- i. The Vermouth product I make has a final reading of 14.5 % ABV there is a very low risk of this catching fire.
- j. The property dimensions are less than 20 meters deep. In the event of an emergency, I cannot see the requirement for a fire engine to access the rear of the property.
- k. The statement – ***“The lane which provides access to the rear of the property is too narrow for a fire engine”***
 - i. If the London Fire department had to access the rear of the property – The Cladmaster business regularly and easily had skips delivered to the rear of 47 Stoats Nest Road on the said lane.
 - ii. Lane Access: Width of the inside fence posts i.e narrowest access : - 2.66m

Vehicle Type	Length	Width
Midi Skip Lorry	6.82m	2.50m
London Fire Engine Model FL8	7.672m	2.55m

Cladmaster Van	5,245m	2,426m
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The lane is secured with a padlock which most homeowners with access rights have a key.



4. The Protection of Children from Harm

- a. There will be no selling of alcohol on the premises where children are present
- b. There will be no sale for the benefit of consumption of alcohol on the premises where children are present
- c. All children on the premises are continuously supervised by adults.
- d. The Vermouth is packaged and promoted in a socially responsible manner and is only for those who can legally purchase alcohol and to help prevent the targeting of minors in marketing promotions.
- e. Families with young children all over Great Britain live in or above shops, pubs and off license premises.
- f. My children are fully aware of and know the health risks, consequences and effects of smoking and alcohol related diseases.

5. Premises Licence Application — Closing Points

The Licensing Sub-Committee are invited to review the content of this additional briefing note in conjunction with the original application documentation and to consider that the premises licence application can be granted and with any additional conditions that the Committee feel are necessary to promote the four licensing objectives and the Council's Licensing Policy.

I feel that I have properly recognised and fully addressed the representations that the Committee have received in respect of the premises licence application and with the stated conditions and other aspects of the licensing application creates a situation where a premises licence can be granted to the applicant.

In granting a premise licence the Committee is able to rely upon the natural and inherent safeguards of the Licensing Act (2003) in respect of the opportunity for any future concerns or complaints to be recorded concerning the applicant's performance in promoting the four licensing objectives, and this is a facility that is open to local residents and other parties. The premises licence can of course be the subject of future review, including withdrawal or variation should the applicants fail to act responsibly as premises licence holders.

Kind Regards

Richard Kayne Thompson