

Licensing Sub-Committee Supplementary Agenda



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

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Thomas Downs
020 8726 6000 x86166
020 8726 6000
thomas.downs@croydon.gov.uk
www.croydon.gov.uk/meetings

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We are local residents who object to the Application for a premises licence for number 53 Stoats Nest Road Coulsdon CR5 2JJ. Yesterday we received Kayne Thompson's replies to our objections. Having read this document, we would like to make the following points: -

1. Crime and disorder

In Appendix A are conditions set out by the Metropolitan Police. Condition number 1 is to install and maintain a CCTV system covering the entrance, exits of the property, and any internal areas of the premises which are used for licensable activity. One has to ask why the need for CCTV cameras? The requirement for CCTV is because the police have good reason to suppose that disorder may take place once Mr Thompson is given a licence to make and sell alcohol.

Double decker buses go up and down Stoats Nest Road every 10 minutes. There is a bus stop close to number 53. We are concerned that those passengers on the upper deck can stare down at the CCTV cameras on Mr Thompson's premises and wonder why they are positioned on a modest mid-terrace house. There are properties in Coulsdon with CCTV but these tend to be expensive properties.

On page 7 of his response to our objections, Mr Thompson says there is no mention online of his address. But by Googling the name of his business, which is Ceren Vermouth, I found three examples, see attached, which state that Ceren Vermouth is located at 53 Stoa Nest Road, Coulsdon CR5 2JJ.

We are concerned that this Application to sell alcohol will attract criminals to what is a residential area. Once burglars start to suspect that alcohol is on the premises, which is a suburban house – the middle house in a terrace of three houses – the property will inevitably become a target for burglars. The Application says that any incidents of a criminal nature will be reported to police ie after the event. This is hardly reassuring and an increase in crime statistics for the area will adversely affect the value of neighbouring properties.

The rear of the property backs onto allotments. Mr Thompson says this is not a problem because there are security lights at the rear of the properties but there are no security lights at the rear of numbers [redacted] and [redacted] Stoats Nest Road. True, there is a light at the rear of number [redacted]. It comes on briefly when it detects movement but the area it illuminates is mostly out of sight. If a criminal were caught, briefly, in the light there is no one who could see that person – he/she would be out of sight of neighbouring properties and, of course, the allotments are not illuminated at night and, under cover of darkness, they provide an ideal escape route for criminals.

2. Public nuisance

The examples Mr Thompson gives of small businesses, such as Forget Me Knot Gifts, which operate from houses in the locality are not relevant from our point of view firstly because those businesses do not make and sell alcohol and secondly because we do not know the details of their title deeds.

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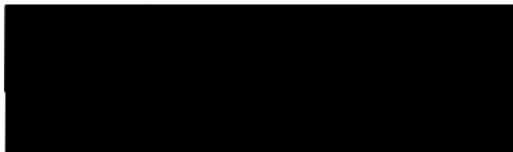

However, we do know that the title deeds of our properties have restrictive covenants. We are disappointed that Mr Thompson did not approach us before making an application for a premises licence. We would have reminded him of the restrictive covenants, which we are sure his solicitor explained to him when he purchased the property in 2013. The restrictive covenants state that: "No house erected on the land shall be used for any purpose other than that of a private residence. No house shall be let out in flats nor shall any trade or business be carried on on the said land, nor shall anything be done thereon that shall become a nuisance or annoyance to the adjoining owners." The business of making and selling alcohol is a clear breach of the restrictive covenants. Neighbours could apply to the court for an injunction to stop the business and claim damages, which would include the legal costs of applying for the injunction.

In section 18 paragraph d of the Application on London Borough of Croydon website, under the heading The prevention of public nuisance, it says "Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours." The concern here is that such notices are necessary because the granting of a premises licence can give rise to noise which neighbours would not like.

Paragraph 2.33 of the Guidance notes issued under section 182 of the Licensing Act 2003 states that public nuisance is not narrowly defined in the 2003 Act. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally."

Mr Thompson assures us he is doing small batch production on the premises but our understanding is that this Application is for a permanent licence – it is not for a time limited period. He is an entrepreneur and hopes naturally that his business will grow and we are sure he will strive to make it grow but we see this prospect as simply more nuisance.

Yours faithfully



We consent to our details being passed on to the Applicant.

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