

**LONDON BOROUGH OF CROYDON  
STATEMENT OF LICENSING SUB-COMMITTEE DECISION**

**LICENSING ACT 2003 - APPLICATION FOR VARIATION TO A PREMISES  
LICENCE AT 281 SOUTH NORWOOD HILL, SE25 6DP**

**Details of decision:**

The Licensing Sub-Committee considered the Application for a Variation of a Premises Licence at **281 South Norwood Hill SE25 6DP** and the representations received as contained in the report of the Corporate Director Sustainable Communities, Regeneration and Economic Recovery and the additional documentary evidence submitted by the Applicant prior to the hearing and incorporated in the supplementary information published as an addendum to the report.

The Sub-Committee also considered the representations made by the Applicant, their Agent and a ward councillor on behalf of residents during the hearing.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 (“the Act”) and the Council Licensing Policy, **RESOLVED to GRANT** the application subject to conditions detailed below which had been offered by the Applicant following discussions with the Police and the mandatory statutory conditions which apply to the sale of alcohol under a premises license issued under the Act, on the basis that the Sub-Committee were satisfied that it would be appropriate to promote the licensing objectives to do so.

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee noted that the premises are situated on the A215 in a small parade of shops with residential premises above. There is also a small parade of shops to the right of the premises on the other side of Spa Close also with residential premises above them and residential premises to the rear. The immediately surrounding area includes both residential and commercial premises, although predominantly residential.
2. The Sub-Committee had regard to the fact that there were no objections from the Police who had agreed a set of conditions with the applicant as set out in Appendix A3 to the report which were to be applied to the premises license in the event that the Sub-Committee was minded to grant the variation. In addition, the Sub-Committee had regard to the fact that the Ward Councillor, having considered the proposed conditions at Appendix A3 was of the view that these dealt with the concerns raised and welcomed the offers from the manager of the premises to work with residents.

3. The offered conditions at Appendix A3 will be in addition to the mandatory statutory conditions which apply to premises licenses granted under the Licensing Act 2003 which authorise the sale of alcohol.
4. In respect of prevention of public nuisance, the Sub-Committee noted the importance of focussing on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable, as is suggested by the Statutory Guidance. The Sub-Committee noted that there was concern about the parking situation in front of the premises and in the surrounding roads. The Sub-Committee were mindful that parking and the provision thereof is not one of the licensing objectives but that the objective engaged is around public nuisance as it pertains to the provision of a licensable activity. There were, according to representations before the sub-committee, existing and current issues with parking in the area however, that was not shown to be attributable to a licensable activity being undertaken at the premises – pre-existing issues around parking ought properly to be addressed by regimes other than Licensing.
5. The Sub-Committee were aware, and had reference to the Statutory Guidance which provides that, beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, and to respect the rights of people living nearby to a peaceful night. The Sub-Committee noted that the Applicant had already offered, as part of the proposed conditions to have such conditions on the license if granted.

The Sub-Committee wished to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee's consideration.

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Date of Decision:

20 December 2022