

Licensing Sub-Committee

Meeting of held on Thursday, 7 July 2022 at 10.30 am. This meeting will be held remotely, to view this meeting please click [here](#).

MINUTES

Present: Councillor Karen Jewitt (Chair);
Councillor Christopher Herman (Vice-Chair) and Ria Patel

Also Present: Councillor Robert Ward, Councillor Richard Chatterjee, Michael Goddard (Head of Environmental Health, Trading Standards and Licensing); Jessica Stockton (Solicitor and Legal Advisor to the Committee); Tariq Aniemeka-Bailey (Trainee Democratic Services Officer) and Jayde Watts (Trainee Democratic Services Officer)

Apologies: Councillor Nina Degrad

PART A

89/22 **Appointment of Chair**

Councillor Christopher Herman nominated Councillor Karen Jewitt as Chair and Councillor Ria Patel seconded the motion.

The Sub-Committee **RESOLVED** to appoint Councillor Karen Jewitt as Chair for the duration of the meeting of the Sub Committee.

90/22 **Apologies for Absence**

Apologies were received from Councillor Nina Degrad. Councillor Karen Jewitt was in attendance as a substitute.

91/22 **Disclosure of Interests**

There were none.

92/22 **Urgent Business (if any)**

There were no items of urgent business.

LICENSING ACT 2003 - Application for a Premises Licence at Addington Park, Croydon, CR0 5AR.

The Licensing Sub-Committee considered the Application for a time limited Premises Licence at Addington Park Croydon CRO 5AR and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery as well as the supplementary information provided prior to the hearing.

The Sub-Committee also considered the representations made on behalf of the Applicant, several objectors and a Ward Councillor during the hearing. The Sub-Committee noted that although some of the objectors were not present at the hearing, they had the benefit of the written representations as part of the report and supplementary information and had regard to them in their decision making.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 ("the Act"), the Statutory Guidance under S182 of the Act and the Council Licensing Policy, RESOLVED to GRANT the application on the basis that the Sub-Committee were satisfied that it would be appropriate to promote the licensing objectives to do so. The application as granted is subject to the conditions offered by the applicant in their operating schedule, and to the mandatory conditions which are imposed under the Licensing Act 2003.

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee noted that the applicant had sought to engage with and address concerns which had been raised by residents. It was noted that during the hearing, the Applicant addressed the issues which were raised by those making representations, and addressed the questions of the sub-committee members.
2. The Sub-Committee noted there was no objection from the Police, and therefore it was reasonable to conclude the Police were satisfied with the application from a crime and disorder and public safety perspective.
3. There were no representations before the Sub-Committee from the Noise nuisance team objecting to the proposals. The testing and setting of the volume levels will be taking place prior to the event and this will be undertaken with a member of the Council's Noise Nuisance team in attendance.
4. The Sub-Committee were clear that there were a number of matters in respect of which issues had been raised but which were not within the authority of the Sub-Committee under the Licensing Act 2003 but were instead governed by other regimes – this included in relation to traffic management and parking in neighbouring streets, and littering and anti-social behaviour in the local area. Despite this, the Sub-Committee

noted that the applicant had arranged for shuttle-bus services to the premises, and intended to arrange for car parking at nearby school premises, that parking permits bearing individual codes would be issued to residents, and that if an individual parked in an unauthorised manner, they would be refused access to the premises. In addition, as part of the stewarding arrangements, the applicant will provide a highly trained, emergency response team to deal with any reported incidents of aggression. In addition, the permits provided to residents will have a contact number for the applicant's complaints team, and that number will be staffed during the events, so that issues raised can be addressed as efficiently and effectively as possible. The applicant also agreed to liaise with Parking Services at the Council as regards any parking enforcement measures which might be appropriate.

5. In respect of prevention of public nuisance objective, the Sub-Committee were reassured by the proposals to remove litter and waste, which was proposed on both event days, and on the day after with a view to ensuring that nuisance wasn't created by this means.
6. The Sub-Committee had regard to the Statement of Licensing Policy which provides that in its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote the broadest possible range of entertainment, particularly live music, dance, street arts and theatre, for the wider cultural benefits of the community. In considering applications for such events, this cultural need will be carefully balanced against possible neighbourhood disturbance so that, when determining what conditions to attach to licences/certificates to promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter such events by imposing substantial indirect costs. In addition, these provisions mirror similar provisions in the Statutory guidance which provides that Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music.
7. The Sub-Committee were aware of, 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 but despite this, the Sub-Committee noted the arrangements which the applicant proposed to address concerns which had been raised by residents around anti-social behaviour once attendees left the event – this included stewards, and the dedicated contact details for residents mentioned above to alert the applicant to issues.
8. The Sub-Committee noted that the event is only accessible via tickets purchased in advance and would not be open to under 18's and all patrons would have to show appropriate identification to enter the premises. In addition, the applicant would be operating Challenge 25

scheme on the premises. The Sub-committee also noted that the targeted demographic of attendees was 28yrs+, so a slightly older demographic.

9. The sub-Committee also noted the number of SIA staff which the applicant proposed to have deployed at the premises (at a ratio of 1:50 SIA staff to attendees which is significantly higher than the national standard of 1:100 or 1:75) to ensure public safety but who would also support the objectives of prevention of crime and disorder and prevention of public nuisance.
10. 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.

94/22 **LICENSING ACT 2003 - Application for a variation to a Premises Licence at 10-14 Bywood Avenue, Croydon, CR0 7RA**

The Licensing Sub-Committee considered the Application for a Variation to a Premises Licence at 10-14 Bywood Avenue, Croydon CR0 7RA and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery.

The Sub-Committee also considered the representations made by the Applicant, the objectors and a Ward Councillor during the hearing.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 the Statutory Guidance issued under S182 of the Licensing Act 2003 and the Council Licensing Policy, RESOLVED to GRANT the application 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 following discussions with the Police licensing officer, the Applicant had amended their application and now sought a permitted start time of 7am for the sale of alcohol as opposed to 6am as listed in their original Application. In addition, the Sub-Committee noted the Applicant had also amended their application to have the conditions at Appendix A3 in the report placed on the licence if the Variation application was granted.
2. The Sub-Committee noted that the Council Licensing Policy acknowledges that the Guidance issued under S182 of the Licensing Act 2003 states that shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

3. The Sub-Committee noted there was no objection from the Police, and therefore it was reasonable to conclude the Police were satisfied with the Application from a crime and disorder and public safety perspective.
4. In respect of prevention of public nuisance objective, the Sub-Committee noted the importance of focussing on the effects of the variation 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 also noted this may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. In this regard the Sub-Committee considered concerns raised relating to an increase in nuisance from customers parking irresponsibly, more deliveries to the premises, and littering.
5. The Sub-Committee were reassured however, by the Applicant's confirmation that the number and times of deliveries to the premises would not change if the Variation were granted, and that the Variation as regards late night refreshment was required only for the use of a coffee machine. Whilst the Sub-Committee noted that customer parking was an individual responsibility, they were also reassured that a member of the management team will be on the premises at all times that the premises are open and will be the initial point of contact for any issues which might arise. The Sub-Committee were also reassured that the Applicant has a "good neighbour" policy, and that there are litter bins outside the premises.
6. The Sub-Committee were also reassured that whilst the Statutory Guidance provides that, beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law, the Applicant agreed to work with local residents to try and deal with any litter and waste problems beyond that immediate area.
7. 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.

95/22 **Exclusion of the Press and Public**

This item was not required.

The meeting ended at 12.11 pm

Signed:

Date:

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