

Licensing Sub-Committee Agenda



To: Councillors Christopher Herman, Margaret Bird and Nina Degrad

A meeting of the **Licensing Sub-Committee** which you are hereby invited to attend, will be held on **Friday, 15 July 2022 at 10.30 am**. This meeting will be held remotely and Members will be sent a link to attend the meeting. To view the meeting please click [here](#).

Katherine Kerswell
Chief Executive
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Tariq Aniemeka-Bailey
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www.croydon.gov.uk/meetings
Thursday, 7 July 2022

If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings [here](#) before attending.

The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings.

If you require any assistance, please contact Tariq Aniemeka-Bailey on 020 8726 6000 x 64109 as detailed above.

AGENDA

1. Appointment of Chair

To appoint a Chair for the duration of the meeting.

2. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

3. Disclosure of Interests

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in advance of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

- Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.
- Where the matter relates to an ORI they may not vote on the matter unless granted a dispensation.
- Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation. Where a matter affects the NRI of a Member or co-opted Member, section 9 of Appendix B of the Code of Conduct sets out the test which must be applied by the Member to decide whether disclosure is required.

The Chair will invite Members to make their disclosure orally at the commencement of Agenda item 3, to be recorded in the minutes.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. LICENSING ACT 2003 - Application For a Premises Licence at 890 London Road, Thornton Heath, CR7 7PB (Pages 5 - 66)

The Sub Committee is asked to determine whether to grant the application for a premises licence.

6. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public during the course of a meeting:

Pursuant to the provisions of regulation 14 paragraph (2) of the Licensing Act 2003 (Hearings) Regulations 2005, the licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. For the purposes of paragraph (2), a party and any person assisting or representing a party may be treated as a member of the public. In light of the possibility of disclosing personal data if the photographs circulated by a party to the hearing were made available in public, members of the committee will be asked to agree to exclude the public from the hearing to enable members to view the photographs on the basis that doing so outweighs the public interest in that part of the hearing taking place in public.

PART B

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REPORT TO:	LICENSING SUB COMMITTEE 15 July 2022
AGENDA ITEM:	
SUBJECT:	LICENSING ACT 2003 – APPLICATION FOR A PREMISES LICENCE
LEAD OFFICER:	Corporate Director, Sustainable Communities, Regeneration & Economic Recovery
CABINET MEMBER:	Cllr. Scott Roche Streets & Environment
WARDS:	Bensham Manor
CORPORATE PRIORITY/POLICY CONTEXT:	
This report is specific to this application and has no implications on the Council's Corporate Policies.	
FINANCIAL SUMMARY:	
This application is being processed as part of normal duties carried out by the Department with no additional costs involved.	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

For general release

1.	RECOMMENDATIONS
1.1	The Sub-Committee is asked to determine whether to grant the application for a premises licence at 890 London Road, Thornton Heath, CR7 7PB.

2. EXECUTIVE SUMMARY

2.1 The purpose of this report is to advise the Sub-Committee that an application has been received for a premises licence under the Licensing Act 2003 ("the Act"). This application is the subject of representations, therefore a hearing is required.

3. DETAIL

3.1 A Protocol for Licensing Hearings and a Procedure for Licensing Sub-Committee Hearings has previously been agreed by the Licensing Committee (minute A/24/05 refers). The protocol has been subsequently amended by the licensing committee (minutes A/32/06, A/40/07 and A/07/12 refer and the Protocol was last amended by the licensing committee on 30 September 2020, minute 15/20 refers).

- 3.2 The applicant and the parties making representations have been notified of the hearing in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 and Licensing Act 2003 (Hearings) (Amendment) Regulations 2005 “the Regulations”. Information to accompany the notice of hearing was provided to the applicant and the parties making representations in accordance with “the Regulations”.
- 3.3 Appendix A to this report provides details of this application.

4. FINANCIAL CONSIDERATIONS

1 Revenue and Capital consequences of report recommendations

There are no direct financial implications associated with this report, subject to the risks at 4.2 & 4.3. This application is being processed as part of normal duties and therefore the work associated with it is contained within the departmental budget.

2 The effect of the decision

The decision of the Sub-Committee may be subject to appeal and/or Judicial Review

3 Risks

An appeal against a decision of the Sub-Committee or a Judicial Review of the application process may present financial risks to the Council with regard to any award of costs against it.

4 Options

The options available are: to grant the application, to vary the application, with or without further conditions, or to refuse the application.

5 Savings/ future efficiencies

None identified.

6 (Approved by: Flora Osiyemi, Head of Finance Place, Residents & Gateway)

5. COMMENTS OF THE SOLICITOR TO THE COUNCIL

- 5.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that the sub-committee must determine the application, taking into account relevant representations, the Licensing Act 2003, the regulations made thereunder statutory guidance and the Council's own licensing policy.

(Approved by Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy Monitoring Officer).

6. HUMAN RESOURCES IMPACT

6.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.

6.2 (Approved for and on behalf of HR by Jennifer Sankar, Head of HR Sustainable Communities).

7. EQUALITIES IMPACT

7.1 The arrangements for the Licensing Hearings seek to ensure that all applicants and other interested parties receive a fair hearing and that the process is accessible to all groups within the community. In exercising licensing functions, the Council is required to comply with Section 149 of the Equality Act 2010 which requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it.

7.2 For these purposes the protected characteristics are

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

7.3 The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

8. ENVIRONMENTAL AND DESIGN IMPACT

8.1 The effective implementation of the Licensing Act 2003 will contribute to an improved environment for local residents and other stakeholders.

9. LICENSING OBJECTIVES IMPACT

9.1 The licensing objectives contained in the Act are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm.

9.2 Officers comments and relevant representations on the impact of the application on these objectives appear in Appendix A to the application.

10. HUMAN RIGHTS IMPACT

10.1 The Human Rights 1998 (HRA) requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a public authority to act incompatibly with those Rights. **Article 6 (A6)** of the European Convention on Human Rights (ECHR) is the right to a fair trial. The key elements of this include:

- The right to a *fair* hearing;
- The right to a *public* hearing;
- The right to a hearing before an *independent and impartial tribunal*;
- The right to a hearing *within a reasonable time*.

10.2 When hearing an application, the proceedings of a non-judicial body such as the Licensing Sub Committee, as opposed to an actual Court, need not meet the full requirements of A6 where there is a right of appeal from the Licensing Sub Committee to a Court that does meet the full A6 standards and can consider all aspects of the case (even if that does not include a full re-hearing of the facts).

10.3 So, while it is good practice to make a hearing before the Licensing Sub Committee as A6 compliant as possible, it will not be a breach of the HRA if it is not. Further, the hearing of all applications is subject to the principles of Natural Justice and the requirement for decisions to be 'Wednesbury reasonable'.

11. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS

11.1 Protocols agreed in relation to Licensing Hearings are within the Council's Constitution and will be accessible as part of the Council's Publication Scheme maintained under the Freedom of Information Act.

CONTACT OFFICER: Michael Goddard, Head of Environmental Health,
Trading Standards and Licensing, Place
Department ext. 61838

BACKGROUND DOCUMENTS: Application Forms
Licensing Hearings and Protocol and Procedure

APPENDIX A

1. The Application

1.1 This report concerns an application by Mahalakshmi Food Ltd. for a premises licence at 890 London Road, Thornton Heath, CR7 7PB.

1.2 The application seeks the following licensable activity, between the hours shown –

The Sale by Retail of Alcohol (for consumption 'Off' the premises) –
Monday to Sunday 0900 hours until 2200 hours

1.3 The relevant pages of the application are attached at Appendix A1.

1.4 Subsequent to making the application, the applicant submitted further information in support of their application. This was in the form of a petition with a covering email and a copy of the conditions offered by the applicant in their application at Part M (operating schedule). Because the petition contains the names and addresses of individuals but the Council does not have the consent from each individual to their name and address being published, personal details have been redacted. This petition contains 185 signatories. A copy of this further information is attached at Appendix A2.

2 Promotion of Licensing Objectives

2.1 The applicant provides details in Section M of their application of the steps they intend to take to meet the four licensing objectives. These steps would in turn, where applicable, be made into conditions to be attached to the premises licence, if the application is granted.

3 Relevant representations

3.1 Representations have been received on this application. Copies are attached at Appendix A3. The sub committee will note that the last document at Appendix A3 is representations in the form of a petition. On receipt, there were 18 names on this. Each person who signed this document was written to to acknowledge receipt and they were also asked if they consented to their name and address being disclosed to the applicant. Only one person responded and so the remaining names have been redacted. The sub committee should therefore only consider this document as valid representations from the one person who responded and consented to their name and address being disclosed to the applicant.

3.2 The applicant has been provided with a written copy of the representations made.

4. Policy Considerations

4.1 Under the terms of the Act, the Council has published a Statement of Licensing Policy. This is available on the Council website at www.croydon.gov.uk . Hard copies

are also available from the Council's Place Department and copies of the policy will also be available at the licensing sub committee hearing. The following paragraphs from the Statement are considered particularly relevant with regard to this application.

4.8 The fundamental principles of the Act and its accompanying guidance are that nothing in this 'Statement of Policy' will:

undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have each application considered on its individual merits, or,

override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

4.9 Parties should be aware that, for a representation to be considered relevant, it must be one that is about the likely effect of the grant of a new licence/certificate or variation of an existing licence/certificate on the promotion of the four licensing objectives. Also, if the representation is made by an 'other person', it will not be relevant if the licensing authority considers it to be 'vexatious or frivolous', or in the case of a review, 'repetitious'.

4.10 Applicants and those making relevant representations in respect of applications or seeking a review of a licence or a certificate have the right of appeal to the Magistrates' Court against the decisions of the Council.

4.11 In considering all licence/certificate applications, the Council will take into account the character of the surrounding area, the impact of the licence/certificate on that area and the nature and character of the operation.

4.12 As part of any application for a premises licence/club premises certificate or a variation to an existing licence/certificate, applicants are required to submit an 'Operating Schedule', which must include the steps proposed to promote the Licensing Objectives set out in paragraph 2.2.

4.13 Part 5 of this Statement gives guidance to applicants on some of the matters they may wish to consider when preparing their Operating Schedules.

4.14 Licensing is about permitting activities but also ensuring the responsible management of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions are likely to be attached to licences, certificates and permissions that will cover matters which are within the control of individual licensees.

4.15 However, the Council acknowledges that it can only impose conditions where relevant representations have been received on an application and that such conditions must be considered necessary for the promotion of the licensing objectives. Where no relevant representations have been made, the application will be granted by the licensing authority in terms consistent with the applicants operating schedule.

4.16 When considering these conditions, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

NEED and CUMULATIVE IMPACT

4.17 The Council will not take 'need' into account when considering an application, as this concerns 'commercial demand' and is a matter for the planning process and the market.

4.18 However, the Council recognises that a significant number and type of licensed premises in a particular area may lead to problems of crime, disorder and nuisance and notes that in accordance with the Statutory Guidance to the Act, their cumulative impact on the promotion of the licensing objectives is a proper matter for the Council to consider. For example, national analysis of alcohol sales data (sales in the on and off trade) has shown a positive association at local authority level between off-trade sales and alcohol-specific hospital admissions.

4.19 Where the Council recognises that there is such a cumulative effect it will consider adopting a specific Cumulative Impact Policy for that area, if this is shown to be necessary. Reducing availability, affordability and attractiveness are some of the most effective ways to reduce alcohol-harm and related crime.

4.20 In these circumstances, the Council may consider that the imposition of conditions is unlikely to address the apparent problems and may consider the adoption of a special policy whereby there will be a presumption that new premises licence or club premises certificate applications, or applications to materially vary a premises licence, will be refused. A material variation may be, for example, an increase in permitted hours or to add a licensable activity onto a premises licence.

4.21 Based on the Statutory Guidance to the Act, in deciding whether to adopt such a Policy in an area, the Council will consider the following:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots
- statistics on local anti-social behaviour offences
- the density and number of current premises selling alcohol
- Alcohol use and misuse in Croydon's population
- Claimants of benefits due to alcoholism
- Alcohol specific hospital admissions for under 18's
- Ambulance incidents and dispatches
- Alcohol related road traffic accidents
- Statistics on alcohol related emergency attendances and hospital admissions
- Mortality
- Complaints recorded by the local authority
- Evidence from local councillors and

- Evidence obtained through local consultation.

4.22 There are concerns about parts of the borough which experience high levels of alcohol related crime and alcohol related hospital admissions and where it is clear that the density of shops selling alcohol for consumption off the premises is significantly higher than in other parts of the borough.

4.23 As a result, the Council has considered it appropriate to designate, the following four areas within Croydon as being subject to a special Cumulative Impact Policy in respect of off licences and shops and supermarkets selling alcohol off the premises:

- i. Along the Brighton Road; South End; High Street, George Street corridor, from the Royal Oak Centre on Brighton Road, Purley to the junction of George Street and Cherry Orchard Road in Central Croydon
- ii Along the London Road/Streatham High Road corridor, in 3 sections; from the junction of London Road and Tamworth Road in West Croydon to the j/w Canterbury Road; from the j/w Broughton Road to the j/w Melrose Avenue and; from the j/w Northborough Road to the borough boundary with London Borough of Lambeth
- iii Along the Brigstock Road and High Street, Thornton Heath corridor, from the junction of Brigstock Road and London Road in Thornton Heath to the junction of High Street, Thornton Heath and Whitehorse Lane
- iv Along the length of Central Parade, New Addington

4.24 The effect of a Cumulative Impact Zone Policy for each of the areas listed above is that where relevant representations are received on any new applications for a premises licence to sell alcohol off the premises, or on a material variation to an existing such premises licence there will be a presumption under the special policy that the application will be refused. A material variation would be, for example, an increase in permitted hours for the sale of alcohol or to add the sale of alcohol off the premises as a licensable activity to the premises licence.

4.25 The Cumulative Impact Policy is intended to be strict, and will only be overridden in genuinely exceptional circumstances. However, the Licensing Authority will not apply these policies inflexibly. It will always consider the individual circumstances of each application; even where an application is made for a proposal that is apparently contrary to policy.

4.26 It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the Licensing Authority will consider the reasons underlying the policy.

4.27 The Licensing Authority will not consider a case to be exceptional merely on the grounds that the premises have been or will be operated within the terms

of the conditions on the licence, or that are or will be generally well managed because of the reputation or good character of the licence holder or operator. This is expected in the conduct of all licensed premises. Moreover, licences are for premises and can be easily transferred to others who intend to operate within the scope of the licence and its conditions.

- 4.28 The Council will review the special policies regularly to see whether they have had the effect intended and whether they are still needed or whether they need expanding.
- 4.29 The Council will not use these policies solely:
- As the grounds for removing a licence when representations are received about problems with existing licensed premises, or,
 - To refuse modifications to a licence, except where the modifications are directly relevant to the policy, for example where the application is for an extension in permitted hours or to add a licensable activity.
- 4.30 The Council recognises though that where no relevant representations are made in relation to an application in a cumulative impact area, the application must be granted in terms consistent with the applicants operating schedule.
- 4.31 The Council recognises that the diversity of premises selling alcohol, serving food and providing entertainment covers a wide range of contrasting styles and characteristics and will have full regard to those differences and the differing impact these will have on the local community.
- 4.32 Where an application is made for a new or transfer and variation of a licence, in respect of premises that have closed and been unused and that closure was to a relevant extent as a consequence of crime and disorder and/or nuisance issues at the premises, the Council would expect the applicant to make clear in their operating schedule how they will ensure the crime and disorder and public nuisance objectives will be met, bearing in mind any previous crime and disorder/nuisance concerns there may have been.
- 4.33 It therefore also recognises that, within the Cumulative Impact Policy areas, it may be able to approve licences that are unlikely to add significantly to the existing problems, and will consider the circumstances of each individual application on its merits.
- 4.34 In addition to the cumulative impact zones listed above, the Council is aware of concerns amongst responsible authorities and residents about the number of shops licensed to sell alcohol for consumption off the premises in certain other areas of the borough and the impact they may be having on crime and disorder. It is not intended at this time to introduce cumulative impact zones in these areas, however, they will be monitored and assessed regularly and should concerns increase, consideration will given to formally identifying them as cumulative impact zones. For the time being, those areas will be classed as special stress areas and they are as follows:

- High Street & Portland Road, South Norwood
- Lower Addiscombe Road

4.35 The Council acknowledges that the licensing function cannot be used for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned and that apart from the licensing function, there are a number of other measures available for addressing issues of unruly behaviour that can occur away from licensed premises.

4.36 In recognising the importance of such measures, the Council will continue to seek further improvements to those already achieved in respect of planning controls and working in partnership with local businesses and transport operators on a number of measures to create a safe and clean environment in the following areas:

- Provision of extensive CCTV and radio communication systems
- Improvements to street lighting
- Rubbish collection and street cleaning
- Provision of better late night bus, tram, rail and taxi/minicab services
- Provision of Police Officers/street and litter wardens
- Designation of areas within the borough, as part of a Public Space Protection Order, where alcohol may not be consumed publicly and monitoring the possible need for future designations in other parts of the borough*
- Working in partnership with Croydon Borough Police on law enforcement issues relating to disorder and anti-social behaviour. These include the use of powers to issue fixed penalty notices, prosecuting those selling alcohol to people who are underage and/or drunk, confiscating alcohol from adults and children in designated areas and instant closure of licensed premises or temporary events on the grounds of disorder, or likelihood of disorder or excessive noise from the premises
- Working in partnership with Licensees and expecting them to support existing and future agreed measures set up to promote the strategic objectives for crime and disorder reduction within the Borough
- Acknowledging the powers of the police or other responsible authorities, or a local resident or business under the 2003 Act, to seek a review of the licence or certificate

*Would existing licence/certificate holders and new applicants please note that a number of areas within the borough of Croydon are to lie within Public Space Protection Orders (PSPO's) that may control the consumption of alcohol in public areas. Please contact the Council's licensing team if you wish to discuss how such orders may affect licensed premises.

5. LICENSING OBJECTIVES and OPERATING SCHEDULES

5.1.1 The following sections set out the Council's Policy relating specifically to the four Licensing Objectives:

- the prevention of crime and disorder

- public safety
- the prevention of public nuisance
- the protection of children from harm

5.1.2 In each section the Council defines its intended outcome and lists the factors that may influence achieving that particular objective, but because of the wide variety of premises and activities to which this Policy applies, the lists provided are not exhaustive. Applicants will know their premises best and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.

5.1.3 Further, each section lists possible control measures to assist applicants, but again these lists are not exhaustive. Also, many of the control measures achieve more than one Objective but have not been listed under each Objective and applicants do not need to mention a control measure more than once in their Operating Schedule.

5.2 Crime and Disorder

5.2.1 Croydon Council is committed to reducing crime and disorder within the Borough and creating an environment where people feel safe.

5.2.2 In addition to the requirements under the 2003 Act for the Council to promote the licensing objective of preventing crime and disorder, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.

5.2.3 Licensed premises, especially those offering late night/early morning entertainment, alcohol and/or refreshment, can be a source of crime and disorder problems.

5.2.4 The Council considers that the promotion of the Licensing Objective to prevent crime and disorder also places a responsibility on licence holders to work in partnership to achieve this Objective.

5.2.5 The Council will expect applicants to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained so as to minimise or prevent crime and disorder in and around the vicinity of their premises and events.

5.2.6 The Licensing Authority recommends that for certain events, a comprehensive risk assessment is undertaken by premises licence applicants & holders to ensure that crime and disorder and public safety matters are identified and addressed. For larger public events, including those in open spaces and for premises that wish to stage promotions or events, the Licensing Authority

recommends that licence applicants and holders address Risk Assessment and post event debrief processes in their application operating schedule/event planning.

5.2.7 Applicants and premises licence holders may wish to engage the services of suitably trained individuals or companies to assist them in this risk assessment process. In addition, they may seek guidance and advice from the Licensing Authority or the Metropolitan Police regarding the process, although the responsibility for undertaking the risk assessment remains with the Applicant/Premises License holder as neither body is able to actually undertake such risk assessments for applicants/licence holders. Applicants and premises licence holders are also reminded that the Licensing Authority is not able to recommend the services of a particular individual or company for this purpose.

5.2.8 Drugs, violence, anti social behaviour and theft of customers property are examples of crime and disorder issues which may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management and supervision of the premises, including associated open areas, appropriate storage of alcohol, discouraging loitering/consuming alcohol outside the premises, ensuring opening hours are adhered to
- participation in responsible management schemes such as the 'Best Bar None' accreditation/award scheme
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder
- adoption of existing and future best practice guidance (e.g. Safer Clubbing, the National Alcohol Harm Reduction Toolkit and other recognised codes of practice including those relating to drinks' promotions, i.e. The Point of Sale Promotions published by the British Beer and Pub Association and cheap drinks deals/Happy Hours)
- acceptance of accredited 'proof of age' documentation, as recognised by the Council in consultation with the Police
- maintaining appropriate signage and a refusals log
- employment of sufficient SIA licensed door staff, i.e. within nationally accepted standards
- provision of toughened or plastic glasses
- provision of secure deposit boxes for confiscated items as recognised by the Council in conjunction with the Police
- provision of litter bins and security measures, such as lighting outside premises
- Other schemes including only purchasing alcohol from authorised wholesalers, not selling certain alcohol types/strengths (e.g. high strength beers/ciders or single cans above 6% ABV), restricting sales on

certain alcohol types (e.g. miniature spirits), allowing a 'track and trace' identifier on products so Police/Trading Standards can identify which off-licence seized alcohol is from, signing up to local responsible retailer schemes

- Provision of closed circuit television, with cameras covering relevant internal and external areas (including beer gardens) and entrances/exits to premises

Note: As this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases and in some cases additional matters may need addressing.

5.2.9 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from the Council Licensing Team and Croydon Police Licensing and/or Crime Prevention Officers, as well as taking into account, as appropriate, local planning and transport policies, and, tourism, cultural and crime prevention strategies.

5.2.10 Where relevant representations have been made, the Council will consider attaching conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises.

5.3 Public Safety

5.3.1 The Council is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

5.3.2 The 2003 Act covers a wide range of premises that require licensing, including, cinemas, concert halls, theatres, nightclubs, public houses, off licences, cafés/restaurants, fast food outlets/takeaways and sometimes open spaces.

5.3.3 Each of these types of premises present a mixture of different risks, with many common to most premises and others unique to specific operations. These will range from fire safety, including fire precautions and means of escape arrangements in all types of premises, to the use of scenery and pyrotechnics in theatres and special lighting effects in night clubs.

5.3.4 It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.

5.3.5 The following examples of influencing factors are given to assist applicants when addressing the issue of public safety during the preparation of their Operating Schedule:

- the number of people attending the premises

- the condition, design and layout of the premises, including the means of escape in case of fire
- the nature of the activities to be provided, in particular the sale of alcohol and including whether those activities are of a temporary or permanent nature
- the hours of operation and hours of opening if different
- customer profile (i.e. age, mobility)
- the use of special effects such as strobe lighting, lasers, pyrotechnics, smoke machines, foam machines etc.

5.3.6 Public safety issues may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management of premises
- provision of a sufficient number of people employed or engaged to secure the safety of everyone attending the premises or event, i.e. number of door supervisors within nationally accepted standards (and having SIA accreditation where necessary)
- appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises or event
- suitable customer-care policies for assisting lone customers taken ill or injured etc. at the premises
- provision of effective CCTV in and around premises
- provision of toughened or plastic glasses
- implementation of crowd management measures
- regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety codes and standards

Note: As this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases and in some cases additional matters may need addressing.

5.3.8 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from the Council's Health and Safety Officers and the London Fire Brigade.

5.3.9 The Council will consider attaching Conditions to licences and permissions to promote public safety.

5.4 Prevention of Public Nuisance

5.4.1 The Council recognises the need to protect the amenities of people living, visiting and working in the vicinity of licensed premises, whilst balancing the rights of businesses to develop.

- 5.4.2 Licensed premises, especially those operating late at night and in the early hours of the morning, can give rise to a range of public nuisances which may impact adversely on local communities.
- 5.4.3 These concerns mainly relate to noise and disturbance, light pollution, noxious smells, litter and anti-social behaviour and due regard will be taken on the impact these may have.

LICENSING HOURS

- 5.4.4 The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics and activities of the business and examining any steps that might reduce the risk of nuisance.
- 5.4.5 The Council recognises that longer licensing hours for the sale of alcohol will avoid concentrations of people leaving premises at the same time, which is necessary to reduce the potential for friction at late night fast food outlets, taxi ranks/minicab offices and other sources of transport that can lead to disorder and disturbance.
- 5.4.6 The Council will not set fixed trading hours within designated areas (“zoning”) as it recognises this could lead to significant movements of people across boundaries at particular times seeking premises opening later and would lead to the peaks of disorder and disturbance the Council is trying to avoid. Additionally, this would seemingly treat residents in one area less favourably than those in another.
- 5.4.7 However, although the Council will treat each case on its individual merits, generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

SHOPS, STORES AND SUPERMARKETS

- 5.4.8 The Council acknowledges that the Guidance issued under section 182 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.
- 5.4.9 However, there is local concern about crime and disorder associated with shops licensed to sell alcohol off the premises. Accordingly, while the Council will treat each case on its individual merits there will be a presumption that permitted hours for the sale of alcohol will be restricted to between 8am and

11.30pm on Sunday to Thursday and 8am to midnight on Friday and Saturday in respect of shops in residential areas or within one of the four relevant Cumulative Impact Zones where representations are made by the police and/or local residents and where premises are shown to be a focus of crime, disorder or nuisance. Applications to vary the permitted hours for the sale of alcohol off the premises within the above hours shall similarly be treated on their merits

PREVENTION OF PUBLIC NUISANCE - GENERALLY

5.4.10 The Council will expect applicants to demonstrate in their Operating Schedule that they have identified satisfactory measures and will implement and maintain these so as to prevent public nuisance, having due regard to the style, characteristics and activities of their particular premises and events and of the locality.

5.4.11 The following examples of influencing factors are given to assist applicants when addressing the issue of the prevention of public nuisance during the preparation of their Operating Schedule:

- the location of the premises and proximity to residential or other noise sensitive premises
- effective and responsible management and supervision of the premises and associated open areas
- the hours of opening
- the nature of the activities to be provided and their location within the premises, the customer profile, whether the activities are temporary or permanent and whether they are to be held inside or outside
- the design and layout of the premises and in particular the presence of noise limiting features
- the number of people attending the premises
- the availability of public transport
- a 'wind down' period between the end of the licensable activities and the closure of the premises
- a 'last admission time' policy

5.4.12 Public nuisance issues may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management and supervision of the premises, including any outside areas
- appropriate instruction, training and supervision of staff to prevent public nuisance
- adoption of current best practice guidance (i.e. Good Practice Guide on the Control of Noise from Pubs and Clubs produced by the Institute of Acoustics), including designing shop fronts so as to limit noise nuisance from premises, i.e. from opening windows or continental-style concertina doors

- control of opening hours for all or part (i.e. garden areas) of the premises – including other times when deliveries take place/rubbish and bottles are binned – and the operation of generating plant and equipment
- installation of acoustic insulation, suitably controlled, sited and silenced ventilation or air conditioning systems and sound insulation and limiting devices
- managing people, including staff and traffic, arriving and leaving the premises, including patrolling entrance queues
- managing the departure of customers
- liaising with transport providers
- siting and operation of necessary external lighting, including security lighting, with the possible nuisance to nearby properties
- suitable arrangements for collection and disposal of litter, including bottles, so as to minimise disturbance to nearby properties
- no flyposting of events/careful distribution of flyers, including by promoters
- effective ventilation systems to prevent nuisance from odour

Note: As this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases, and in some cases additional matters may need addressing.

5.4.13 Additionally, when preparing their Operating Schedules applicants are recommended to seek advice from Council Pollution Enforcement Officers.

5.4.14 The Council will consider attaching Conditions to licences and permissions to prevent public nuisance.

5.5 Protection of Children from Harm

ACCESS TO LICENSED PREMISES

5.5.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, to buy food and/or for entertainment.

5.5.2 Although the 2003 Act details certain age and/or time limitations on the admission of accompanied or unaccompanied children to certain types of licensed premises, the Council recognises that additional limitations may have to be considered where it appears necessary to protect them from physical, moral or psychological harm.

5.5.3 The Council will consider the merits of each application before deciding whether to impose conditions limiting the access of children to individual premises.

5.5.4 While no policy can anticipate every situation, the following are examples of premises that will raise concern:

- where entertainment or services of an adult or sexual nature is commonly provided;
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

5.5.5 When dealing with a licence application where limiting the access of children is considered necessary, the Council may consider any of the following options, in combination where appropriate:

- limitations on the hours when children may be present;
- limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
- limitations on the parts of premises to which children might be given access;
- age limitations (below 18);
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

5.5.6 The Council will not impose conditions on licences or certificates requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee. However, where applicants volunteer prohibitions and limitations in their operating schedules and no relevant representations have been made to the Council, these will become conditions attached to the licence/certificate conditions and will be enforceable as such.

RESPONSIBLE AUTHORITY

5.5.8 The Council recognises the Croydon Children's Safeguarding Board and any successor groups to be the 'responsible authority' competent to advise on matters relating to the 'protection of children from harm', and to whom copies of applications should be sent.

CHILDREN IN LICENSED PREMISES – GENERALLY

5.5.13 The Council will expect applicants to demonstrate in their Operating Schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, having due regard to the style, characteristics and activities of their particular premises and/or events.

5.5.14 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. Applicants should consider the following influencing factors, for which there is the potential for children to be exposed, when addressing the issue of protecting children from harm during the preparation of their Operating Schedule:

- drugs, drug taking or drug dealing
- gambling
- activities of an adult or sexual nature
- incidents of violence or disorder
- environmental pollution such as noise or smoke
- special hazards such as falls from heights
- opportunities to purchase, acquire or consume alcohol

Note: A number of these factors are listed in more details in paragraph 5.5.6, but as this Policy applies to a wide range of premises and activities, the above list will not be applicable in all cases, and in some cases additional matters may need addressing.

5.5.15 Protection of children from harm issues may be addressed by the following examples of recommended management practice being included in operating schedules, having due regard to the type of premises and/or activities:

- effective and responsible management of premises
- provision of a sufficient number of people employed or engaged to secure the protection of children, including child performers, from harm
- appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- adoption of best practice guidance (Public Places Charter)
- limitations on the hours when children may be present in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirement for children to be accompanied by an adult
- appropriate instruction and training for counter staff in the prevention of underage sales, including acceptance of accredited 'proof of age' identification, such as a photo card driving licence, a passport, a citizens card, a validate card or a scheme which carries the PASS hologram logo and keeping a 'refusal' book.

5.5.16 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from Council Licensing and Child Protection Officers.

5.5.17 The Council will consider attaching Conditions to licences and certificates to protect children from harm.

5.5.18 While the Council expects Licence holders to comply with the law, the 2003 Act details a number of specific offences designed to protect children in

licensed premises and the Council will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the underage sale and supply of alcohol to children.

6. INTEGRATING STRATEGIES and AVOIDING DUPLICATION

6.1 There are many stakeholders in the leisure industry covering a wide range of disciplines and although their strategies are not always directly related to the promotion of the licensing objectives, they often indirectly impact upon them.

6.2 The Council therefore acknowledges the importance of co-ordinating and integrating these policies, strategies and initiatives and will maintain multi-disciplinary working groups to ensure its licensing policy integrates with local crime prevention, planning, transport, tourism, race equality schemes and cultural strategies, as well as any other plans relating to the management of the town centre and the night-time economy.

CRIME PREVENTION

6.3 Conditions attached to Licences and Certificates will, so far as possible, reflect local crime prevention strategies. Examples of such conditions can be found in the Pool of Conditions relating to prevention of crime and disorder contained in the Statutory Guidance to the Act.

CULTURAL STRATEGIES

6.4 The Council will make arrangements to monitor the impact of licensing on regulated entertainment, particularly live music, ensuring that only necessary, proportionate and reasonable licensing conditions impose any restrictions on such events.

6.5 Where there is any indication that such events are being deterred by licensing requirements, the statement of licensing policy will be examined to see if the situation might be reversed.

PLANNING AND BUILDING CONTROL

6.8 The Council recognises that there should be a clear separation of the planning, building control and licensing regimes in order to avoid duplication and inefficiency.

6.9 Licensing applications will not be a re-run of the planning application and will not cut across decisions made by the planning committee or permissions granted on appeal.

6.10 The Council will however expect applications for premises licences or for a variation to an existing premises licence at permanent commercial premises to be from businesses having the relevant planning consent for the property concerned. In addition, persons submitting temporary event notices should ensure the premises in question has the requisite planning consent for the

proposed activities and hours of operation. Where this is not the case, applicants will be expected to show good reason why the premises do not have planning permission.

- 6.11 The Croydon Local Plan sets out the criteria that will be used to assess planning applications for any changes of use that require planning permission. Some changes of use do not require planning permission but an application for prior approval may be required to ascertain whether there are matters related to the change of use that do require planning permission. Applicants should contact the Council's Development Management service at development.management@croydon.gov.uk with any enquiries related to planning applications or the prior approval process.
- 6.12 Any application for planning permission will be expected to take into account the impact of noise and fumes (and other forms of potential nuisance) on neighbouring premises and to provide details of any mitigating measures, as applicable.
- 6.13 The Council will ensure that if requested, reports will be sent from the licensing committee to the planning committee advising them of the situation regarding licensed premises in Croydon, including the general impact of alcohol related crime and disorder, to assist them in their decision-making.

ADVANCING EQUALITY

- 6.14 The Council recognises its legal obligation under the Equality Act 2010 to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a characteristic and those who don't.
- 6.15 The Council will assess and consult on the likely impact and monitor for any adverse impact on the advancement of equality which may arise as a result of this Policy Document and will publish the results.

DUPLICATION

- 6.16 The Council will, so far as possible, avoid duplication with other legislation and regulatory regimes that already place obligations on employees and operators, e.g. the Health and Safety at Work etc. Act 1974, the Environmental Protection Act 1990, the Regulatory Reform Fire Safety Order 2005 and the Equality Act 2010 in respect of accessibility for disabled people.
- 6.17 Conditions relating to public safety will only be attached to premises licences and club premises certificates where considered necessary for the promotion of that licensing objective and not covered by any other legislation and where regulations do not cover the unique circumstances of certain licensable activities in specific premises.
- 6.18 The Council acknowledges that bingo clubs are dealt with under the Gambling Act 2005 and will have due regard to the relevant advice regarding duplicating

licence conditions which has been given under both this legislation and the 2003 Act when dealing with applications relating to alcohol, regulated entertainment or late night refreshment under the 2003 Act.

9. STANDARDISED CONDITIONS

- 9.1 Where Conditions are properly attached to licences or certificates they will be tailored to the individual style and characteristics of the particular premises and events concerned.

10. ENFORCEMENT

- 10.1 It is essential that licensed premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act and it is the responsibility of premises licence holders and designated premises supervisors (where applicable) to ensure this happens and that regulatory compliance is maintained. The Council and its partners will make arrangements to monitor premises and take appropriate enforcement action to ensure this but enforcement action should be considered to be the last resort and such intervention should not be necessary where premises are operated & managed effectively.

- 10.2 Each of the Responsible Authorities under the Act may make representations on an application or seek a review of a premises licence/club premises certificate, based on concerns around any of the licensing objectives. That said, it is anticipated that specific responsible authorities will take a central advisory & enforcement role, as necessary, with regard to relevant licensing objectives, for example –

- Prevention of crime and disorder – Police
- Prevention of Public Nuisance – Council Environmental Health (Pollution) Team and the Planning Department
- Public Safety – Council Food & Safety Team or HSE (as applicable) and the LFB
- Protection of Children from Harm – Croydon Children's Safeguarding Board, Police and the Trading Standards Team

- 10.3 Under the London Borough of Croydon Licensing Act 2003 Enforcement Protocol, originally approved by the Council's substantive Licensing Committee on 21 June 2006, using the principles of risk assessment, the Council will work closely with the responsible authorities in enforcing licensing law and inspecting licensed premises. This should ensure that resources are more effectively concentrated on problem and high risk premises. This Protocol shall be reviewed, through a separate process to this policy review in the coming months and an updated version shall be available from the Council Licensing Team and posted on the Council's website.

10.4 The Council will carry out its regulatory functions in accordance with good enforcement practice and particular regard will be had to fundamental principles. In that regard, Enforcement shall be:

- Targeted
- Consistent
- Transparent
- Proportionate
- Necessary

Any enforcement activity shall be undertaken in a fair, open and consistent manner in conformity with the above principles.

The Home Office has produced Statutory Guidance under Section 182 of the Licensing Act 2003. The following paragraphs from the Guidance are reproduced below to assist the sub committee –

Disclosure of personal details of persons making representations

9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

9.27 In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.

9.28 Where licensing authorities consider that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, they may wish to consider alternative approaches.

9.29 For instance, they could advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.

9.30 The licensing authority may also decide to withhold some or all of the person's personal details from the applicant, giving only minimal details (such as street name or general location within a street). However, withholding such details should only be considered where the circumstances justify such action.

Imposed Conditions

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

4.2 All relevant parties have been made aware of the date, time and location of the Sub Committee meeting.

4.3 An Ordnance Survey extract map of the area with the application premises at the centre is attached at Appendix A4.

The Licensing Team, Place Department 6th Floor, Zone A
Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA.

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We MAHALAKSHMI FOOD LIMITED

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises detail

Postal address of premises or, if none, ordnance survey map reference or description			
MAHALAKSHMI FOOD 890 LONDON ROAD			
Post town	THORNTON HEATH	Postcode	CR7 7PB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

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- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

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SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name MAHALAKSHMI FOOD LIMITED
Address 890 LONDON ROAD THORNTON HEATH CR7 7PB
Registered number (where applicable) 13433077
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any)
E-mail address (optional)

AI

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Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	2	062022

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THESE ARE NEWLY REFURBISHED PREMISES DESIGNED TO TRADE AS A SPECIALIST SRI LANKA GROCERY CONVENIENCE STORE SERVING THE LOCAL COMMUNITY. THE BUSINESS WISHES TO OFFER A RANGE OF SRI LANKAN & UK BRANDED ALCOHOL PRODUCTS FOR SALE.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?
(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

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K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09.00	22.00	
Tue	09.00	22.00	
Wed	09.00	22.00	
Thur	09.00	22.00	
Fri	09.00	22.00	
Sat	09.00	22.00	
Sun	09.00	22.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

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M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Merton Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
4. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
5. No super-strength beer, lagers, ciders or spirit mixtures of 6.0% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles as per prior approval of the Police in writing.
6. No miniature bottles of spirits of 10 cl or below shall be sold from the premises.
7. No more than (10)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
8. All alcohol products will be displayed from behind the counter and there will be no self-service of alcohol product.
9. The shop will only sell a minimum of four cans of beer, lager or cider to any one customer at a time. There shall be no sale of less than four cans to any customer in any one transaction.
10. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be immediately available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
12. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification

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cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon request.
16. Alcohol Refresher training will be undertaken in writing at least at six monthly intervals.
17. As soon as possible, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
18. We will liaise/write with the Local Police & appropriate support organisations as agreed with the council from time to time to ban named persons from using our shop to buy alcohol and would request photographs of banned persons so all premises staff are made aware who are banned persons. These records would be kept confidential.
19. An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following:
 - (a) All crimes reported to the venue.
 - (b) All ejections of patrons.
 - (c) All complaints received concerning crime and disorder.
 - (d) Any incidents of disorder.
 - (e) All seizures of drugs or offensive weapons.
 - (f) Any faults in the CCTV system.
 - (g) Any visit by a relevant authority in relation to service
20. The store frontage will be swept daily.
21. There will always be at least one personal licence holder on duty at the premises during trading hours.

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Merton Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of

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- recent CCTV images or data with the absolute minimum of delay when requested.
3. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
 4. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
 5. No super-strength beer, lagers, ciders or spirit mixtures of 6.0% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles as per prior approval of the Police in writing.
 6. No miniature bottles of spirits of 10 cl or below shall be sold from the premises.
 7. No more than (10)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
 8. All alcohol products will be displayed from behind the counter and there will be no self-service of alcohol product.
 9. The shop will only sell a minimum of four cans of beer, lager or cider to any one customer at a time. There shall be no sale of less than four cans to any customer in any one transaction.
 10. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
 11. As soon as possible, the premises shall join the local Pub-watch or other local crime reduction scheme approved by the police, and local radio scheme if available.
 12. The Premises licence holder will liaise/write with the Local Police & appropriate support organisation's, as agreed with the council from time to time to ban named persons from using our shop to buy alcohol and would request photographs of banned persons so all premises staff are made aware who are banned persons. These records would be kept confidential.
 13. An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;
 - (a) All crimes reported to the venue.
 - (b) All ejections of patrons.
 - (c) All complaints received concerning crime and disorder.
 - (d) Any incidents of disorder.
 - (e) All seizures of drugs or offensive weapons.
 - (f) Any faults in the CCTV system.
 - (g) Any visit by a relevant authority in relation to service
 14. Storage Of Alcohol - Alcohol shall be covered from public view outside of the licensable hours.
 15. There will always be at least one personal licence holder on duty at the premises during trading hours.

**The Licensing Team, Place Department 6th Floor, Zone A
Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA.**

c) Public safety

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Merton Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. As soon as possible, the premises shall join the local Pub-watch or other local crime reduction scheme approved by the police, and local radio scheme if available.
4. The Premises licence holder will liaise/write with the Local Police & appropriate support organisations as agreed with the council from time to time to ban named persons from using our shop to buy alcohol and would request photographs of banned persons so all premises staff are made aware who are banned persons. These records would be kept confidential.

d) The prevention of public nuisance

1. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon request.
4. Alcohol Refresher training will be undertaken in writing at least at six monthly intervals.
5. As soon as possible, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
6. The Premises licence holder will liaise/write with the Local Police & appropriate support organisations as agreed with the council from time to time to ban named persons from using our shop to buy alcohol and would request photographs of banned persons so all premises staff are made aware who are banned persons.

**The Licensing Team, Place Department 6th Floor, Zone A
Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA.**

These records would be kept confidential.

e) The protection of children from harm

1. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be immediately available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
2. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
3. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
4. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon request.
5. Alcohol Refresher training will be undertaken in writing at least at six monthly intervals.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. [Applicable to all individual applicants, including those in a partnership which is not a limited liability X
- partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). X


**The Licensing Team, Place Department 6th Floor, Zone A
Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA.**

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	24 th MAY 2022
Capacity	AGENT

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

**The Licensing Team, Place Department 6th Floor, Zone A
Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA.**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
RICHARD BAKER RB RETAIL & LICENSING SERVICES LIMITED XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX			
Post town	XXXXXXXXXXXX	Postcode	XXXXXX
Telephone number (if any)	XXXXXXXXXXXX		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) XXXXXXXXXXXXXXXXXXXX			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:

From: Richard Baker [REDACTED]
Sent: 21 June 2022 22:48
To: LICENSING
Subject: NEW Premises Licence Application - 890 London Road, Thornton Heath, CR7 7PB - supporting representation in the form of a petition
Attachments: Jeya petition 1.jpg; Jeya petition 2.jpg; Jeya petition 3.jpg; Jeya Petition 4.jpg; Jeya Petition 5.jpg; Jeya Petition 6.jpg; Jeya petition 7.jpg; Jeya petition 8.jpg; Jeya Petition 9.jpg; Jeya Petition 10.jpg; Jeya Petition 11.jpg; Mahalakshmi Food - Petition -agreed proposed conditions.doc
Categories: Teiren

Dear Croydon Council Licensing officer,

Please find attached a petition produced by the applicant and supplied to RB Retail & Licensing Services (The Licensing agent) for its submission to Croydon Licensing dept as supporting evidence.

The petition was left on the counter during the 28 day consultation stage for customers of the applicants business to read and if they so wished, to respond. The customers were able to object to the application as well as support or make a comment if the customer saw fit.

The petition was supported by a list of conditions that were offered within the submitted premises licence application. These conditions were also available on the counter in the form of an A4 sheet of paper for customers to peruse ideally prior to making a decision as to whether they wished to sign the petition for or against or indeed whether they wanted to take part at all.

The petition consists of 11 sheets and an offered condition sheet.

Please confirm receipt and that the petition will be listed as supporting evidence should the council be in receipt of valid objections against the application which will result in a licensing hearing.

Any queries please call me.

May I request a confirmation of receipt please.

Many thanks and keep safe.

Kind regards

Richard

Richard Baker
Direc
RB Retail & Licensing Services Limited
Mobile: [REDACTED]

Richard W R Baker -- RB Retail & Licensing Services Limited - Telephone: [REDACTED], Facsimile: [REDACTED], All correspondence to: RB Retail & Licensing Services Limited - [REDACTED]. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient you must not copy, distribute or use the communication in any other way. If you receive this email in error please contact the sender as soon as possible and delete the email and any attachments. We believe

3

Mahalakshmi Food Store has applied for a new premises licence to allow:

- the sale of alcohol for consumption off the premises from 9am until 10pm each day

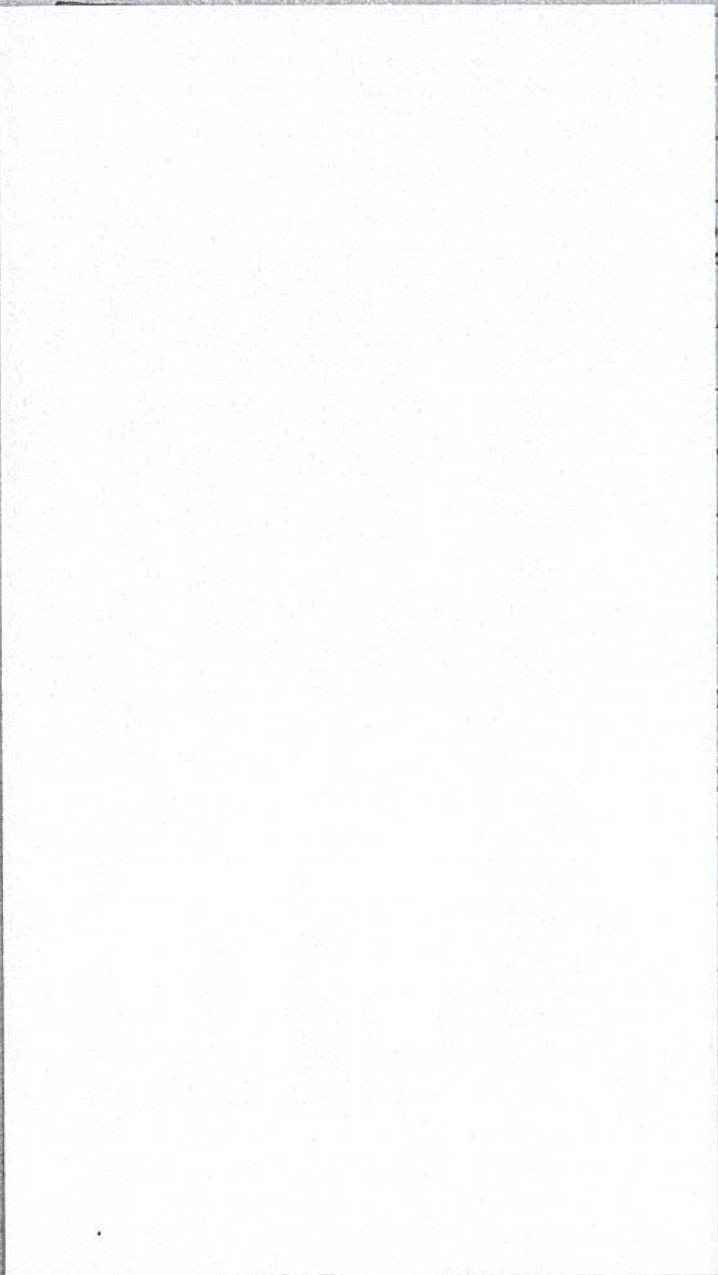
A list of legally enforceable conditions offered with the application is attached.

Please consider whether you feel the proposed variation is likely to undermine any of the licensing objectives:

- (1) the Prevention of Crime and Disorder;
- (2) the Prevention of Public Nuisance;
- (3) Public Safety; or
- (4) the Protection of Children from Harm.

Thank you for taking the time to sign the petition. Please print in block capitals.

Name	Address	Signature	I support the Application	I oppose the Application	'No Comment' or 'Comment'	Date
------	---------	-----------	---------------------------	--------------------------	---------------------------	------



✓						29/05/2022
✓						24/05/2022
✓						24/5/22
✓						25/5/22
✓						28.5.22
✓						30/5/22
✓						31/5/22
✓						2/06/22
✓						2/6/22
✓						2/6.22
✓						2/6/22
✓						02/06/22
✓						02/06/22
✓						02/06/22
✓						2/6/22
✓						28/5/22
✓						3/6/22
✓						03/06/22
✓						05/06/22

④

Mahalakshmi Food Store has applied for a new premises licence to allow:

- the sale of alcohol for consumption off the premises from 9am until 10pm each day

A list of legally enforceable conditions offered with the application is attached.

Please consider whether you feel the proposed variation is likely to undermine any of the licensing objectives:

- (1) the Prevention of Crime and Disorder;
- (2) the Prevention of Public Nuisance;
- (3) Public Safety; or
- (4) the Protection of Children from Harm.

Thank you for taking the time to sign the petition. Please print in block capitals.

Name	Address	Signature	I support the Application	I oppose the Application	'No Comment' or 'Comment'	Date
------	---------	-----------	---------------------------	--------------------------	---------------------------	------

			✓			5/11/22
			Yes			5/6/22
			✓			5/11/22
			✓			6/6/22
			✓			6/6/22
			✓			6/6/22
			✓			7/6/22
			✓			7/6/22
			✓			8/6/22
			✓			8/6/22
			✓			8/6/22
			✓			8/6/22
			✓			9/6/22
			✓			9/6/22
			✓			09/06/22
			✓			10/06/22
			✓			10/06/22

7
 Al-Balad Food Store has applied for a new premises licence to allow
 the sale of alcohol for consumption off the premises from 9am until 10pm each day.
 A list of legally enforceable conditions offered with the application is attached.
 Please consider whether you feel the proposed variation is likely to undermine any of the licensing objectives:
 (1) the Prevention of Crime and Disorder;
 (2) the Prevention of Public Nuisance;
 (3) Public Safety; or
 (4) the Protection of Children from Harm.

Thank you for taking the time to sign the petition. Please print in block capitals.

Name	Address	Signature	I support the Application	I oppose the Application	'No Comment' or 'Concern'	Date
			YES			17/6/22
			yes			17/6/22
			yes			17.6.22
			YES			17.6.22
			YES			17.6.22
			YES			18.6.22
			YES			18/6/22
			YES			18/6/22
			YES			18.6.22
			YES.			18.6.22
			YES			18.6.22
			Yes			18.6.22
			Yes			18.6.22
			Yes			18/6/22
			Yes			18/6/22
			Yes			18.6.22
			Yes			18.6.22

8 Manakshmi Food Store has applied for a new premises licence to allow:
 • the sale of alcohol for consumption off the premises from 9am until 10pm each day

A list of legally enforceable conditions offered with the application is attached.
 Please consider whether you feel the proposed variation is likely to undermine any of the licensing objectives:

- (1) the Prevention of Crime and Disorder;
- (2) the Prevention of Public Nuisance;
- (3) Public Safety; or
- (4) the Protection of Children from Harm.

Thank you for taking the time to sign the petition. Please print in block capitals.

Name	Address	Signature	I support the Application	I oppose the Application	'No Comment' or 'Comment'	Date
------	---------	-----------	---------------------------	--------------------------	---------------------------	------



✓						17/6/22
✓						17/6/22
✓						18/06/22
✓						18/6/22
✓						18/6/22
✓						18/6/22
✓						18/6/22
✓						18/6/2022
✓						18/6/2022
✓						18-6-2022
✓						18/6-2022
✓						18-6-22
✓						19.06.22
✓						19.06.22.

19

Mahalakshmi Food Store has applied for a new premises licence to allow:

- the sale of alcohol for consumption on the premises from 9am until 10pm each day

A list of legally enforceable conditions offered with the application is attached.

Please consider whether you feel the proposed variation is likely to undermine any of the licensing objectives:

- (1) the Prevention of Crime and Disorder;
- (2) the Prevention of Public Nuisance;
- (3) Public Safety; or
- (4) the Protection of Children from Harm.

Thank you for taking the time to sign the petition. please print in block capitals.

Name	Address	Signature	I support the Application	I oppose the Application	'No Comment' or 'Comment'	Date
			✓			19/6/2022
			✓			19/6/22
			✓			19/6/2022
			✓			19.6.2022
			✓			19/6-22
			✓			19/6/22
			✓			19/6/22
			✓			19/6/22
			✓			19/6/22
			✓			19/6/22
			✓			19/06/22
			✓			19/06/22
			✓			19/06/22
			✓			19/06/22
			✓			19/06/22
			✓			20/6/22
			✓			20/6/22
			✓			20/6/22
			✓			20/06/22

10

Mahalakshmi Food Store has applied for a new premises licence to allow:

- the sale of alcohol for consumption off the premises from 9am until 10pm each day

A list of legally enforceable conditions offered with the application is attached.

Please consider whether you feel the proposed variation is likely to undermine any of the licensing objectives:

- (1) the Prevention of Crime and Disorder;
- (2) the Prevention of Public Nuisance;
- (3) Public Safety; or
- (4) the Protection of Children from Harm.

Thank you for taking the time to sign the petition. Please print in block capitals.

Name	Address	Signature	I support the Application	I oppose the Application	'No Comment' or 'Comment'	Date
------	---------	-----------	---------------------------	--------------------------	---------------------------	------



			✓			19/6 22
			✓			19/6 22
			✓			19/6 22
			✓			19/6 2022
			✓			19/6
			✓			19/6 22
			✓			19/6/22
			✓			19/6/22
			✓			20/6/22
			✓			20 6/22

List of Offered conditions which are legally enforceable for Mahalakshmi Food Store licence application.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Merton Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and timestamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
4. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
5. No super-strength beer, lagers, ciders or spirit mixtures of 6.0% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles as per prior approval of the Police in writing.
6. No miniature bottles of spirits of 10 cl or below shall be sold from the premises.
7. No more than (10)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
8. All alcohol products will be displayed from behind the counter and there will be no self-service of alcohol product.
9. The shop will only sell a minimum of four cans of beer, lager or cider to any one customer at a time. There shall be no sale of less than four cans to any customer in any one transaction.
10. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be immediately available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
12. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol. The premises licence guidance manual will be the basis of alcohol sales training. Records of the training programme shall be maintained and made available to authorised Officers upon request.
16. Alcohol Refresher training will be undertaken in writing at least at six monthly intervals.
17. As soon as possible, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
18. We will liaise/write with the Local Police & appropriate support organisations as agreed with the council from time to time to ban named persons from using our shop to buy alcohol and would request photographs of banned persons so all premises staff are made aware who are banned persons. These records would be kept confidential.
19. The store frontage will be swept daily.
20. There will always be at least one personal licence holder on duty at the premises during trading hours.
21. An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;
 - (a) All crimes reported to the venue.
 - (b) All ejections of patrons.
 - (c) All complaints received concerning crime and disorder.
 - (d) Any incidents of disorder.
 - (e) All seizures of drugs or offensive weapons.
 - (f) Any faults in the CCTV system.
 - (g) Any visit by a relevant authority in relation to service

End

~~Subject: Mahalakshmi Food Limited - 890 London Road~~

From: ~~XXXXXXXXXXXX~~
Sent: 16 June 2022 12:13
To: LICENSING
Subject: Mahalakshmi Food Limited - 890 London Road

Categories: ~~XXXXXX~~

Dear Officer,

I'm ~~XXXXXX~~ from ~~XXXXXX~~, I'm writing this email to give my objection for the alcohol licence application of Mahalakshmi Food Limited in 890 London Road.

The reasons:

- In London Road there are too many shops selling alcohol, and definitely we don't need anymore in this area.
- Too many drunks can be seen in this area, and personally I'm woman and it's not safe for me going and come back from work alone any time.
- Opposite Mahalakshmi Food Limited there is also a Paxton Academy, and another off licence there, it will be create an unsafe environment for parents and kids.
- On 26th of January 2022 the Sub-Committee gave 11 reasons and refuse the application, and in 6 months this reasons are remaining the same, because still crime is going on in London Road.

I hope the Council will make the right decision and refuse again this application.

Sincerely,

~~XXXXXXXXXX~~

From: [REDACTED]
Sent: 15 June 2022 23:24
To: LICENSING
Subject: Premise license
Attachments: Decision Letter - Uthayakulam Sinnappu.rtf; Collect & Go docx-2.docx
Categories: Teiren

My name is [REDACTED] and I am writing to oppose the granting of license to [REDACTED] Mahalakshmi Food Ltd ,390 London Road , Thornton Heath , CR7 7PB. Below I have attached a letter for the reason for the opposition of the premise license. Additionally previously the same individual applied for the premise license however this was rejected. Therefore I have attached a copy of the rejection by the Licensing Officers.
Thank you

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXX~~
~~XXXXXX~~

23 11 2021

Place Department
Licensing Team,
6th Floor, Zone A,
Bernard Weatherill House,
8, Mint Walk,
Croydon,
CR0 1EA

End of consultation date: 09 12 21

RE: Application for Premises Licence- ~~XXXXXXXXXXXXXXXXXXXX~~, Mahalakshmi Food Ltd, 390, London Road, Thornton Heath, CR7 7RB.

I vehemently oppose the grant of this premises licence as this area has many shops with off-licence facility and in the recent past anti social activity has increased tremendously. Grant of this licence will further increase the anti social behaviour to the detriment of the local residents.

This part of the London Road has many alcoholics and homeless people. We are already distressed of their unruly activity. Please be reminded that there is a school nearby. Urinating and ruff sleeping on the pavement has increased recently.

I humbly request not to consider this application favourably in the best interest of the local residents.

Yours faithfully,

~~XXXXXXXXXXXXXXXXXXXX~~

A3

CROYDON
www.croydon.gov.uk

Place Department
Licensing Team
6th Floor, Zone B
Bernard Weatherill House
8 Mint Walk
Croydon
CR0 1EA

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
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~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXX~~
~~XXXXXX~~

Tel/Typetalk: 020 8686 4433 X61838
Fax: 020 8633 9661
Minicom: 020 8760 5797
Email: Licensing@croydon.gov.uk

Our Ref: 21/03099/LIPREM
Date: 31 January 2022

Dear ~~XXXXXXXXXXXXXXXXXXXX~~

The Licensing Act 2003
Application for Premises Licence: Ground Floor Shop 890 London Road
Thornton Heath CR7 7PB

I am writing concerning the representations you made on the recent application for a premises licence at the above address.

This application was considered by the Licensing Sub-Committee at their meeting on Wednesday 26th January 2022 and their determination was as follows –

The Licensing Sub-Committee considered the Application for a Premises Licence at **890 London Road, Thornton Heath, CR7 7PB** and the representations received as contained in the report of the Interim Corporate Director, Sustainable Communities, Regeneration & Economic Recovery, Culture & Community Safety.

The Sub-Committee also considered the representations made by the Applicant, the Applicant's Licensing Agent and the objector 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.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 and the Council Licensing Policy, **RESOLVED to REFUSE** 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 Sub-Committee

considered that the objective of the prevention of public nuisance was relevant in relation to the consideration of the matter as well as the Cumulative Impact policy adopted by the Council which relates to high levels of alcohol related crime and alcohol related hospital admissions in areas where it is clear that the density of shops selling alcohol for consumption off the premises is significantly higher than in other parts of the borough.

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee noted that the premises are situated on the A23 in a parade of shops with a primary school diagonally opposite the premises. There was a petrol station and large retailer on the other side of the road. The Sub-Committee heard that there were a number of off-license premises in close proximity to the proposed premises.
2. In respect of prevention of public nuisance objective, 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. In this regard the Sub-Committee considered the concerns raised relating to anti-social behaviour arising in the area due to drunkenness and the associated harms.
3. 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.
4. However, there are concerns about parts of the borough which experience high levels of alcohol related crime and alcohol related hospital admissions and where it is clear that the density of shops selling alcohol for consumption off the premises is significantly higher than in other parts of the borough. As a result, the Council has considered it

appropriate to designate areas within Croydon as being subject to a special Cumulative Impact Policy in respect of off licences and shops and supermarkets selling alcohol off the premises. The premises in question fall within a cumulative impact area as detailed within the Council's Statement of Licensing Policy.

5. The effect of this is that where relevant representations are received on any new applications for a premises licence to sell alcohol off the premises, there will be a presumption under the special policy that the application will be refused. The Cumulative Impact Policy is intended to be strict, and will only be overridden in genuinely exceptional circumstances. However, the Licensing Sub-Committee was clear that it considered each matter on its own merits and did not apply this policy inflexibly. It will always consider the individual circumstances of each application; even where an application is made for a proposal that is apparently contrary to policy.
6. To this end the Sub-Committee specifically drew the attention of the Applicant and the Applicant's Licensing Agent to the provisions in the policy and invited the opportunity to explain to the committee why they considered that their application could be an exception to the policy. In response, the Applicant and his agent made reference to what the applicant had set out in his operating schedule, how he would support the licensing objectives and indicated that customers had asked for alcohol to be sold which the applicant wished to do as it would improve income at the premises.
7. The Sub-Committee, whilst sympathetic to the desire to generate more income and improve revenue by making sales of alcohol from the premises, were clear that commercial need is not a matter which is a relevant consideration for the sub-committee to take into account in determining whether or not the licensing objectives would be satisfied or indeed if the application could be considered exceptional so that the cumulative impact policy ought not to be applied. In this regard the Sub-committee had regard to the statutory guidance at paragraph 14.19 which

provides that "Need" concerns the commercial demand and is a matter for the planning authority and for the market and not a matter for a licensing authority in discharging its licensing functions.

8. The Sub-Committee considered whether or not the amendment to the Applicant's application to reduce the proposed hours for sale of alcohol by one hour each day (a reduction from 11.30 pm to 10.30pm) would impact on the application of cumulative impact policy and whilst the Sub-Committee felt that this indicated a willingness to work with the Licensing Authority in light of concerns raised the Sub-Committee were not satisfied that this amendment would amount to exceptional circumstances within the policy.
9. The Sub-Committee specifically had reference to paragraph 4.27 of the Council's Statement of Licensing Policy which provides that "the Licensing Authority will not consider a case to be exceptional merely on the grounds that the premises have been or will be operated within the terms of the conditions on the licence, or that are or will be generally well managed because of the reputation or good character of the licence holder or operator. This is expected in the conduct of all licensed premises."
10. The Sub-Committee noted the suggestion by the Applicant and the Applicants' Agent that granting the license for this premises would mean that neighbouring shops would have more competition and would therefore reduce the cost of alcohol sold on their premises which would ultimately benefit the customer. The Sub-Committee was concerned that this showed a lack of appreciation for the issues in the area which are detailed within the Licensing Statement of Policy and in the representations because one of the concerns in introducing the cumulative impact areas was around reducing availability, affordability and attractiveness of alcohol in those areas which are already subject to significant levels of alcohol-harm and related crime where it is clear that the density of shops selling alcohol for consumption off the premises is significantly higher than in other parts of the borough. The Sub-Committee did not consider that this suggestion would support the

licensing objectives and had the potential to exacerbate concerns already present in the area.

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11. 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.

May I draw your attention to Part 1 of Schedule 5 to the Licensing Act 2003, which concerns the rights of appeal in this matter.

Should you wish to discuss matters or require clarification on any point, please contact us.

Yours sincerely



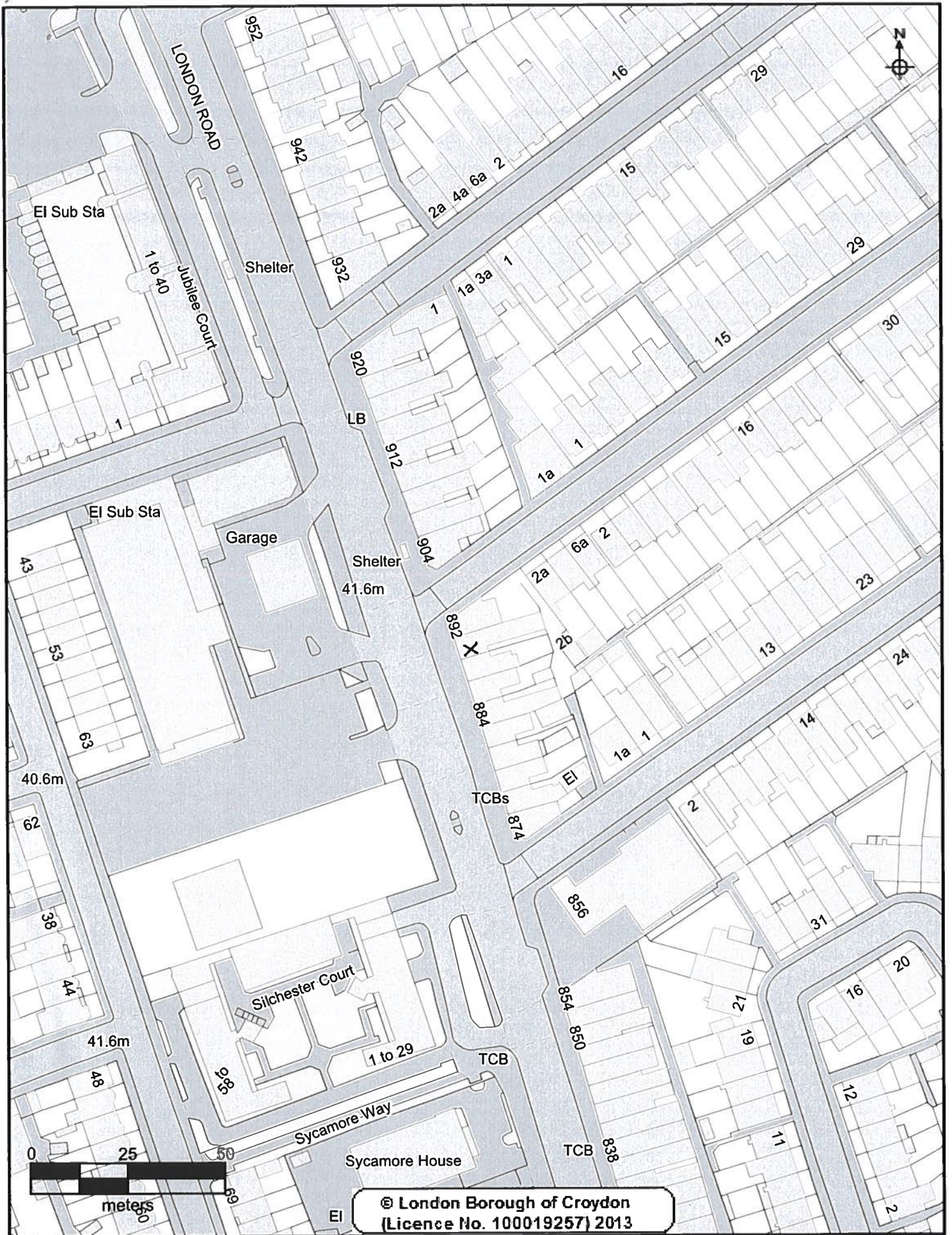
Licensing Officer

SUBJECT: OBJECTION TO THE ALCOHOL LICENSE APPLICATION OF MAHALAKSHMI FOOD LTD- 890 LNDON ROAD-CR7 7PB

Reason for this:

London road already suffers from a high amount of drunk and homeless people. Having another off licence in this area will encourage more people on the streets and attract more anti-social behaviour (this road already suffers from fly-tipping and people urinating on the street). There is already an off licence, there is no need for another so close to this location. We hope that the council understands the huge distress and concern that will be caused to children and local residents if this application is accepted.

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London Borough Croydon

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