

Licensing Sub-Committee Agenda



To: Councillors Patsy Cummings, Margaret Bird and Nina Degrad

A meeting of the **Licensing Sub-Committee** which you are hereby invited to attend, will be held **Thursday, 11 August 2022 at 10.30 am. This meeting will be held remotely.**

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

Tariq Aniemeka-Bailey
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020 8726 6000 Ext: 64109
Wednesday, 3 August 2022

Members of the public are welcome to watch the webcast both live and after the meeting has completed at <http://webcasting.croydon.gov.uk>.

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 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 19 High Street, South Norwood, SE25 6EZ (Pages 5 - 78)

The Sub-Committee is asked to determine whether to grant the application for a premises licence at 19 High Street, South Norwood, SE25 6EZ.

6. LICENSING ACT 2003 - Application for a premises licence at 77-79 Mitchley Avenue, Croydon, CR2 9HN (Pages 79 - 126)

The Sub-Committee is asked to determine whether to grant the application for a premises licence at 77-79 Mitchley Avenue, Croydon, CR2 9HN.

7. LICENSING ACT 2003 - Application for a premises licence at 290 Lower Addiscombe Road, CR0 7AE (Pages 127 - 174)

The Sub-Committee is asked to determine whether to grant the application for a premises licence at 290 Lower Addiscombe Road, CR0 7AE

8. 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 11 August 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:	South Norwood
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 19 High Street, South Norwood, SE25 6EZ.

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 party 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 party 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

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APPENDIX A

1. The Application

- 1.1 This report concerns an application by Banana Island Lounge Ltd. for a premises licence at 19 High Street, South Norwood, SE25 6EZ.
- 1.2 The application seeks the following licensable activities, between the hours shown –

Provision of Regulated Entertainment, namely Recorded Music
Sunday to Thursday 1200 hours (midday) to 0000 hours (midnight)
Friday and Saturday 1200 hours (midday) to 0130 hours on the following days

Sale by Retail of Alcohol
Sunday to Thursday 1200 hours (midday) to 0000 hours (midnight)
Friday and Saturday 1200 hours (midday) to 0130 hours on the following days

Provision of Late Night Refreshment
Sunday to Thursday 2300 hours to 0000 hours (midnight)
Friday and Saturday 2300 hours to 0130 hours on the following days

- 1.4 A copy of the application is attached at Appendix A1.
- 1.5 Would the sub committee please note that following discussions with the Police licensing officer, the applicant has amended their application and now seeks the hours shown above for licensable activities, as opposed to the hours requested in the original application form. In addition, the applicant has also amended their application to have the conditions at Appendix A2 placed on the licence if the application is granted.

2 Promotion of Licensing Objectives

2.1 The applicant provides details under Section 18 of their application, headed Licensing Objectives 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 variation application is granted.

3 Relevant representations

- 3.1 Representations have been received on this application. Copies are attached at Appendix A3.
- 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 –

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.

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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

- Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business	<input type="text" value="Director"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.
Registered Address		Address registered with Companies House.
Building number or name	<input type="text" value="19"/>	
Street	<input type="text" value="High Road"/>	
District	<input type="text"/>	
City or town	<input type="text" value="South Norwood"/>	
County or administrative area	<input type="text" value="London"/>	
Postcode	<input type="text" value="SE25 6EZ"/>	
Country	<input type="text" value="United Kingdom"/>	

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name	<input type="text" value="BANANA ISLAND LOUNGE"/>
Street	<input type="text" value="19 HIGH STREET"/>
District	<input type="text"/>
City or town	<input type="text" value="SOUTH NORWOOD"/>
County or administrative area	<input type="text" value="LONDON"/>
Postcode	<input type="text" value="SE25 6EZ"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="11,000"/>

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of 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.

REFER TO OPERATION SCHEDULE ATTACHED TO APPLICATION

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment
Will you be providing plays?
 Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment
Will you be providing films?
 Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment
Will you be providing indoor sporting events?
 Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment
Will you be providing boxing or wrestling entertainments?
 Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment
Will you be providing live music?
 Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment
Will you be providing recorded music?
 Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 12:00

End

Start

End 01:45

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 12:00

End

Start

End 01:45

WEDNESDAY

Start 12:00

End

Start

End 01:45

THURSDAY

Start 12:00

End

Start

End 02:45

FRIDAY

Start 12:00

End

Start

End 02:45

SATURDAY

Start 12:00

End

Start

End 02:45

SUNDAY

Start 12:00

End

Start

End 01:45

Will the playing of recorded music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- Indoors
- Outdoors
- Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

WITHIN THE RESTAURANT, BAR & LOUNGE PREMISES BACKGROUND MUSIC AND CONTROLLED MUSIC.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
NEW YEARS EVE, NEW YEARS DAY.

Continued from previous page...

EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
START TIME 12.00 TO END TIME 03.45

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
NEW YEARS EVE, NEW YEARS DAY.
EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
START TIME 12.00 TO END TIME 03.45

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:45"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:45"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="02:45"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text" value="01:45"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors
 Outdoors
 Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.
 EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
 START TIME 12.00 TO END TIME 03.45

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.
 EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
 START TIME 12.00 TO END TIME 03.45

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.

Continued from previous page...

EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.

START TIME 12.00 TO END TIME 03.45

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.
 EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
 START TIME 12.00 TO END TIME 03.45

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.
 EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
 START TIME 12.00 TO END TIME 03.45

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor

Continued from previous page...

As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NA

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.
 EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
 START TIME 12.00 TO END TIME 04.00

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ALL BANK HOLIDAYS AND BANK HOLIDAYS WEEKEND.
 CHRISTMAS EVE, CHRISTMAS DAY, BOXING DAY.
 NEW YEARS EVE, NEW YEARS DAY.
 EASTER WEEKENDS, EASTER EVE AND EASTER DAYS.
 START TIME 12.00 TO END TIME 04.00

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

REFER TO OPERATION SCHEDULE

b) The prevention of crime and disorder

REFER TO OPERATION SCHEDULE

c) Public safety

REFER TO OPERATION SCHEDULE

d) The prevention of public nuisance

REFER TO OPERATION SCHEDULE

A1

Continued from previous page...

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e) The protection of children from harm

REFER TO OPERATION SCHEDULE

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o any playing of recorded 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.
 - o any playing of recorded 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.
 - o any playing of recorded 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 proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees are calculated on the valuation of the premises. The value can be found on voa.gov.uk Fees range from £100 - £315 please phone Licensing team to confirm 020 87605466 Rateable Value (commercial) £0 - £4,300= £100 £4,301 - £33,000= £190 £33,001- £87,000=£315 £87,001 - £125,000=£450 £125,000 and over=£635

Please note there is a surcharge of 1.65% if you pay by credit card. There is no surcharge for debit card▲

* Fee amount (£)

190.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS****Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

[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, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

BANANA ISLAND LOUNGE

19, High Street, London, SE25 6EZ

OPERATING SCHEDULE

Name of Applicant:

BANANA ISLAND LIMITED

Name of DPS:

Mr. Sunday Ola Ajayi

Address of Premises:

19, High Street, London, SE25 6EZ

1. INTRODUCTION

- 1.1 It is the primary objective of the Proprietor, Designated Premises Supervisor (“DPS) and Management (together referred to as “the Management”) of **Banana Island Lounge** to operate in a manner designed to minimise risk to customers, employees, neighbours, or persons in the near vicinity of the premises.
- 1.2 The Management seek to operate successfully, providing a high quality venue for the enjoyment of customers in a manner that does not adversely impact on the quality of life of neighbouring residents, businesses or passers-by.
- 1.3 The Management will not tolerate breaches of the Law on the premises.
- 1.4 At all times the Lounge will be operated within the terms and conditions of its Premises Licence.
- 1.5 All staff will be made aware of and expected to embrace these objectives, acting in a manner most likely to achieve them.
- 1.6 The Management will be a member of the Neighbourhood watch and will co-operate with initiatives promoted and supported by that Organisation. Management will also seek to play a role in any community initiatives designed to promote “safer drinking” or minimise problems associated with alcohol.
- 1.7 Management intend to commit to the “**Challenge 25 Scheme**” to prevent illegal sales to under-aged persons. Specifically, where any person thought to be under twenty-five wishes to purchase alcohol, staff will ask for identification in the form of a **Passport, Photo Driving Licence or a “proof of age”** scheme card incorporating the “**PASS**” hologram. Notices to this effect shall be displayed in clear and prominent positions in the premises.
- 1.8 Management intend to commit to the “**Ask Angela Scheme**” to prevent anyone from harm.
- 1.9 Management recognise that no offence is committed if the purchase of alcohol is for someone aged 16 or 17 and it is either beer, wine or cider, and it is consumed with a table meal in the restaurant and then are accompanied by someone aged 18 or over.
- 1.10 Management will endeavour to always be available to discuss licensing problems with the local police or local authority and will endeavour to participate in any scheme providing direct communications between Management and the Authorities.
- 1.11 Management will maintain a health and safety policy that is regularly under review. Risk Assessment will also be carried out and will be regularly reviewed. Staff will be aware of these policies and Management will endeavour to enforce them.

2. STYLE OR MODE OF OPERATION

- 2.1 The Lounge, known as **Banana Island Lounge** is a well-furnished premises offering a luxurious and relaxed ambience for its patrons. It will specialise in the provision of high quality Afro-Caribbean and European cuisine, Lounging and bar services.
- 2.2 A specimen menu, including the provision of hot and cold soft drinks, beers, lagers and other consumable alcohol is attached to this Operating Schedule.
- 2.3 The Management intend to let the premises for hire for the occasional private functions such as small Wedding reception, Milestone Birthday parties, Graduation parties, Christenings, Office and Companies End of the year parties etc.
- 2.4 The primary use of the facilities will always remain that of a Restaurant/Bar Lounge, providing high quality dining. The hiring of the facilities for private functions as set out above is very much a secondary, ancillary use. The business plan anticipates that such private functions will generate a small fraction of the overall turnover of the business.
- 2.5 Capacity Limits: The maximum number of patrons (including staff) allowed at the premises shall not exceed total of **110** people. Seating for no less than **50** patrons will be provided in the restaurant area and another **50** on the couches and bar stools. There will be room for **10** member of staff.
- 2.6 The premise is provided with adequate facilities to monitor and control the number of persons present at the premises. Such facilities are capable of providing the number of persons currently on the premises and shall be made available to authorised officers on request. There is also a face recognition system in that the faces of all patrons entering the premises will be covered by, and recorded on the CCTV system.

3. **DOOR SUPERVISION**

- 3.1 A register shall be maintained by the **DPS recording details of the SIA registered Door Supervisor** if there is a need to have one. This shall record their **full name, home address and contact number, the Door Supervisor's SIA registration number and the time they commenced and concluded working**. If the Door Supervisor is supplied by an agency, **details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number**. This shall be made available for inspection by authorised officers at all times.
- 3.2 Management do not consider that Door Supervisors will be required at any lunch time nor for late night closing on Mondays to Wednesdays and Sunday Nights. On Thursday nights, Friday nights, and Saturday nights a **Door Supervisor** may be required to be on duty from **10 pm** till when the premises close. Also on this night includes all the bank holidays and bank holidays weekends, Christmas eve, Christmas day, boxing day, new year's eve, new year's day.
- 3.3 All Door Supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear "**high visibility clothing**" and clearly displaying their SIA badge.

4. TRAINING POLICY FOR STAFF

- 4.1 All staff members will be provided with a copy of the company's Operating Schedule, will be required to read the Operating Schedule in full, and will then be required to **sign an appropriate document confirming that they have received and read the Operating Schedule**. All staff will be required to re-read the Operating Schedule at or around six monthly intervals and will be required to sign an appropriate document confirming that they have done so.
- 4.2 The DPS shall ensure that all staff at the commencement of their employment are made aware of the law regarding the refusal of supply of alcohol to any person who is drunk or who is under age, and shall be trained on how to seek identification from anyone who appears to be under age. Such training will include commitment to and adoption of the **Challenge 25 Scheme** to prevent illegal sales to under-aged persons. Specifically, where any person thought to be under 25 wishes to purchase alcohol, staff will be trained to always ask for identification in the form of a passport, photo driving licence or a "proof of age" scheme card incorporating the **"PASS" hologram**. In addition to this initial training on commencement of employment, staff will be required to participate in the structured training sessions that will be held internally for all members of staff every six months or thereabouts. Staff will then be required to sign an appropriate document confirming that they have participated in the training sessions.
- 4.3 Management will provide training to all staff at the commencement of employment in respect of the **importance of being aware of, and the signs and consequences of drinks spiking**. Training on this issue will be included in the six monthly training sessions stated above. A training on "ASK ANGELA" will also be in place
- 4.4 Management shall maintain a "open door" policy in respect of staff who have any queries or concerns regarding the operation of the premises, and in particular regarding any matters on which they have received, or would like to receive training. This will ensure that such queries are dealt with promptly, on an ongoing basis, without having to wait for the set training sessions.
- 4.5 Management will keep training needs under periodic review in light of experience at the premises and elsewhere in the borough and wider community, so that prompt training can be given in respect of actual or possible future problems without having to wait for scheduled training to take place.
- 4.6 **Training records of staff** will be made available to the **Licensing Authority or any Relevant Responsible Authority**, including the police, when requested.
- 4.7 **New Staff Members:** - All new members of shall, **before first starting to sell alcohol, be trained as to their responsibilities under the Licensing Act 2003, namely sales to underage, persons already intoxicated, sales by proxy, licensable hours, conditions attached to the premises licence**. This training will be recorded in a staff training log book and be made available on demand to any Police Officer, Police Community Support Officer or an authorised officer of the Local Authority.

4.8 **Record of Authorisation:** - A written record of those authorised to make sales of alcohol shall be kept, this will be endorsed by the DPS with the date such an authorisation commences. This record shall be available to any police officer, police community support officer or authorised officer of the Licensing Authority.

4.9 **Incident Log:** - An incident log book will be kept at the premises and made available on request to any authorised Licensing officer or police in which will record: -

- 4.10 all crimes reported at the venue
- 4.11 all ejections of patrons
- 4.12 any complaints received
- 4.13 any incidents of disorder
- 4.14 all seizures of drugs or offensive weapons

5. **PUBLIC ORDER, CRIME AND SAFETY**

- 5.1 The **DPS** will be responsible for liaison with the police and other licensing authorities. Should he become aware of any crime and/or disorder either within the premises or connected to the premises he will ensure the authorities are informed and supported in their actions/activities. In the absence of the DPS, the PLH, the **Manager** on duty will assume these responsibilities.
- 5.2 An **Incident Log Book** shall be kept at the premises. This book will be maintained and kept for a **minimum of 12 months**. It shall be readily available for inspection by an Authorised Person of the Licensing Authority or a Relevant Responsible Authority throughout the trading hours of the premises. This log should record
- 5.3 All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call.
- 5.4 All other incidents of noise, nuisance, anti-social behaviour or crime by persons attending or leaving the premises of which any member of staff or door supervisor becomes aware, including, where appropriate, whether the police were called.
- 5.5 Any incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.
- 5.6 The premises will operate a zero tolerance policy towards drugs.
- 5.7 Searching will take place in full view of CCTV if there is need to and must be done by a licensed SIA door supervisor.
- 5.8 The objective of periodic, random searching is to deter customers/users from bringing anything into the premises that might cause harm to themselves or others, and this includes illegal substances or other items for unlawful use or sale into the premises.
- 5.9 If in the course of any search, items such as those stated at (g) are found, they will be confiscated and the customer either refused entry to the premises and thereafter barred or if already in the premises will be escorted out of the premises and thereafter barred. Seized illegal substances will be placed in the locked "drug box" and handed to the police as soon as reasonably possible. All such incidents will also be recorded in the Incident Book on site.

Drug/Weapon Box:

A well secured storage box will be located at the premises in which all drugs and offensive weapons found or seized will be stored to await collection by the police. This box will be kept locked and secured in a secure a secured place and will be accessed by Management only when depositing items or when being emptied by police.

- 5.10 A prominent notice will be displayed at the entrance to the bar within the premises notifying arriving customers of the fact that they may be searched. Any customer refusing to co-operate will be excluded from the premises. The Notice may also deal with other matters, such as age limitations, and other conditions of entry. Staff will look out for unattended property and warn customers to keep property safe.
- 5.11 At all times emergency exits will be kept clear and unobstructed.
- 5.12 Members of staff will at all times co-operate with police in any investigations that the police initiate.
- 5.13 No one will be allowed entry into the premises if they appear to be drunk.
- 5.14 It will be emphasised to staff, and they will be appropriately trained, to remain calm and non-confrontational at all times.
- 5.15 At the start of each opening day Management will check escape routes, exits including fire doors are in order and not obstructed, free of trip hazards, and will check to ensure emergency exit signs are working and that the emergency lighting system is in order. Staff will be briefed to be aware of these requirements and monitor them throughout the time that the premises is open. A fire risk assessment required under the Regulatory Reform (Fire Safety) Order 2005 (as amended) will be completed and be available for inspection by an authorised officer.
- 5.16 CCTV: CCTV system shall be installed, kept and maintained at all times during the currency of the licence.
- 5.17 **Bottles and glasses:**
 - 5.17.1 Where glass bottles are used in the premises, they will be retained or disposed of the premises.

6. **SUPPLY OF ALCOHOL AND PROTECTION OF CHILDREN**

- 6.1 Subject to paragraph 1(f), it is a criminal offence to supply alcohol to a person aged under 18 years. If any member of staff suspects that a customer is under 25 years of age and that person wishes to purchase alcohol, staff will ask for identification in the form of a Passport, Photo Driving Licence or a "Proof of Age Scheme" card incorporating the "PASS" hologram. This is in line with the "Challenge 25 Scheme". If identification is not produced or is considered unsatisfactory the customer/user will not be served alcohol and the DPS or PLH informed. When such an incident occurs a record will be kept in the **Incident Report Book**.
- 6.2 Only credible photo identification will be accepted, as stated at paragraph above.
- 6.3 A prominent and clear notice shall be displayed at the point of entry into the premises and at the bar advising customers that they may be asked to produce evidence of their age.
- 6.4 A prominent and clear notice shall be displayed in the bar area of the premises about the supply of alcohol to minors and the relevant offences involved.
- 6.5 If a customer is exhibiting signs of intoxication within the bar, the DPS (or in his or her absence the PLH) will be called. The customer will be asked to behave in a manner so as not to upset other customers and be offered non-alcoholic refreshment if he/she wishes to remain in the premises. If necessary the customer should be asked to leave, but every effort made to make him/her do so amicably and quietly. A taxi (at his/her expense) might be called to take them away if required.
- 6.6 The consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.

7. **NOISE / NUISANCE**

- 7.1 Although the Management do not anticipate any problems concerning noise/nuisance, it will nevertheless liaise and cooperate with the licencing authority and local residents should any problems arise.
- 7.2 The Management will take all reasonable steps to ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises/nearest residential property, including the residential premises around the restaurant/bar.
- 7.3 Prominent, clear and legible notices at the exit to the premises shall be displayed on the premises requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
- 7.4 The placing of bottles into receptacles outside the premises by staff shall take place at times that will minimise disturbance to nearby residents.
- 7.5 A person nominated by Management shall be responsible for monitoring noise level to ensure, as far as reasonable, that local residents are not disturbed.
- 7.6 Adequate and suitable (lidded) receptacles shall be provided to receive and store refuse from the premises.
- 7.7 Receptacles for refuse storage shall be maintained in a clean condition.
- 7.8 Litter shall be prevented at all times and where identified, regularly cleared from the vicinity of the premises.






8. DISPERSAL POLICY

- 8.1 Management acknowledge the potential for neighbourhood noise and disturbance when customer's exit at night, and especially at closing time. All reasonable efforts will be made to minimise this potential nuisance and it will be the responsibility of all members of staff to support this policy.
- 8.2 Notices will be displayed at the exit asking customers to leave quietly and to respect the neighbours.

9. PUBLIC RELATIONS

- 9.1 Management will make all reasonable efforts to maintain good relations with those living and working in the vicinity. Appropriate meetings can be held if required, at which such people can comment on the operation of the restaurant/bar.
- 9.2 Management will keep a log of all lost property and the police will be notified of this. The restaurant/bar will retain the items for three months.
- 9.3 A telephone number will be made available to any local resident or member of public if any matters of concern arise in relation to the operation of the premises, and this will reinforce the assurances the management have already given to some local residents.

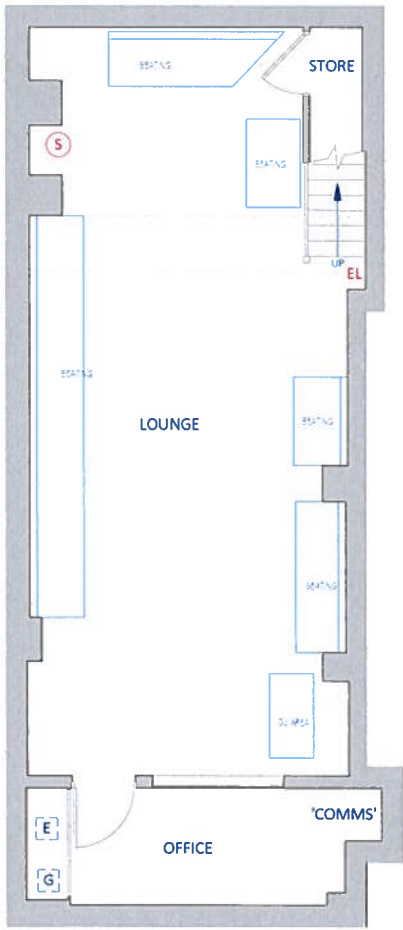
NOTES

-  SMOKE DETECTOR/ALARM
-  EMERGENCY LIGHT
-  FIRE ESCAPE SIGN
-  CEILING PROFILES (INDICATIVE)
-  STAIR DIRECTION (DIRECTION ALWAYS UP UNLESS OTHERWISE STATED)

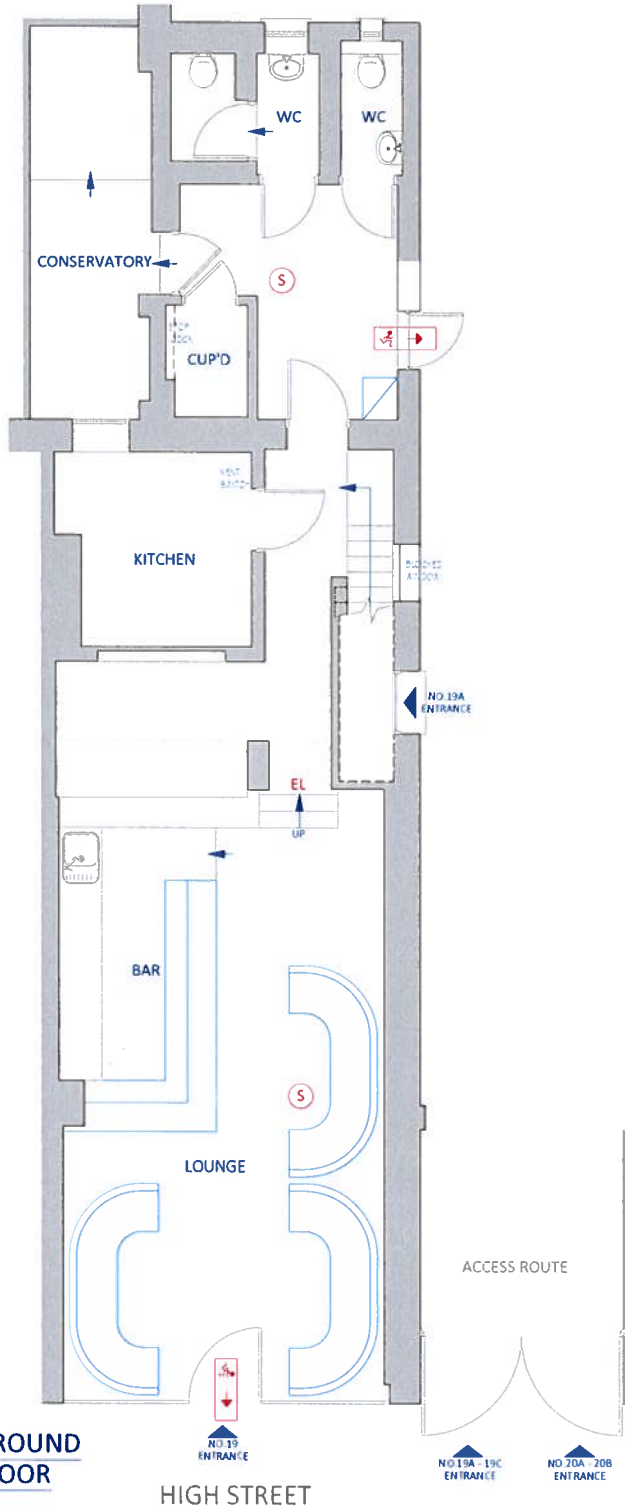
PLANS PRODUCED FOR LICENSING PURPOSES ONLY.

PLANS PRODUCED FOR LICENSING PURPOSES ONLY

PLEASE NOTE - A4 PLANS TO BE PRINTED "AS IN DOCUMENT" NOT ENLARGED OR SHRUNK TO FIT PAGE

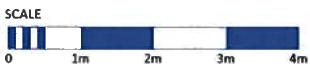


BASEMENT



GROUND FLOOR

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client BANANA ISLAND LOUNGE	address 19 HIGH STREET LONDON SE25 6EZ	location BASEMENT & GROUND FLOOR LICENSING PLAN	date 21.01.2021	scale 1:100	sheet A4	 Plan London <small>Architectural & Planning Services</small>
			dwg no. PL13892-01	revision	drawn MF/PB	

Conditions for Banana Island Lounge, 19 High Street, South Norwood, London.

1. Staff shall be given training by the DPS in relation to Licensing Act 2003, conflict management and the protection of children from harm. Refresher training shall be given every 6 months and records shall be kept at the premises and made available for inspection by the police or authorised official from the local authority
2. All staff shall undertake, yearly, Welfare and Vulnerability Training and in addition to Counter Terrorism Training ACTE.
3. The venue must provide its own written policy in relation to searching, drugs, weapons and theft. Signage shall be displayed at the entrance of the premises and in toilets explaining a zero tolerance to drugs
4. A CCTV system shall be installed at the premises covering the entrance, the external area and all internal areas. A head and shoulders image to identification standard shall be captured of every person entering the premises. Images shall be kept for 31 days and supplied to the police or local authority on request.
5. The premises shall have a written dispersal policy.
6. Staff will assist customers by providing a license taxi number or have a license taxi called to the venue if so required.
7. Ensure that a comprehensive incident register is maintained, at the premises. The DPS shall ensure that details of incidents shall be added to the register within 24hrs of any incident. CCTV images of any incident will be recorded and kept at the premises along with a copy of the incident report and written reports from all members of staff involved

The following details shall be recorded: -

Date of the incident

Time of the incident

Location of the incident

Persons concerned

Summary of incident

Identification of any Emergency Services Personnel who attended

8. No alcohol or glass ware shall be permitted to leave the premises.
9. Any Promoted events held at the premises must be risk assessed; this risk assessment should be written and available to Police upon request.
10. All promoted events must have a written risk assessment (RA), this must include SIA numbers and search regime for the event. This RA must be

submitted to Croydon Police Licensing Team 14 days before the event takes place

11. The premises must ensure that an identification scanning device, capable of recording and checking details of identity documents is in use at the entrance of the premises from 2100 hours every Friday, Saturday, Christmas Eve, New Year's Eve, bank holidays and Sundays before a bank holiday from 21:00hrs until the premises closes. Every person regardless of age shall have valid and in date photo ID scanned. All photo ID must bear a resemblance to the person who enters the premises so that they can be easily identifiable on the head and shoulders on entry camera.
12. A minimum of two SIA door supervisors shall be deployed at the venue every Friday, Saturday, Christmas Eve, New Year's Eve, bank holidays and Sundays before a bank holiday from 21:00hrs until the premises closes
13. On days when Crystal Palace Football Club are playing at home a minimum of 1 door supervisor shall be deployed at the venue before the match, throughout the match and a suitable time after finishes.
14. Ensure that when Crystal Palace football club are playing at Selhurst Park, plastic/polycarbonate glasses shall be used and all bottles decanted from 3 hours before the start of the game until 3 hours after the finish of the game.
15. When door staff are used at the premises ensure that records are kept at the premises, of the following details of any door-supervisor employed at the premises:

Name and date of birth
Full 16 digit SIA badge number
Dates and times employed
Signature of the door-supervisor

These records shall be made available, in useable form, to the Metropolitan Police or authorised officers of the Security Industry Authority upon request.

16. A challenge 25 policy shall be in operation at the premises with operate signage on display throughout the premises.
17. Ensure that no members of the public are admitted to the premises after 0100hrs save for the re-admission of customers who have left the premises temporarily to smoke.

18. Ensure that a refusal book or electronic system to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.
19. No customers shall congregate in the side/service alleyway which runs adjacent to the premises to either smoke or drink. This area must remain clear at all times.

Rep 1.

It is by chance that the neighbouring properties are aware of this licensing application. This is of particular concern because Croydon council and the Met police have on record the public nuisance caused to the neighbouring properties by the previous owner's use of the outside area and alleyway for gatherings of drinkers. This resulted in the council and police taking dual action shut the shop in 2019.

The previous use of the outside area did not have music nor does it have sound proofing. The noise of people using the outside area of the premises went on every day from 4pm to 8pm. The gatherings of drinkers got louder the more they drank, the raised voices got louder as more people joined and that attracted random passers-by to wander into the alley and access the rear gardens of the properties on Suffolk Road causing alarm and distress to residents.

It is on record that the noise from the proposed licenced area causes unnecessary distress and noise pollution to the surrounding residential homes. This application will cause a public nuisance every day from 4pm till 1:45, 2:45 & 3:45 and must be refused on those grounds.

The children who live in the surrounding units have a right to be protected from the late night disturbances a proposal like this will bring so this proposal must also be refused to protect children from harm.

Further the neighbouring unit was given a licence to serve alcohol along with beauty treatments about 6 months ago. Turning another retail unit into a licenced premises, when both units flank the alley that leads to a number of residential units and the rear of the Suffolk Road gardens, has potential to attract random members of the public to check out the access to all residential units it leads to.

The applicant relies on sharing the alleyway, currently used by residents to enter and leave their properties, with his clients every night of the week till extremely late. This premises is wholly unsuitable for the proposed change of use and opening hours. The applicant throughout has not followed due process and has shown zero regard to the impact of this application on the many homes and families it will impose its noise and commercial kitchen fumes on.

The applicant's planning application states that the opening times will have no bearing on the change of use. The impact of a change of use on surrounding residential properties is a material planning consideration. A commercial kitchen flue has been installed minus planning permission, it is one Croydon council does not recommend to use and it is set within 5 meters of residential properties making them vulnerable to pollution from kitchen grease, odours and toxins.

I would like to clarify that the 2019 noise pollution from the application site yard and alleyway that leads to it was from daily gatherings of drinkers. The reason it forms part of my objection is that the noise from the conversations and smell of smoke impacted the surrounding residential homes.

The proposed use and operating schedule seek to replicate the noise pollution of 2019 ie people gathering in same place talking, drinking, smoking, but in far greater numbers and for much longer times. It should be crystal clear that approving a license for this unit will result in far greater noise pollution than that generated by the 2019 usage.

The residents would like officers to attend the site and visit the surrounding homes. We can speak with them from our gardens so they can properly understand the unsuitability of the site for the proposed licensable activities and hours of operation.

This application has already brought extreme stress to the surrounding families, struggling to cope with cost of living and holding down jobs, whose lives will be permanently disrupted where such usage allowed every night every day of the year.

I am writing to add to my comments objecting to the license application for 19 High Street to focus on the issue of the unlawfully installed commercial kitchen flue and the harm the incorrect design, siting and proposed usage will yield to the many residential properties and nursing home that are within 30M of the premises.

Please note some of the residential units are within 0.5M of the flue putting people at great risk from the hot, dirty fumes that this type of ventilation cowl is installed to disperse. The flue is surrounded by trees, wildlife, gardens, homes and people. Please note the proposed usage is every day.

The flue was installed by a single operative last year August - October 2021. It took 2 months to install. A new permanent structure made of wood and plastic roofing has also been erected under the flue. The structure covers the narrow access from the rear of the unit to the yard. The flue is not high enough and has a cowl top that diverts fumes down contrary to Croydon's ventilation guidelines. Was the installation was done to the proper standards and by a qualified engineer?

The guidelines stipulate that a commercial flue should be 1M higher than the eaves of the building it is set in, or if the nearest building is higher, then the flue should be 1M higher than the ridge of the nearest building. This flue is at the height of the eaves of the single storey extension not the main eaves of the unit. This flue stops under the windows of the residential flats above - note the amended drawing for the planning application omits the top-level windows on the rear wall of the property. This flue is set at the height of the Suffolk Road first floor bedroom windows.

The Suffolk Road properties are south facing and in the summer months windows have to be kept open for ventilation. Installation of a commercial kitchen flue will cause a public nuisance by polluting the surrounding area with toxins and noise on a daily basis till late into the night. It will render the surrounding residential amenities useless due to odours toxins and noise and must be refused on those grounds too. The flue should not have been installed without permission. The height should be 1M higher than the ridges of the Suffolk Road houses and the top of the flue should be the correct design that disperses toxins and pollutants upwards not down.

However all that is irrelevant given advice to applications for new commercial kitchen flues is that they must not be sited this close to this many residential units and nursing homes. This flue is within 5M to 10M of the Suffolk Road properties and must not be licensed due to the damage it will inflict upon the neighbouring homes (residential and nursing) from noise and odour.

I would also like to cover the proposed capacity levels of 110 for a unit of 145 sqm. The 145 sqm is set over 2 floors. The basement, previously used as storage space for the shop, is small, has no natural light and low ceilings. Capacity levels for late night bars are set as 4 sqm per person. This application far exceeds maximum capacity. There is simply not room for the adequate numbers of toilets needed. No urinal has been installed. It is clear that the alleyway and residential roads will be at risk from litter, waste and fouling that will have a

detrimental effect on the High Street and wider area. This application should be refused to prevent public nuisance, to protect the character of the Conservation area from harm and to protect residential amenity from nightly nuisance caused by noise, odour and toxins.

Rep 2.

I wish to complain in the strongest possible terms to this licence application.

As [redacted] has articulated in her enclosed letter, there is a history of reported illegal activities during the summer of 2019 when loud music and drunken individuals made a noise every weekend. I cannot believe that the council could even consider granting a licence to a premises surrounded by local residents. The applicant has already taken no regard whatsoever for planning permission in regards to erecting a dangerous and illegal flu directly opposite the [redacted] garden and directly underneath the neighbouring residential properties (see attached). There is an ongoing objection to this (21/00848/FULL objection).

In conclusion may I respectfully ask that the council respect the residents of Suffolk rd and that of the high street. It is not fair to have a late night drinking venue with night club licensing hours literally on our doorstep.

I do clarify that the noise from the summer of 2019 forms part of my representations simply because I do not want a repeat performance of several people leaving a late night drinking venue that backs onto [redacted], it kept me awake and caused a lot of distress. Please note that I also own the [redacted] property where [redacted] live) so my objections need to legitimately count as twice please.

The points raised in [redacted] letter also need to form part of my representations.

This should be a simple open and shut case, the venue is not suitable for a late night licence at all and if you came to see how many gardens backed onto it from Suffolk rd not to mention South facing balconies from Langham Court you would what what I mean. We have been here before, for a very long time illegal drinking and eating activities were organised in this venue and down the side alley and courtyard that backs onto [redacted] properties.

(See attached photos titled View 1, View 2 and View 3 as further information).

Rep 3.

I object to the proposed change of use from charity shop to bar.

A restaurant / bar has a very different impact on the local residents than a charity shop, from the noise involved, negative impacts of a kitchen i.e. rodents, to the much later opening times and drinkers spilling into the the outside areas - which back onto the gardens of a quiet residential street - as well as onto a busy high street at the front.

Noise - many of the occupiers of the homes on Suffolk Road, to the rear of this property, are young families. There is a grave concern about noise levels as drinkers come and go later at night when children are sleeping. Not to mention the amount of people who now work from home and many work in the evenings.

Safety - as the property backs onto the gardens of residential properties there is also a concern about safety when drinkers spill out at night. There is already a history of both council and police intervention in the illegal use of the property for late night drinkers, as well as the unlawful installation of a flu at the back of the property, which suggests the owners

aren't particularly interested in following the letter of the law. This will have a horribly negative impact on all the local residents in the area.

Outside space - with no space on the street for drinkers to spill into it seems likely they'll make use of the side and rear of the property which backs onto the gardens of residential homes.

Parking - restricted parking in the area may encourage use of private parking on Suffolk Road where we already suffer from private spaces being used by unauthorised parties. Not to mention the late night return of people to their vehicles on a quiet, residential street.

Charity shop - there should be an inclination towards the preservation of charity shops rather than shutting them down / changing their use.

The application appears to focus mostly on the ease of structurally altering the premises and not on the impact it could have on the local residents re: noise, nuisance, disorderly behaviour that comes with late night bars, safety to residents whose gardens back onto the premises and so on.

For these reasons I object to the proposed change of use.

Rep 4.

Further to comments I would like to add that I am horrified at the impact the proposed opening times will have on the surrounding residential homes.

Having read through the operating schedule I understand that the premises is to be open very late every night and will also be hired out for a wide range of private functions for up to 110 people that will open till 3:45 on Christmas Eve, Christmas day, Easter and Bank Holidays. We will not have a night off. I am a light sleeper and have early shifts the prospect of this unsuitable licence application has already brought huge amount of anxiety to the surrounding neighbours.

The proposed opening hours do not show any consideration to the surrounding residents and their amenities as our lives will be disrupted by noise pollution and toxins from the unlawfully installed commercial kitchen flu every night of the year. People who have to work will have their sleep disrupted by people revelling till the early hours who can then go home to sleep through the day.

The Manse nursing home will be impacted by the noise as the acoustics from the premises mean sound travels through the Tesco Express carpark at the back of the alleyway direct on to the Suffolk Road flank of the nursing home.

The fact that 3 nights a week will need a doorman will be present till 2:45 and that a secure safety box will be on premises for any weapons to be kept in suggests that trouble of some sort is anticipated. Access to the rear gardens of Suffolk Road is easily gained from the alleyway and the outside area of the proposed club. The police and council are aware of the noise pollution and intruder problems caused by the outside of the premises being used as a gathering place as it attracts random passers by who wander down the alley to check out what's there.

People leaving the club in the very early hours, in various states of inebriation, will cause disturbances to the streets and homes outside the premises. Putting up a sign asking patrons to leave quietly will have no meaningful effect.

Approval of a licence for this premises should not be given in order to prevent public nuisance. It should not be given to prevent crime and disorder and to protect children from harm.

Rep 5.

Further to comments, attached, I have seen the Operating Schedule for this application. The OS deviates completely from the Design and Access statement that sounded all soft and cuddly with a family restaurant for all generations. The reality of the proposed use has turned out to be quite the opposite from the D&A submission.

The hours of opening plus the security needed to support such use make this proposal totally unworkable in such a small space surrounded by residential homes and a large nursing home. The fact the applicant has submitted this application shows he has no regard for the many surrounding residential homes that this use will blight.

The proposed licensed area shares boundaries with a number of residential homes and gardens. The surrounding residents were disturbed by noise pollution from the previous owners use of the alleyway and tiny back yard for gatherings of drinkers. The council and Met Police shut it down. This proposal seeks to introduce amplified and live music plus DJs. The problems with noise pollution from the premises occurred minus amplified music and DJs. It will inflict far greater night time disturbance every night till very very late and must be refused to prevent public nuisance and protect children from harm.

The unit is 145sqm. The guidelines for use as a late night venue advise that for 145sqm the legal maximum capacity is 36 not 110 as the OS states. Approving such a large capacity would be against the law and risk public safety. The application should be refused to protect the public from harm.

There are 2 proposed toilets for 110 people and no urinal. The guidelines advise there should be at least 4 toilets and 1 urinal for such numbers plus 4 basins. There is simply not enough space for the applicant to install the required toilet facilities and what is proposed is inadequate. There are no public toilets in South Norwood. It is highly likely the alleyway and surrounding gardens and streets will be used as people get caught short. Granting a licence for this application will harm the surrounding residential areas and damage the character of the Conservation Area within which it is set.

The applicant claims there are many late night venues on the High Street. That is not correct. There are 4 pubs and a craft beer cabin that close at 11:30, some earlier and occasionally a there will be a late licence till 1am. They and do not open every night. There is a one late shop licenced to sell alcohol till 2am. The High Street is quiet in the evenings. It's busiest, most noisy time, is between 3:30pm - 5pm. To approve a licence for a late-night bar will negatively impact the character of the High Street attracting large numbers of people coming and going till very late into the night. The surrounding residential homes were only disturbed by the previous owner's use of the premises and are not disturbed by the noise of the many late night bars the applicant falsely claims to be open.

Finally the applicant states that he intends to hire out the venue for a range of late-night uses yet he claims that the primary function is a restaurant. The hours of opening and OS statement suggest that the restaurant is actually an auxiliary function as most of the opening time it will be used as a nightclub. This will be hugely harmful for the surrounding neighbourhood and residents and must be refused to protect the public from harm.

Rep 6.

Dear Licensing Team,

Please find my objections stated below.

- Preventing crime and disorder

The prevention of crime and disorder by the proposed use of these premises as referred to in the license application will be compromised in the following ways:

- - late night opening continuing into the early morning hours will encourage people to hang around the premises for no particular good reason. This used to be a charity shop which was closed down by the council due to the presence of criminal and anti-social activity. During this time groups of people used to gather round the locality displaying anti-social behaviour and a repeat of this must be prevented.
 - The proposed 'weapon box' highlights the proprietor views that patrons carrying illegal weapons/drugs to be a potential problem. The surrendering of such items cannot be guaranteed therefore leading to the premises, and by consequence the area, attracting individuals who participate in criminal activities

- Public Safety

The anti-social behaviour when the premises was a charity shop was very loud and people wishing to continue walking along the pavement used to have to move off from the pavement onto the road.

Regarding public safety in relation to pollution – a kitchen flue has been assembled, ready for use at the rear of the premises which borders many residential properties and gardens. Due to the incorrect installation lot of air pollution will be generated and compromise the safety of the local residents, the public, including children.

- Prevention of Public Nuisance

The prevention of public nuisance will be compromised by the bar/restaurant attracting people to the immediate area where they can congregate and contribute to noise pollution negatively impacting local residents, especially due to the the proposed opening times. Due to the limited availability of public transport in the early hours the question is raised as to how will people leave the premises after closing time? If via foot the likelihood of the noise level increasing in the local area is high as is congestion caused by parked vehicles used by patrons.

- The Protection of Children from Harm

The increase in air and noise pollution will impact both children's mental and physical health. Children as well as adults, but children more so need healthy sleep patterns,

which if interrupted is detrimental to their well-being. Their development at school will be impacted in the short term, with a negative cumulative effect on their long term education and ultimately life prospects. Their physical health will be negatively impacted by the output from the flue. There are children in the immediate vicinity and they need to be considered as a matter of great importance.

Overall, by inviting back the same usage, i.e. the gathering of drinkers, to the same place when it was a charity shop there is a strong possibility that the same or increased criminality and anti-social behaviour will be repeated.

I am giving permission to use my details and above content with other council departments.

Yours Sincerely,

Rep 7.

Dear Licensing Team

I am objecting to the license application for 19 High Street, South Norwood, SE25 6EZ, for the reasons set out below.

- Noise: The noise pollution would be very disruptive to the lives of the surrounding residents.
- Late Opening: People who have to get up early for work will have their sleep disrupted by people reveling until the early hours.
- Litter: There will be excessive litter left on the road and this will make our area look undesirable.
- Anti-Social Behaviour: People leaving the bar/restaurant in the early hours of the morning in various states of inebriation will cause distress to the residents. People being sick on the roads/pavements in front of homes creates more work for residents trying to maintain the upkeep of their properties.
- Health: The mental well-being of children should be taken into consideration. Lack of sleep leads to children not being able to focus on their learning. These children are the future generation and their health should not be compromised.
- Crime: Having a secure safety box on the premises for weapons suggests that trouble is anticipated. The Council wants South Norwood to be an up and coming area and granting this license would attract crime, making South Norwood an undesirable place to live.

As a long-standing resident of Suffolk Road, I trust that the committee will take my views seriously.

Rep 8.

To whomever it may concern,

I am a local resident of South Norwood, living on Suffolk Road, ~~SE25 6EZ~~.

I am writing to object to the licensing application from **19 High Street, South Norwood, London** ~~SE25 6EZ~~.

My reasons are as follows:

1. Prevention of public nuisance
 - a. Noise - the proposed licensed unit will cause noise pollution and would be disruptive to the surrounding residential homes. The application has requested opening hours from midday every day of the week until the early hours of the following morning (between 2am and 3am depending on the day). Furthermore, the application requests extended opening hours (closing at 4am) for all bank holidays and weekends. These extensive opening hours would prevent local residents from enjoying the peace of their own homes.
 - b. Limited parking - the immediate area already has limited parking so this unit may encourage the use of private parking on Suffolk Road, which already has experienced unauthorised use of private parking spaces. In addition, there would be late night returns of patrons to their vehicles on a quiet residential road.
2. Public safety and prevention of crime/disorder - there is a concern about patrons potentially overflowing into the surrounding area of the unit. There is also no outside space for the unit. This means patrons will either overflow onto the already narrow and busy high street (being obstructive to passing pedestrians) or to the side/rear of the property which backs onto residential homes and gardens on Suffolk Road (which could attract random members of the public to check the access of residential properties).

For the above reasons, I object to the application.

Rep 9.

Please see attached document called rep 9.



HOUSE OF COMMONS

LONDON SW1A 0AA

19 July 2022

Dear Licensing Committee,

RE: 19 High Street, South Norwood, SE25 6EZ

South Norwood residents have raised concerns with us about the licensing application for the above address. We would like the committee to consider the following concerns:

Prevention of crime and disorder

Residents believe the requested licensing hours are far too late for the area, will encourage large crowds to congregate under the influence of alcohol, and will subsequently lead to antisocial behaviour. Residents are already concerned about the lack of police presence in the area and are concerned that this will put additional stresses on services.

Residents inform us that the licence holder intends to install a weapons box. Residents state that if a weapons box is needed, then this does not bode well for the future safety of the venue and the area.

Prevention of public nuisance

A number of the residents live in the immediate vicinity of the venue. They state, as a club and late lounge, loud music will be played and this will greatly impact on their livelihoods.

Residents are also concerned about time of closure in relation to transport timings. They are concerned that closing so late would make it harder for customers to disperse from the vicinity and may result in large drunken crowds coalescing. They note that the applicant claimed there are no residential properties near the site which is manifestly untrue.

Public safety

Residents have raised concerns about the installation of the commercial kitchen flue. They understand that it has been installed incorrectly and potentially not in line with planning regulations. They tell us that it is installed within 0.5M of residential units and within 5M to 10M to the properties on Suffolk Road. They are concerned that this could greatly impact on their safety.

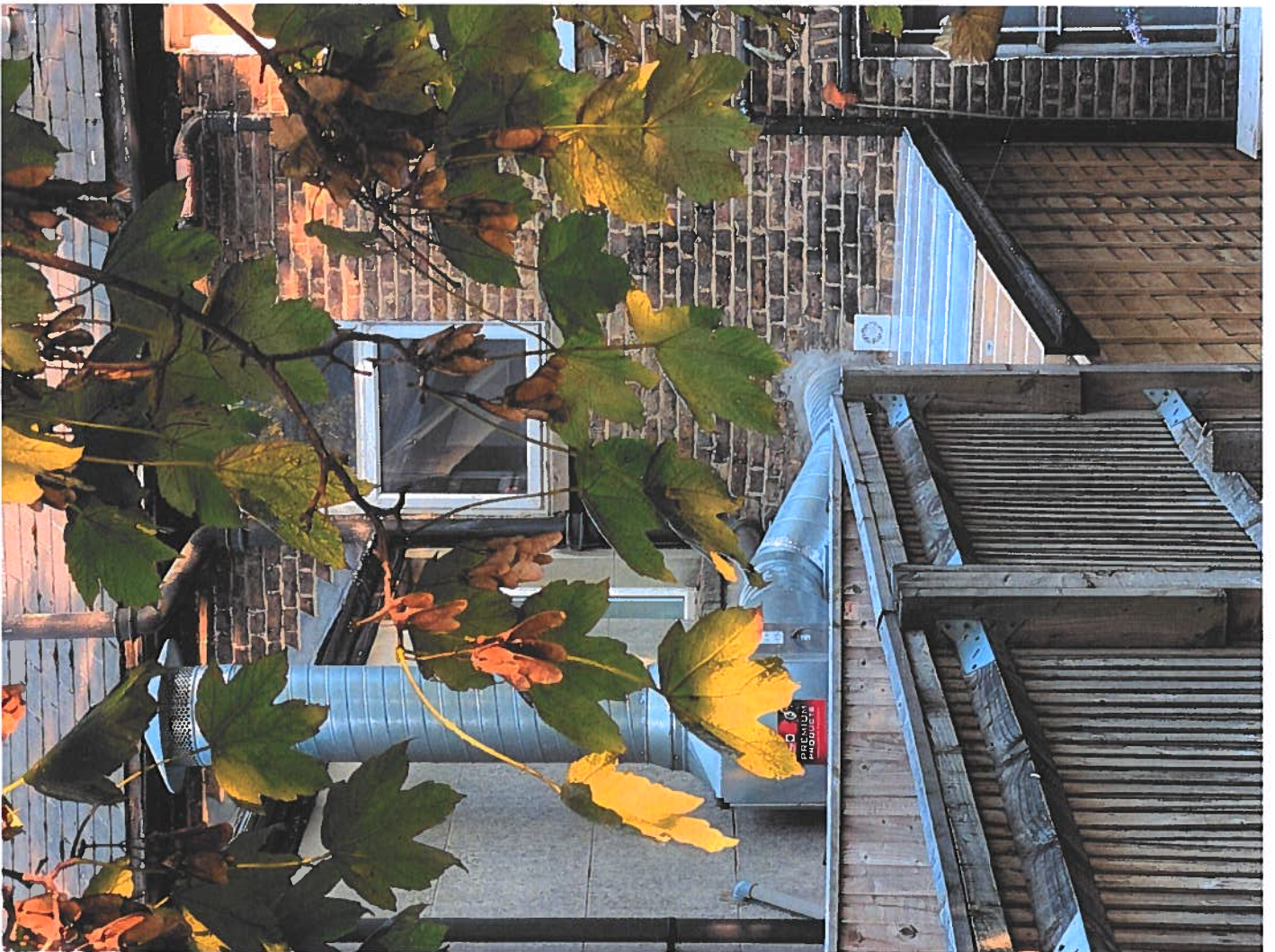
Protection of children from harm

Residents are concerned that late night music could impact on younger children living within close distance of the venue. They are concerned that loud music and the noise of crowds will disrupt their sleep and cause them distress.

We trust you will take these concerns into consideration.

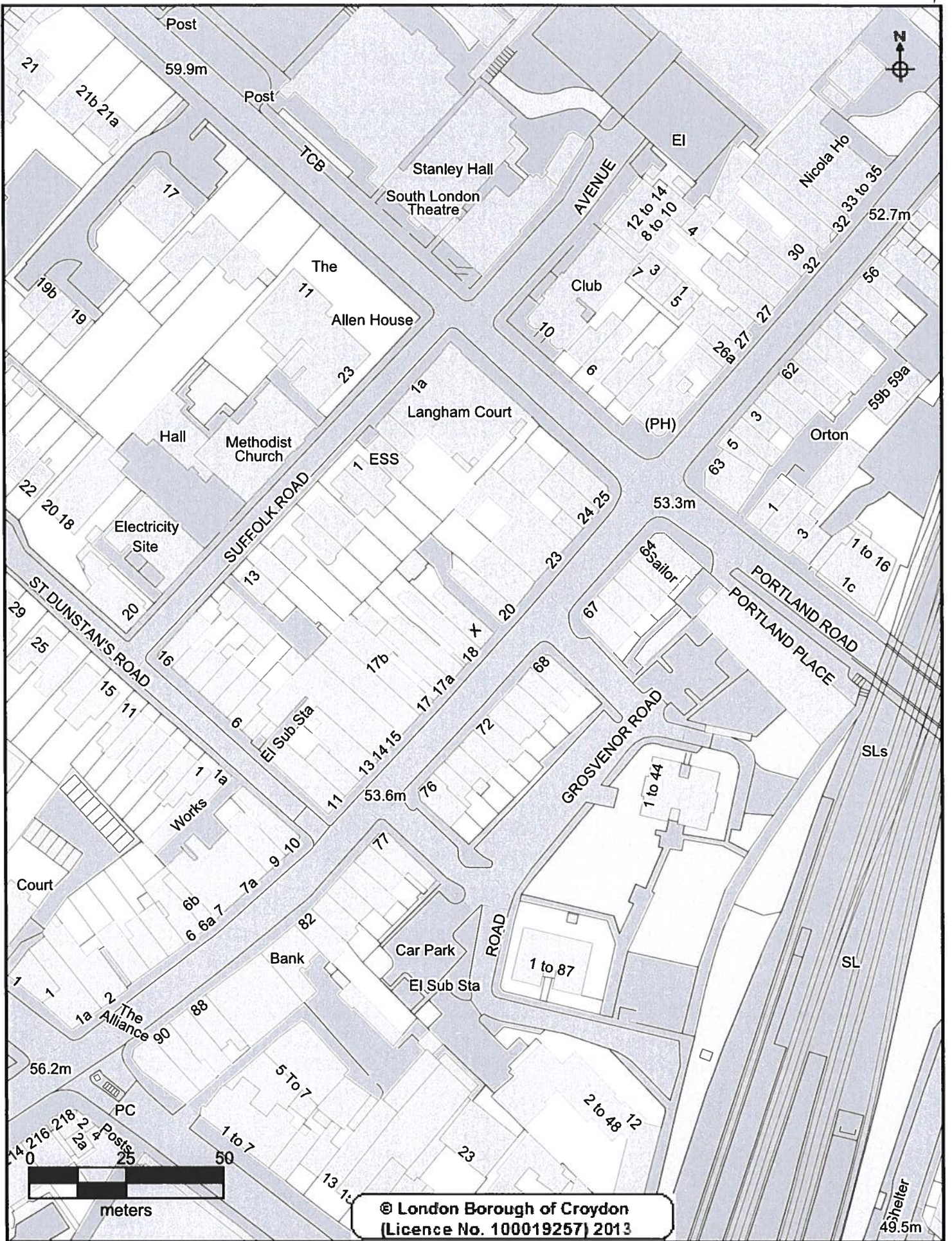
Yours sincerely,

Steve Reed OBE MP, Member of Parliament for Croydon North
Christopher Herman, Councillor for South Norwood Ward
Stella Nabukeera, Councillor for South Norwood Ward
Louis Carserides, Councillor for South Norwood Ward









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REPORT TO:	LICENSING SUB COMMITTEE 11 August 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:	Sanderstead
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 77-79 Mitchley Avenue, Croydon, CR2 9HN.

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

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APPENDIX A

1. The Application

1.1 This report concerns an application by Saray Grill and Bar Ltd. for a premises licence at 77-79 Mitchley Avenue, Croydon, CR2 9HN.

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

Sale by Retail of Alcohol (for consumption 'On' the premises) –
Monday to Sunday 1230 hours until 2200 hours

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

1.4 Would the sub committee please note that following discussions with the Police licensing officer and the Council's trading standards officer, the applicant has amended their application to have the conditions at Appendix A2 placed on the licence if the application is granted.

2 Promotion of Licensing Objectives

2.1 The applicant provides details in Section 18 on 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.

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 –

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.

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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Kenan

* Family name

Tezgel

* E-mail

info@goto-services.co.uk

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

14049100

Business name

SARAY GRILL AND BAR LTD

If the applicant's business is registered, use its registered name.

VAT number

-

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21**OPERATING SCHEDULE**

When do you want the premises licence to start? / /

dd mm yyyy

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

dd mm yyyy

Provide a general description of 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.

Premises to be a family run restaurant with authentic Turkish dishes. The business main activity is to eat and drink on premises.

Continued from previous page...

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

Section 6 of 21**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Section 11 of 21**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

Section 13 of 21**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

 Yes No**Section 14 of 21****LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

 Yes No**Section 15 of 21****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes No**Standard Days And Timings**

MONDAY

Start End Start End Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

Continued from previous page...

SUNDAY

Start 12:30

End 22:00

Start

End

Will the sale of alcohol be for consumption:

- On the premises
- Off the premises
- Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Seasonal holidays where the premises will be closed for business, no sale of alcohol for consumption will be supplied.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name Kenan

Family name Tezgel

Date of birth [dd] / [mm] / [yyyy]

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	Surrey
Postcode	<input type="text"/>
Country	United Kingdom
Personal Licence number (if known)	5870/21/01654/LAPERS
Issuing licensing authority (if known)	Sutton Borough Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

No form of adult entertainment is to be provided on premises.

Section 17 of 21**HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start End Start End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

A notice will be clearly displayed visible to the public stating the hours of operation and the hours where licensable activity will take place. Individuals under the age of 18 will strictly not be served any alcohol, this will be displayed along side any other notices. The premises will use a think 25 policy to identify the correct age of individuals that look younger than this age to ensure the sale of alcohol is law abiding. As declared on application alcohol will be provided and sold by the DPS. The premises will consist of CCTV for security measures. All current legislation to cover all objectives will abide by its law and requirements. All notices will be visible inside and on the shopfront of the premises. All members of staff will be kept up to date with the rules and regulations of the sale of alcohol through designated premises supervisor and correctly informed on the hours of sale of licensable activity.

b) The prevention of crime and disorder

CCTV will be installed to an acceptable standard to monitor activity in and outside of the immediate premises. Notices will be displayed to inform CCTV in use. The premises will not be a place that provides adult entertainment such as sporting events. General reviews will be made to identify if different security measures will be required, around every 3 months. The premises will not be permitted to become overcrowded for the prevention of theft and antisocial behavior. A zero tolerance policy will be kept against the use of drugs or/ and carrying of any weaponry. Any criminal actions identified will be reported to the police immediately and recorded in an incident book for reference. Excessive drinking and purchasing large amounts of alcohol against the food purchased will be supervised.

c) Public safety

We will not promote excessive drinking, in any case individuals attend the premises are intoxicated, alcohol will be refused and recorded in the incident book. However reasonable steps will be taken in controlling any issues. Being a food establishment, the premises already complies with food safety regulations in any shape and form, inclusive of hygiene. The premises as can be seen on the premises plan comprises of fire safety equipment in such activity it will be needed for the safety of staff and the public, equipment is placed for it to be reachable by various points of the premises. Staff is well trained to accommodate customers with a disability, whether assistance for individuals using a wheelchair, visually impaired or with hearing problems, highly exceptional steps will be taken to accommodate them in the premises. Health and safety is taken very seriously as a whole in the premises, safety is checked and insured for both staff and the public at any given time, any concerns that rise will be attended to as priority to be rectified in the best manner. The floors are always to be kept clean and non slippery at all times. Necessary signage notices will be places in case of wet floors.

Alcohol is only to be served with food.

In addition, security doorman would be provided for busier days on Friday and the weekends to ensure safety.

d) The prevention of public nuisance

For the prevention of public nuisance necessary measures will be taken in the power of the premises. The consumption of alcohol via this premises will be at a low level, regardless of this the premises owner/dps will take care of what they can, in their capability.

-No alcohol will be served outside of the stated hours on a strict basis.

-Keep bin and refuse at rear of premises away from the public to prevent foul smell.

-Will be open to the local community's concern and welcome meetings if necessary. -Aim to keep noise to an absolute minimum regardless of the time of day.

e) The protection of children from harm

As the premises is not a drinking establishment, restricting access to the premises will not aid the business nature. As younger individuals can purchase all types of food without restriction. Age verification will be strictly enforced to ensure the age of the individual purchasing is at of a legal age. Any anti social behavior will be repeated to the police or as we suspect abuse to a child whether is the result of alcohol or not, the same actions will be taken. Alcohol is only to be served with food.

Continued from previous page...

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21**NOTES ON REGULATED ENTERTAINMENT**

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o any playing of recorded 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.
 - o any playing of recorded 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.
 - o any playing of recorded 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 proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees are calculated on the valuation of the premises. The value can be found on voa.gov.uk Fees range from £100 - £315 please phone Licensing team to confirm 020 87605466 Rateable Value (commerical) £0 - £4,300= £100 £4,301 - £33,000= £190 £33,001 - £87,000=£315 £87,001 - £125,000=£450 £125,000 and over=£635

Please note there is a surcharge of 1.65% if you pay by credit card. There is no surcharge for debit card▲

* Fee amount (£)

190.00

ATTACHMENTS**AUTHORITY POSTAL ADDRESS****Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

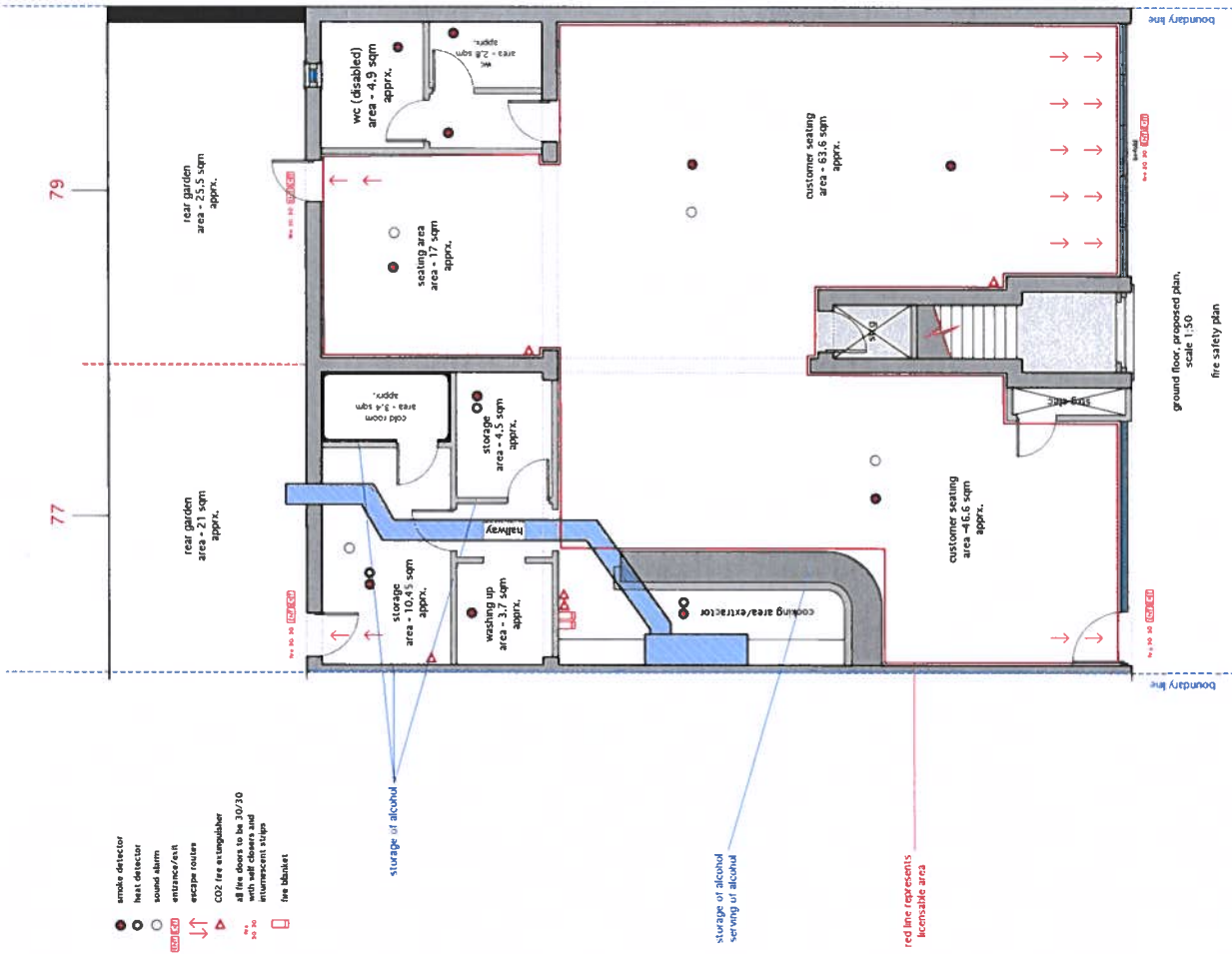
Country

United Kingdom

DECLARATION

[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, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration



- smoke detector
- heat detector
- sound alarm
- entrance/exit
- escape route
- ↑ CO2 fire extinguisher
- ▲ all fire doors to be 30/30 with self-closers and intumescent strips
- ☒ fire blanket

storage of alcohol

storage of alcohol serving of alcohol

red line represents licensable area

Proposed condition for Saray Grill and Bar, 77-79 Mitchley Avenue, South Croydon, CR2 9HN

1. A CCTV system shall be installed at the premises covering the entrance, the external area and all internal areas. A head and shoulders image to identification standard shall be captured of every person entering the premises. Images shall be kept for 31 days and supplied to the police or local authority on request.
1. A staff member from the premises who is conversant with the operation of the CCTV system shall be in 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 and within a maximum of 24 hours of the initial request.
2. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk/USB Stick for the Police or authorised officers of the Local Authority without difficulty, delay or charge.
3. Notices shall be prominently displayed within the premises stating that CCTV is in operation.
4. Any CCTV breakdown or system failure shall be notified to the Police and Local Authority immediately & remedied as soon as practicable. Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.
5. 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.
6. 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 available for inspection at the premises by the police or an authorised officer of Croydon Council.
7. Staff shall be given training by the DPS in relation to Licensing Act 2003, conflict management and the protection of children from harm. Refresher training shall be given every 6 months and records shall be kept at the premises and made available for inspection by the police or authorised official from the local authority
8. An incident log shall be kept at the premises and made available on request to an authorised officer of Croydon Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a. all ejections of patrons
 - b. any complaints received
 - c. any incidents of disorder
 - d. any faults in the CCTV system
 - e. any visit by a relevant authority or emergency service
9. The venue must provide its own written policy in relation to searching, drugs, weapons and theft. Signage shall be displayed at the entrance of the premises and in toilets explaining a zero tolerance to drugs
10. The premises shall have a written dispersal policy.
11. All alcohol sales will be ancillary to a table meal, there will be no vertical drinking at the premises.

Conditions agreed with Trading Standards

1. The premises will operate a Challenge 25 age verification policy.
 2. Signage promoting Challenge 25 will be displayed in the premises.
 3. All staff will be trained in the sale of alcohol, the operation of Challenge 25 and how to challenge persons and request ID before they commence the selling of alcohol. Refresher training on these matters will be carried out every six months.
 4. Records of staff training will be kept and produced to the Police and to Local Authority Officers on reasonable request.
 5. All refused alcohol sales will be recorded in the incident book/refusals register. This will be produced to the Police and to Local Authority Officers on reasonable request.
-
6. Only the following forms of ID will be accepted as proof of age: Passport, Photo Driving Licence and PASS hologram identity cards.

Subject: 77/79 Mitchley Avenue

I object to the application for a licence for alcohol to be served in the Restaurant 'Saray' in this small parade of shops on Mitchley Avenue.

A number of established, owner-occupier residents will be significantly affected by this, especially those living in the apartments directly above this address.

A pleasant and quiet ambience exists today and this local community will be severely impacted by a licensed business operating up to 10.00pm, seven days a week. Such a changed atmosphere will adversely affect neighbouring gardens and properties where families with small children live peacefully.

In addition to increased noise, the operator has stated his intention to offer dining -- and therefore drinking -- out on the small front pavement and in the small courtyard at the rear. This is a very unwelcome development that will bring noise, litter and late-night drinking to a quiet local community.

Please note that my family are customers of the existing business Marmaris Cafe, currently operated by the same Applicant. We support this business but we believe the sale of alcohol is an unwelcome development, as many local people do.

Yours faithfully

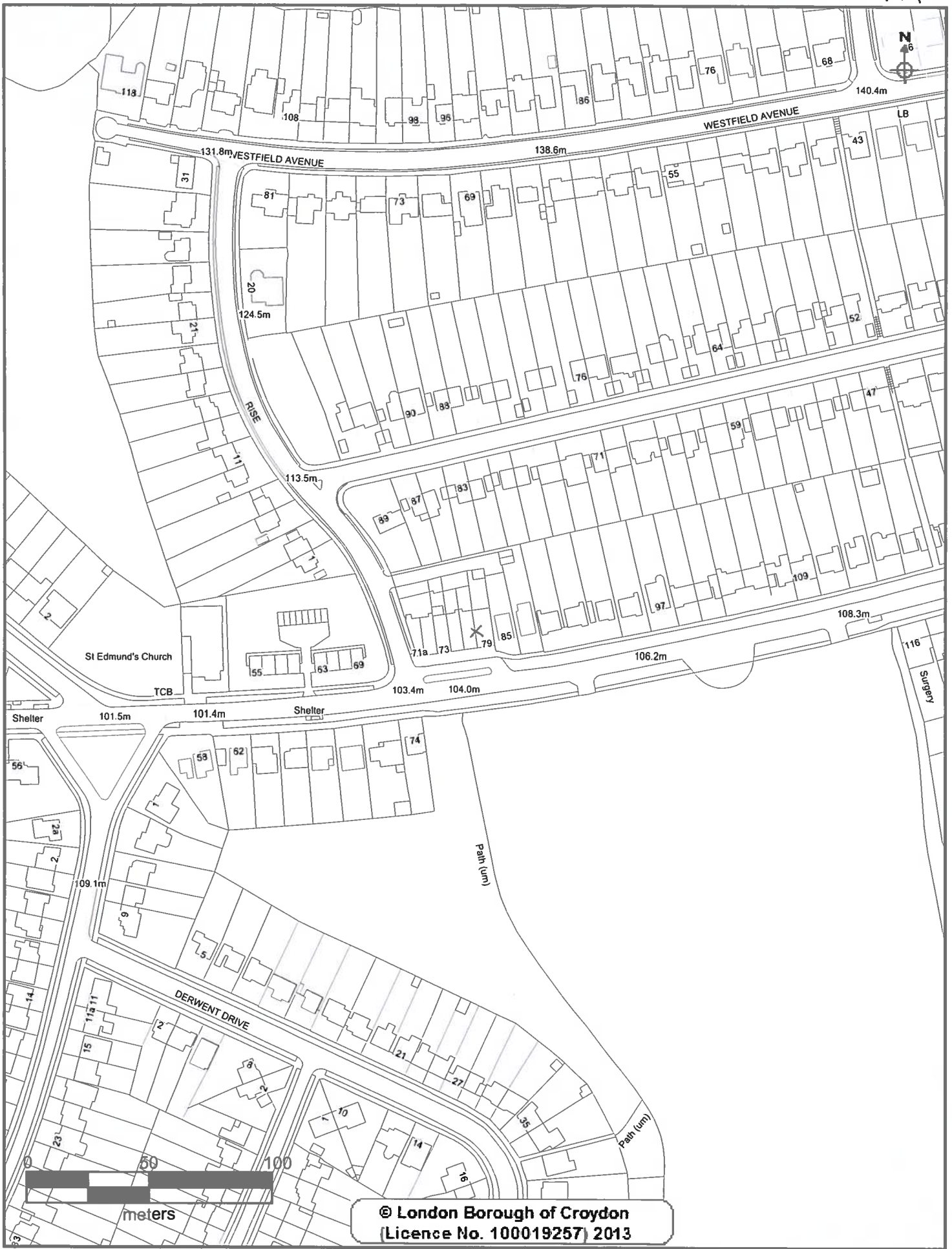
Subject: 77-79 Saray Grill and Bar

Dear sir/madam,

I would like to object to the following business: Saray Grill and Bar, gaining a licence to sell and serve alcohol. In addition to the current restrictive covenant placed on the area by The Atwood Family ("About Riddlesdown"), there is the risk of public nuisance and crime that will cause a disturbance in the extremely peaceful area of Riddlesdown.

There are many young families in the area and a young family in the set of maisonettes above where the restaurant will be located. The possible passing of an alcohol licence will pave the way for anti-social behaviour, and loudness from patrons, and will heighten an already insufferable problem of genital exposure and public urination on the private road located behind the maisonettes, where their driveways are located as well as the stairwell leading up to the homes.

I have lived in my home for over twenty years, I moved here because of the peaceful area and captivating landscapes, I would truly hate to see it littered with drunks and people causing trouble due to the consumption of alcohol.



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London Borough Croydon

X = 77-79 MITCHELLY AVENUE

17-Jun-2022

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Scale 1:2000



REPORT TO:	LICENSING SUB COMMITTEE 11 August 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:	Addiscombe East
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 290 Lower Addiscombe Road, CR0 7AE.

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

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APPENDIX A

1. The Application

- 1.1 This report concerns an application by Dirty Crunch LLP for a premises licence at 290 Lower Addiscombe Road, Croydon, CR0 7AE.
- 1.2 The application seeks the following licensable activities, between the hours shown –
- Provision of Regulated Entertainment, namely –
Live Music
Monday to Sunday 1600 hours to 2300 hours
Recorded Music
Monday to Sunday 0700 hours until 2300 hours
- Sale by Retail of Alcohol (for consumption 'On' & 'Off' the premises)
Monday to Sunday 0800 hours to 2300 hours
- 1.4 A copy of the application is attached at Appendix A1.
- 1.5 Would the sub committee please note that following discussions with the Police licensing officer and the Council's Pollution Team, the applicant has amended their application to have the conditions at Appendix A2 placed on the licence if the application is granted.

2 Promotion of Licensing Objectives

2.1 The applicant provides details under the Licensing Objectives heading in 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 variation application is granted.

3 Relevant representations

- 3.1 Representations have been received on this application. Copies are attached at Appendix A3.
- 3.2 Would the sub committee please note that there are nine representations objecting to the application and six representations supporting the application.
- 3.3 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 –

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.

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A1

New Premises Licence

Premises Details

Premises Address *

290 LOWER ADDISCOMBE ROAD CROYDON CROYDON
CR0 7AE

Telephone number at premises (if any)

Non-domestic value of premises. *

£ 9000

Applicant Details

I/We 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.

Please state whether you are applying for a premises licence as:

a person other than an individual -as a limited company/
limited liability partnership

Applicant Details

If you are applying as a person described in one of the above please confirm: *

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

Other Applicant (Non Individual)

Name *

Dirty Crunch

Registered Address *

~~290 Lower Addiscombe Road~~

Croydon

Town/City *

Croydon

Other Applicant (Non Individual)

A I

County	
Postcode *	CR0 2QJ
Registered Number (where applicable)	OC433305
Description of applicant (for example partnership, company, unincorporated association, etc) *	Limited Liability Partnership , opening Delicatessen shop with seated area.
Telephone Number	[REDACTED]
Email *	dirtycrunchldn@gmail.com

Operating Schedule

When do you want the premises licence to start? *	07/07/2022
If you wish the licence to be valid only for a limited period, when do you want it to end?	
Please give a general description of the premises. *	Delicatessen shop selling food , serving food and selling bottled alcoholic good . Premises is around 60 sq , with customer area and back office , and WC at the back of the shop.
If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	

Operating Schedule

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

Provision of regulated entertainment (please read guidance note 2) *

<input type="checkbox"/>	Plays
<input type="checkbox"/>	Films
<input type="checkbox"/>	Indoor Sporting Events

Operating Schedule

A1

- Boxing or Wrestling
- Live Music
- Recorded Music
- Performances of Dance
- Anything of a similar description falling under Music or Dance
- Provision of late night refreshment
- Supply of Alcohol

Live Music Standard Times

Standard days and timings, where you intend to use the premises for the performance of live music. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Every Day

16:00

23:00

Live Music

Will the Performance of Live Music take place indoors or outdoors or both? (please read guidance note 3) *

Both

Please provide further details. (please read guidance note 4)

Live music band or singer playing music , not amplified music . Music played in side the shop , but might be played outside on pavement as well.

State any seasonal variations for the Performance of Live Music. (please read guidance note 5)

Summer moth might be more live music nights in week then in winter.

Please state any non-standard timings, where you intend to use the premises for the performance of live music at

NA

Live Music

different times from the Standard days and times listed?
(please read guidance note 6)

A I

Recorded Music Standard Times

Standard days and timings, where you intend to use the premises for the performance of recorded music. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Every Day

07:00

23:00

Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 3) *

Indoors

Please provide further details.(please read guidance note 4)

Recorded music play at background to make shop more relaxed .

State any seasonal variations for the playing of recorded music. (please read guidance note 5)

NA

Please state any non-standard timings, where you intend to use the premises for the performance of recorded music at different times from the Standard days and times listed? (please read guidance note 6)

NA

Late Night Refreshment Standard Times

Standard days and timings, where you intend to use the premises for late night refreshment.(please read guidance note 7)*
Please enter times in 24hr format (HH:MM)

Day *

Late Night Refreshment

Late Night Refreshment

A1

Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 3)*

Please provide further details.(please read guidance note 4)

State any seasonal variations for the provision of late night refreshment.(please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for late night refreshment at different times from the Standard days and times listed?(please read guidance note 6)

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 7)*
Please enter times in 24hr format (HH:MM)

Day *

Supply of Alcohol

Will the supply of alcohol be for consumption on premises or off premises or both? (please read guidance note 8) *

State any seasonal variations for the supply of alcohol. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the supply of alcohol at different times from the Standard days and times listed?(please read guidance note 6)

Designated Premises Supervisor

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form)

Title *

Designated Premises Supervisor

A1

First name *

Santa

Surname *

Putnina

Street address *

~~XXXXXXXXXXXXXXXXXXXX~~~~XXXXXX~~

Town/City *

Croydon

County

Postcode *

~~CR9 3XX~~

Personal Licence Number (if known)

LBWands/04636

Issuing Licensing Authority (if known)

Wandsworth

Adult Entertainment

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).

Have not planned any adult entertainments what could rise concern or disrespectful to children.

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Every Day

07:00

23:00

Opening Hours

Opening Hours

A1

State any seasonal variations. (please read guidance note 5)

No Seasonal variations on opening hours

Please state any Non-standard timings, where you intend the premises to be open to the public at different times from the Standard days and times listed? (please read guidance note 6)

Not planned any non standard timing.

Licensing Objectives

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

We will carry our risk assessments in regards all four licensing objectives, as well as work alongside local authorities to ensure all legal requirements are met. Keeping our customers and community safe is our priority.

b) The prevention of crime and disorder

Any criminal offence or disorder will be reported directly to the local police Staff will be trained in checking customers' ages by only accepting the following identification (passport & driving licence) Run Challenge 25 scheme Create a risk assessment and train staff of alcohol promotions to avoid promoting irresponsible drinking

c) Public safety

Comply with all statutory fire safety controls, including evacuation procedures Comply with all food safety regulations (Record keeping, staff training, etc) Make reasonable adjustments for disabled people (offer large print menus or reading it out loud; create a ramp for wheelchair users to access deli; take payments directly rather than queuing, etc) Provide air conditioning and ventilation to control temperature Comply with Health and safety regulations

d) The prevention of public nuisance

Keep windows closed during regulated entertainment Close open-air area at 10pm the latest Place notices at the entrances and exits to remind customers to leave quietly Move speakers away from walls adjacent to residential properties Put a bin outside the entrance of the premises Not empty bottles, bins and rubbish between 11pm and 7am Attend local community meetings Notices advising customers not to park in residents' driveways

e) The protection of children from harm

Staff will be trained in checking customers ages by only accepting the following identification (passport, driving licence) Run Challenge 25 scheme Have a refusal book, keeping a track of everyone, who has been refused alcohol sale Work along Croydon children safeguarding team.

Declarations

Declarations

AI

Declaration Type *

Sole Applicant - Individual or Other

Declarations

I have uploaded a copy of the plan of the premises. I have uploaded a copy of the consent form completed by the individual I wish to be designated premises supervisor, if applicable. I understand I must now advertise my application. 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 partnership which is not a limited liability partnership, but not companies or limited liability partnerships I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15)

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.

Signature/Declaration of applicant or applicant's solicitor or other duly authorised agent (see Guidance Note 11 & 12). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.



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, if appropriate (please see note 15).

Full Name *

Santa Putnina

Date *

24/06/2022

Capacity *

Applicant



Declaration made

Do you wish to provide alternative correspondence details? *

No

Email confirmation

Proposed Conditions for Dirty Crunch, 290 Lower Addisombe Road, Croydon CR07AE

1. A CCTV system will be installed at the premises covering the entrance and all internal areas where alcohol is displayed. A head and shoulders image to identification standard shall be captured of every person entering the premises. Images shall be kept for a minimum of 28 days and supplied to the police or local authority on reasonable request.
2. A member of staff trained in the use of the CCTV system must be available at the premises at all times in order to show officers or local authority recordings where needed. A takeaway copy provided on suitable digital media will be available within 48hrs if required.
3. The CCTV system will display, on screen and on any recording, the correct time and date that images were captured.
4. CCTV signage will be displayed, reminding customers that CCTV is in operation.
5. Staff must be given training in relation to Licensing Act 2003, conflict management and the protection of children from harm. Refresher training shall be given every 6 months and records shall be kept at the premises and made available for inspection by the police or authorised official from the local authority
6. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the London Borough of Croydon. The log will record the following:
 - Date of the incident
 - Time of the incident
 - Location of the incident
 - Persons concerned in the incident
 - Summary of incident
 - Identification of emergency personnel concerned where possible
 - All crimes reported to the venue
 - All ejections of customers or refusal of entry
 - Any incidents of disorder (disturbance caused by either one person or a group of people).
7. A challenge 25 policy will be in operation at the premises with operate signage on display throughout the premises.

8. The premises will have a refusal book or electronic system to record all refusals of sales, this must be made available to the police and local authority officers upon reasonable request.
9. No Beer, Lager, Cider or Perry is stocked, exposed for sale or sold that exceeds 6% ABV with the exception of genuine premium craft/artisan products.
10. Clear and legible notices will be prominently displayed at the exit to remind customers to leave quietly and have regard to our neighbours.
11. The premises will adopt a no vertical drinking policy, therefore all alcohol drink purchases will be consumed whilst seated and be subject to table service.

Due to premises being close proximity to residential properties, the Pollution team is minded to require mitigation measures and conditions to the licence to address any potential noise impact on local residents.

Conditions/Restrictions

This will be a format which will be easily embedded and enforceable if there are future problems.

1. The licensee will ensure that recorded/live music ceased at 2300 hours.
2. The licensee will ensure that there is no external music played at the premises. Any music is restricted to indoors only.
3. The licensee will ensure that doors and windows are kept closed during events involving recorded/live music,
4. The licensee will ensure that patrons are managed to ensure that noise from exiting and entering is kept to minimum. Signage be displayed to leave quietly.
5. The licensee will ensure that there is close and regular liaison with the landlords and residents within close proximity of the premises to address complaints and concerns.
6. The licensee will ensure that no noise nuisance be caused to local residents from any activity associated with the premises licence

Completed by: 
Position: Senior Pollution Enforcement Officer
Date: 20th July 2022

Reresentation's Dirty Crunch for 290 Lower Addiscombe Road CR0 7AE

With Consent

Rep 1

[REDACTED]

[REDACTED] Lower Addiscombe Rd, Croydon CR0 [REDACTED]

As a local resident I would like to make representations in relation to these factors:

the prevention of public nuisance
the protection of children from harm

I am concerned at the time that music would be playing on Sunday to Thursday (11pm) as I have young children and this would disturb their sleep. If this could end by 9 this would cause less disturbance.

I am also concerned at the effect playing music 'on the pavement' would have on children sleeping a few doors away. This is not in keeping with the local area and would cause a public nuisance and harm my children as they try and sleep.

Other than that I am wholly supportive of new businesses in the local area.

Rep 2

[REDACTED]

[REDACTED] Fernhurst Road Croydon CR0 [REDACTED]

I have come across above planning application on your website for a club serving alcoholic drinks for on premise consumption and loud live and recorded music playing within and outside until late hours.

I would like to remind you that this is a residential neighbourhood inhabited by decent, working families where young children turn in before 8pm. Any loud music blaring on speakers within and outside the premises is certainly going to be disruptive, not to mention a crowd coming in and leaving loudly at ungodly hours.

And adding in the usual commotion caused by drunk patrons, including swearing and brawls, I can assure you that this does not tie in with the culture and theme of this community at all, and would decidedly be unwelcome and unbecoming of this peaceful neighbourhood.

Henceforth, I would like to request you to rescind this application immediately and dissuade any future applicants for on-premise alcohol consumption and/or late live music requests in this vicinity.

However re the other commercial aspect of the application, we, as a community, would most certainly welcome an independent deli and food shop/restaurant, keeping with the character, where we have seen similar independent retailers compete and thrive.

Please feel free to contact me if you would like to discuss this correspondence further.

Rep 3

[REDACTED]

● Fernhurst Road Croydon CR0 [REDACTED]

I am writing to object the licence application Ref: DSFX1656053037087 - Dirty Crunch, 290 Lower Addiscombe Road, Croydon CR0 7AE.

We are residents of Fernhurst Road and have lived here for ● years. We are very happy living in Addiscombe as it's always been very peaceful and little crime reported.

With the current licence application, we are very concerned with the below factors which will affect our living environment.

- Change of use from retail/domestic to retail/entertainment.
- Noise pollution in a predominantly residential area. Our road have many senior residents and families, live music will disturb the resident homes and the quiet neighbourhood.
- There are already several off licences on Lower Addiscombe Road. The residents are very concerned about the safety of children and families. The use of alcohol may lead to public nuisance, and crime rate may be on the raise.
- Local infrastructure would not support extra parking in the area

Addiscombe is a family and quiet area. Therefore, we are objecting the permission of this licence.

Rep 4

[REDACTED]

● Fernhurst Road Addiscombe CR0 [REDACTED]

Please see letter attached Rep 4

Rep 5

[REDACTED]

● Fernhurst Road Addiscombe CR0 [REDACTED]

Please see letter Rep 5

Rep 6

[REDACTED]

Having evening entertainment and increased economic activity in the area will **reduce crime**. Criminals are a **public nuisance**, so less of them = good. Also, being bored is a **public nuisance**... so this application helps with the alleviation of tedium. Criminals and bored people are bad for **public safety**. The application seems to be presented by a responsible business owner who has communicated their consideration of the local area... so I **don't expect children to be harmed**.

Rep 7

[Redacted]
Fernhurst Rd CRO [Redacted]

Re the above application for an Alcohol license by Dirty Crunch at the above premises in conjunction with a live and recorded music venue/club I object because the premises is bang in the middle of a residential area with school children, residents/workers living just yards from the venue and the noise/disturbance (depending on the nature of the business, opening times, clientele) potentially posing a major nuisance or hazard to local residents. I also feel the premises, given its size, location and layout is entirely unsuitable and unsafe for use as a club selling alcohol or for hosting large events, should that be the intention of the applicants.

I feel the premises could be suitable for use as a deli/cafe with a limited wine license which closes at a time no later than 10pm as befitting the residential nature of the area and needs of immediate neighbours and families.

Rep 8

[Redacted]
Fernhurst road CRO [Redacted]

Letter see attached Rep 8

Rep 09

[Redacted]
Northampton road, Addiscombe, CRO [Redacted]

With regard to the licensing objectives, I believe 3 of the four mentioned are supported:

The prevention of crime and disorder - the opening up of these premises will bring more footfall to this neglected part of the high street. This also has the possibility of making Blackhorse Road tram stop busier making it feel much safer.

The prevention of public nuisance - having a deli style cafe will attract an older clientele which will be a valuable addition to the restaurants and takeaways in this area. The increase in footfall will work as a deterrent and reduce the potential for people making a public nuisance.

Public safety - see above, the increase in footfall will make the area and the transport links safer

Please accept this email in support of the application for a music and liquor license by Dirty Crunch for the premises at 290 Lower Addiscombe Road.

This cafe will be a welcome addition to the end of the high street and add to the revitalisation of the area.

It will be a valuable addition to the village feel of Addiscombe and increase the diversity and encourage people to socialise and use our town centre.

A3

Rep 10

[Redacted Name]

📍 Teevan Road Croydon CR0 [Redacted]

I would like to support the licensing application of 290 lower Addiscombe Road. The owners have engaged really well with the community and are a respectable local Croydon business. This is just want the community needs and will bring well needed local economic investment and job opportunities.

As a local addiscombe resident I support this licensing application and welcome the new business to the area!

Rep 11

[Redacted Name]

📍 Sherwood Road CRO [Redacted]

I'd like to express our support for this application. We live nearby and are excited by what is proposed.

Rep 12

[Redacted Name]

📍 Sunridge Road CRO [Redacted]

I support the application for a licence by Dirty Crunch at 290 Addiscombe Road. Such a venture will promote the vitality of the Addiscombe high street, attract extra foot traffic for local, and promote the continued sense of a distinct community within Addiscombe (separate from Croydon city centre) by providing an additional location for socialising and dining out

Rep 13

[Redacted Name]

📍 Fernhurst Road Addiscombe CRO [Redacted]

See letter Rep 13

Rep 14

[Redacted Name]

📍 Sherwood Road Addiscombe CRO [Redacted]

I am excited to hear about this application and I'm in favour of live music within the premise.

I believe it will bring the community together and bring in new lease of life into the street, which it needs.

A3

~~XXXXXXXXXXXXXXXXXXXX~~

Fernhurst Road
Addiscombe, Croydon
Surrey CR0 ~~XXXX~~

London Borough of Croydon
Licencing Team
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon, CR0 1EA

RECEIVED 19 JUL 2022

17th July 2022

Dear Sir/Madam,


Ref: DSFX1656053037087 Licence Application 290 Lower Addiscombe Road CR0 1EA

We wish to lodge our objection regarding the requested music and alcohol licence for the above premises at 290 Lower Addiscombe Road.

There are a number of issues that concern us if this change of licence is permitted:

- Noise pollution to local residents due to live and recorded music until 11pm
- Increased parking issues near a Zebra crossing at a busy junction
- Increased parking and disturbance to local residents
- These premises have extremely restricted rear access which raises safety concerns.

Yours sincerely.

~~XXXXXXXXXXXXXXXXXXXX~~


~~XXXXXXXXXXXXXXXXXXXX~~


RECEIVED 19 JUL 2022

A3

Fernhurst Road
Croydon
Surrey
CRO
17.07.22

Dear Sir/Madam

Ref: Licence Application for 290 Lower Addiscombe Road

I wish to lodge my objection to the alcohol and music licence for the above property.

My reasons for objecting:

- this is surely a change of purpose from the original retail licence
- if live music is allowed by the licence this would raise a number of issues:

- 1) the safety of those people attending the entertainment. Exit to the rear would be extremely restricted
- 2) Noise pollution in a predominantly residential area at unreasonable hours
- 3) Increased parking near an already busy and hazardous junction and Zebra Crossings
- 4) Increased parking and disturbance in local residential roads.


Does the building have the necessary Safety Certificate to run functions and entertainment?

Yours sincerely



Letter sent 20/7/22

A3

Fernhurst Road
Addiscombe
Croydon
CRO 

RECEIVED 20 JUL 2022

12 July 20202

London Borough of Croydon
Place Department Licensing Team
6th Floor, Zone A
Bernard Weatherill House
8 Mint Walk
Croydon, CRO 1EA

To Whom It May Concern:

I write to object to the Application for premises Licence by the Applicant Dirty Crunch for the occupation of the premises 290 Lower Addiscombe Road, Croydon, CRO 7AE

My objections are:

The suitability of the proposed change of the premises from Retail/ Domestic to Retail/Entertainment. The proposed change to what is essentially a club will generate a significant increase in traffic and noise level, seven days a week, which is not in keeping with mainly a residential area.

Addiscombe is at present struggling with limited parking. I fear that the area cannot support the extra parking that will be necessary for the new premises. I can foresee issues with illegal parking and associated problems. I also fear the confrontation that may result should resident objects to blocked drives etc. I believe the premise has also applied for to hold an extensive alcohol licence.

I strongly believe that an entertainment club operating seven days a week with live music and the associated noise until 23,00 hours is best suited to less residential areas

On a lesser note, I also question what type of clientele will be attracted to an entertainment club with a name such as Dirty Crunch. It is a concern.

I object to the application.

Kind regards,



WE OBJECT !!!

letter sent

Fernhurst Rd
Addiscombe
Croydon
CR0 7AE

✓
A3

RE:-

Application: DIRTY "CRUNCH"
290 LOWER ADDISCOMBE ROAD
CR0 7AE

22/7/22

RECEIVED 25 JUL 2022

Dear Sir/Madam,

With regards to the above application.

I wish to vehemently object.

We live here, this is a bar, that will be open from the early hours until late @ night. It is a BAR with music in a residential area, that the residents who live closest to it will hear. Not only that it is the secondary unofficial business that it will attract. Which we are already subjected too, on a daily basis

So

1/ NOISE - which begins in the evening
Mon - Sun - 7 days a week i live "music"

(a) (what about those of us who work + come home to live our lives in a normal manner) to unwind, relax - family time etc.

(b) NOISE when they the owners who will park in the back they leave @ night to go to their "peaceful homes"

2/ Alcohol served from 7am - 11pm (Please !!) nor acceptable.

3/ Increase littering + foolish behaviours !!

4/ PARKING is LIMITED on FERNHURST RD, so potential confrontation when DRIVES are not accessible to residents, who pay a substantial amount in Council TAX to C.C. to park.

5) Another large industrial bin to block A3
the already narrow pavement - + the "smell" to come

6) Increase rodent ~~to~~ population !!!
+ foxes !!!

7) Easy morning deliveries to the back ~~end~~
alley that wake residents - on Fernhurst Rd, already
experienced - one such delivery !!!

Please bear in mind, when residents who are long
stancip bought their homes. Business premises
closed 1/2 day every Wednesday + by 6 pm
Mon - Sat. Closed every Sunday.
A community with community spirit.
So planning has consistently granted long opening
hours to new business which make our lives
2 long here - hell !!! yes HELL !!!

Please Planning give some thought to the long
suffering residents - who live here + have seen
what was a delightful village - become a
"ghetto area" !!! + will continue to decline
if this application is granted.

With regards

~~XXXXXXXXXXXXXXXXXXXX~~

(Address supplied)

A3

RECEIVED 19 JUL 2022



17 July 2022.

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

Dear Sir/Madam.

Re: License Application for Proposed club Dirty Crunch, 290 Lower Addiscombe Road, Croydon, CR0 7AE.

I am writing this to bring to your notice my objection to the proposed licensing application for a club or entertainment area at 290 Lower Addiscombe Road. My main objections are listed below:

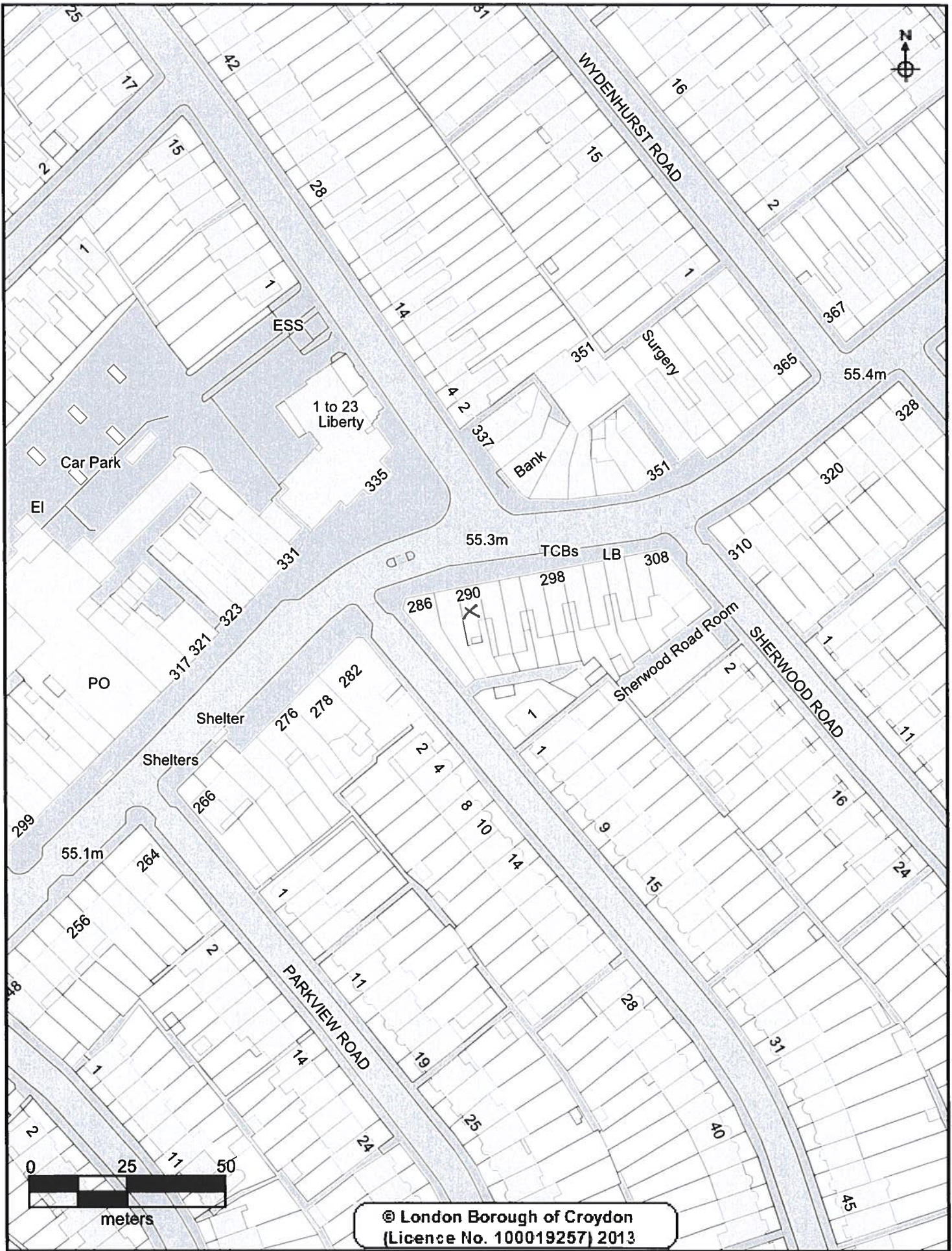
- Change of use from RETAIL/DOMESTIC to Retail/Entertainment
- Local infrastructure would not and could not support extra parking in the area
- Noise pollution in a predominantly residential area
- This is basically a club license

My concerns are based on hours covered by the license and application for live entertainment up until 23:00 hours seven days a week. There is some further information on the shop windows when the shutters are open.

I sincerely hope you will take my objection into consideration. I have spoken to some of my neighbours both surrounding my residence and also residing in adjacent roads. We are all of the same view in our objection to granting a licence for the stated purpose.

Best regards





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CROYDON
www.croydon.gov.uk

London Borough Croydon

Scale 1:1250

X = 290 LOWER ADDISCOMBE ROAD
02-Aug-2022

