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Licensing Sub-Committee

Meeting of held on Tuesday, 21 June 2022 at 10.30 am. This meeting will be held remotely, view the meeting please click [here](#).

MINUTES

Present: Councillor Karen Jewitt (Chair);
Councillors Nina Degrads and Badsha Quadir

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

PART A

78/22 **Appointment of Chair**

Councillor Badsha Quadir nominated Councillor Karen Jewitt as Chair and Councillor Nina Degrads seconded the motion.

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

79/22 **Disclosure of Interests**

There were none.

80/22 **Urgent Business (if any)**

There were no items of urgent business.

81/22 **LICENSING ACT 2003 - Application For a Premises Licence at Purley Way Playing Fields, Croydon, CR2 6BU**

The Licensing Sub-Committee considered the Application for a time limited Premises Licence at **Purley Way, Purley Playing Fields Croydon CR2 6BU** and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery as well as the supplementary information provided prior to the hearing.

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

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

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee noted that the applicant had done a significant amount of work to engage with and address concerns which had been raised not only by residents but also those of responsible authorities. Even during the hearing, the Applicant took the time to fully address the issues which were raised by those making representations and to address the questions of the sub-committee members.
2. The Applicant has amended their application to reduce the time frame during which it is proposed to undertake licensable activities (live music, recorded music and the sale of alcohol) so that these activities are only due to take place on one day (2nd July) and then only between the hours of 12 noon and 21:30.
3. The Police have withdrawn their objections in relation to the application on the basis of the ongoing discussions and measures which the applicant has put in place to deal with concerns and this, coupled with the proposed conditions which the applicant has amended their application to include, and the reduction in the duration of the event meant that the police were satisfied with the application from a crime and disorder and public safety perspective. The agreed conditions with the police are replicated at the end of this decision notice for ease of reference.
4. Following discussions with the Trading Standards Officer, the Applicant has agreed to amend their application to include the conditions at Appendix A3 to any license granted and these conditions relate to public safety and protection of children from harm.
5. There were no representations before the Sub-Committee from the Noise nuisance team objecting to the proposals. The testing and

setting of the volume levels will be taking place prior to the event and this will be undertaken with a member of the Council's Noise Nuisance team in attendance.

6. The Sub-Committee were clear that there were a number of matters in respect of which issues had been raised but which were not within the authority of the Sub-Committee under the Licensing Act 2003 but were instead governed by other regimes – this included in relation to fireworks, traffic management and parking. Despite this, the Sub-Committee noted that the fireworks were proposed to be a 4–5 minute finale to the days' proceedings for which a specialist contractor had been hired; the applicant had a traffic management plan in place, had applied for a temporary traffic management order with a view to road closures in a number of nearby roads which would be closed to all who were not residents; and arrangements for stewards to manage this process. There would, following discussions with the Police, be no parking on site other than for blue badge holders with all attendees being encouraged to travel by public transport or to make use of the free shuttle busses which the applicant had arranged to transport those visiting the event from the centre of Croydon to the event site. Publicity would encourage attendees to use the shuttle busses or public transport.
7. In respect of prevention of public nuisance objective, the Sub-Committee noted the importance of focussing on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable, as is suggested by the Statutory Guidance. In this regard the Sub-Committee noted, in addition to the details provided within the noise management plan as to how such nuisance would be managed, the event was only on a single day and that the applicant had, as part of their engagement with residents and local businesses, provided a dedicated contact number and email to residents to allow them to raise concerns and that these contact means would be accessible to residents both before the event, but also throughout the event so that issues raised could be addressed as efficiently and effectively as possible. In addition, the Sub-Committee were reassured by the proposals in terms of litter and waste and ensuring that nuisance wasn't created by this means.
8. The Sub-Committee had regard to the Statement of Licensing Policy which provides that in its role of implementing local authority cultural strategies, the Council recognises the need to encourage and promote the broadest possible range of entertainment, particularly live music, dance, street arts and theatre, for the wider cultural benefits of the community. In considering applications for such events, this cultural need will be carefully balanced against possible neighbourhood disturbance so that, when determining what conditions to attach to licences/certificates to promote the licensing objectives, the Council will

be aware of the need to avoid measures which might deter such events by imposing substantial indirect costs. In addition, these provisions mirror similar provisions in the Statutory guidance which provides that Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music.

9. The Sub-Committee were aware, and had reference to the Statutory Guidance which provides that, beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right but despite this, noted the arrangements which the applicant proposed to address concerns which had been raised by residents around anti-social behaviour and crime and disorder once attendees left the event – this included stewards, dedicated contact details for residents to alert the applicant to issues and the updated traffic management plan and dispersal policy.
10. The Sub-Committee noted that the event is only accessible via tickets purchased in advance and would not be open to under 18's and all patrons would have to show appropriate identification to enter the premises. In addition, the applicant would be operating Challenge 25 scheme on the premises. The Sub-committee also noted that the applicant had detailed the demographic of the attendees which is predominantly female with an average age of between 25-44, so a slightly older demographic.
11. The Sub-Committee were reassured by the proposals to have not only a designated premises supervisor, as would be required by the Licensing Act but the additional arrangements around bar management and supervision at each of the bars on the premises.
12. The sub-Committee also noted the number of SIA staff which the applicant proposed to have deployed at the premises (at a ratio of 1:50 SIA staff to attendees which is significantly higher than the national standard of 1:100 or 1:75) to ensure public safety but who would also support the objectives of prevention of crime and disorder and prevention of public nuisance.
13. The Sub-Committee wished to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee's consideration.

Conditions agreed with the Police and incorporated by the Applicant into their application:

The premises licence holder shall (ensure) –

1. *Any queue to enter the premises that forms outside the premises shall be kept orderly and supervised by SIA door supervisors to ensure that there is no nuisance or obstruction to the public highway and footpaths.*

2. *All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high-visibility jackets or vests.*
3. *Operate an anti-drugs policy in conjunction with a search and seizure policy. In compliance with agreed memorandum of understanding. This will also include storage and disposal procedures. Signage will be displayed throughout the premises. Any amendments to the policy must be agreed in writing with Croydon Police Licensing Team 30 days prior to any event.*
4. *Operate a weapons policy in conjunction with search and seizure. This will also include storage and disposal procedures. Any amendments to the policy must be agreed in writing with Croydon Police Licensing Team 30 days prior to any event.*
5. *Operate an anti-theft policy, which will include the reporting of theft, safe storage of found items, storage and disposal procedures for all items of property found or discarded at the premises. Signage will be on display in prominent places advising customers to safeguard their property. Any amendments to the policy must be agreed in writing with Croydon Police Licensing Team 30 days prior to any event.*
6. *Operate a search policy which includes searching everyone who enters the event including all staff and artists. All bags will be searched and all those entering will pass through the metal detector and/or wands search area.*
7. *A clear visible notice shall be placed at the entrance to the premises advising those attending, that it is a condition of entry that customers agree to being searched and that police will be informed if anyone is found in possession of controlled substance or weapons.*
8. *An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to police or an authorised officer. The following details shall be recorded:*
 - Date of incident*
 - Time of incident*
 - Location of incident*
 - Persons concerned*
 - Summary of incident*
 - Identification of any Emergency Services Personnel who attended*
9. *There shall be a documented dispersal policy, as agreed with the relevant responsible authorities, implemented at the premises and a copy lodged with the Police Licensing Team. Any amendments to the policy must be agreed in writing with Croydon Police Licensing Team 30 days prior to any event.*

10. *A Challenge 25 scheme must be operated to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that they are over 18 years of age. Proof of age shall only comprise a valid and in date passport, photo card driving licence, military card or a card bearing the PASS hologram.*
11. *Ensure that polycarbonate drinking vessels are used for all alcoholic and soft drinks served to customers and that all drinks supplied in glass bottles will be decanted into polycarbonate serving or drinking vessels.*
12. *Ensure that customers are prevented from leaving the event site with bottles or open containers.*
13. *SIA door staff will be deployed at the event at a ratio of 1:50. Body Worn Video will be worn by all SIA door staff who are deployed at entry points and those dealing with the ejection of patrons from the event.*
14. *When SIA door staff are deployed ensure that records are kept by the DPS, 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*
15. *These records must be made available, in useable form, to the Metropolitan Police, Croydon Council officers or authorised officers of the Security Industry Authority upon request.*
16. *A direct telephone number (mobile to be held by duty manager) will be provided to neighboring premises to be used in the event of a complaint of noise nuisance.*
17. *The premises shall run each event with the latest Event Management Plan that has been agreed in writing at the latest SAG meeting.*
18. *The event management plans for each event shall include the following information as a minimum; site plans, stewarding/security plans to include regular weapon sweeps before, during and post egress, crowd management plans, medical plan, fire plan, specific safety policies, risk assessments, traffic management plans, possible noise nuisance plans, and ingress/egress plan.*
19. *All bar staff at the event will be trained, this training should reflect the Licensing Act 2003 and include the licensing objectives, proof of age, and conflict management. The training will be refreshed every 6 months and all staff training records should be maintained and kept on site. A designated member of staff should be able to produce the records on the request of police or other authorised person.*

20. *The event will operate a vulnerable person policy, this must include WAVE training for all members of staff.*
21. *Each bar shall be individually managed by a personal licence holder, during licensable hours.*
22. *CCTV shall be in operation throughout licensable hours, and must include: Main public gate, back of house gate, all stages and bars. CCTV must be retained for 31 days after the event and made available to Police or Council upon request. During the event any CCTV request made by Police should be provided on a useable digital format within 2 hours.*
23. *Engage with freely available counter terrorism advice and guidance through Counter Terrorism Protect Officers and Counter Terrorism Security Advisors.*

82/22 **LICENSING ACT 2003 - Application For a Premises Licence at 31 South End, Croydon, CR0 1BE**

The Licensing Sub-Committee considered the Application for a Premises Licence at **31 South End Croydon CR0 1BE** and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery.

The Sub-Committee also considered the representations made by the Applicant during the hearing. The Sub-Committee noted that although the objector was not present at the hearing, they had the benefit of the written representations as part of the report.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003, Statutory Guidance under S182 of the Act and the Council Licensing Policy, **RESOLVED to GRANT** the application on the basis that the Sub-Committee were satisfied that it would be appropriate to promote the licensing objectives to do so. The grant is subject to the Conditions agreed with the police and offered by the applicant, the Applicant's operating schedule and the mandatory statutory conditions which apply under the Act.

The reasons of the Sub-Committee were as follows:

1. The Sub-Committee noted that the premises are situated on South End within a parade of shops with residential premises above. There is also a parade of shops on the other side of the road, also with residential premises above them. The immediately surrounding area includes both residential and commercial premises however it is situated in an area often described as the "restaurant quarter" and has numerous

restaurants, take aways and food outlets along this stretch of South End.

2. The premises license sought is only in relation to the provision of late night refreshment. There are no alcohol sales on the premises and none are sought.
3. Following discussions with the Police, the applicant has amended his application to have the conditions at Appendix A2 to the report placed on the license if the application is granted.
4. In addition, the applicant has amended their application to reduce the hours of opening and the hours of licensable activities. The requested terminal hour on Thursday to Sunday to 0100 hours on the following day and that the closing time for the premises will be 0230 hours Monday to Wednesday and 0130 hours Thursday to Sunday.
5. In respect of prevention of public nuisance objective, the Sub-Committee noted the importance of focussing on the effect of the licensable activities at the *specific* premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable, as is suggested by the Statutory Guidance. In this regard the Sub-Committee considered the concerns raised relating to anti-social behaviour arising in the area due to the opening hours and noise disturbance to nearby residential properties but noted in this regard that there were no objections from the police or the noise nuisance team regarding potential crime and disorder or nuisance impacts and no specific concerns had been raised about the operation of the particular premises under consideration but rather a general concern that another premises would create/exacerbate nuisance and/or antisocial behaviour.
6. The Sub-Committee were aware, and had reference to the Statutory Guidance which provides that, beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right.
7. The Sub-Committee noted that whilst the Council had adopted a cumulative impact policy which pertained to shops and supermarkets selling alcohol, this was not applicable to late night refreshment proposed for this operation.
8. The Sub-Committee wished to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee's consideration.

83/22 **Exclusion of the Press and Public**

This item was not required.

The meeting ended at 11.57 am

Signed:

Date:

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