### For general release

#### 1. RECOMMENDATIONS

1.1 The Sub-Committee is asked to consider the objection notice given by the police in respect of a temporary event notice given by Ms. Thi Pham for The Jolly Sailor P/H, 64 High Street, SE25 6EB.

#### 2. EXECUTIVE SUMMARY

2.1 The purpose of this report is to advise the Sub-Committee that a temporary event notice has been given to the licensing authority under the Licensing Act 2003 (“the Act”). This temporary event notice is the subject of an objection notice from the police, 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 and A/40/07 refer).

3.2 The proposed premises user and the police 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 proposed premises user and the police in accordance with “the Regulations”.

3.3 Appendix A to this report provides details of the temporary event notice.

4. CONSULTATION

4.1 The police were given a copy of the temporary event notice and a copy of the police objection notice has been given to the proposed premises user.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Revenue and Capital consequences of report recommendations

<table>
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<tr>
<th>Current year</th>
<th>Medium Term Financial Strategy – 3 year forecast</th>
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Capital Budget available

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<td>Remaining budget</td>
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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 as detailed in the recommendations at paragraph 1 above.

5 **Future savings/efficiencies**

None identified.

(Approved by: Dianne Pelling, Departmental Head of Finance)

6. **COMMENTS OF THE COUNCIL SECRETARY AND SOLICITOR**

6.1 The Solicitor to the Council comments that the sub-committee must determine the objection notice, taking into account relevant representations, the Licensing Act 2003, statutory guidance and the Council’s own licensing policy.

6.2 (Approved by: Gabriel MacGregor, Head of Legal Services (Corporate) on behalf of the Solicitor to the Council).

7. **HUMAN RESOURCES IMPACT**

7.1 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.

7.2 (Approved by: Pam Parkes, Head of Human Resources & OD)

8. **CUSTOMER IMPACT**

8.1 There are no specific customer services issues relating to this report.

9. **EQUALITIES IMPACT ASSESSMENT (EIA)**

9.1 The arrangements for the Licensing Hearings seek to ensure that all applicants, licence/certificate holders and other interested parties receive a fair hearing and that the process is accessible to all groups within the community.

10. **ENVIRONMENTAL AND DESIGN IMPACT**

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

11. **CRIME AND DISORDER REDUCTION IMPACT**

11.1 A copy of the temporary event notice was forwarded to the Police Licensing Officer and the police must give an objection notice if they are satisfied that allowing the premises to be used in accordance with a temporary event notice would undermine the crime prevention objective.
12. **HUMAN RIGHTS IMPACT**

12.1 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.

12.2 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).

12.3 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’.

13. **FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

13.1 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, Licensing Team Leader, Community Services Department, ext. 61838.

**BACKGROUND DOCUMENTS:** Application Forms, Licensing Hearings Protocol and Procedure.
1. **The Notice**

1.1 This report concerns a temporary event notice given by Ms. Thi Pham in respect of a proposed event at The Jolly Sailor P/H, 64 High Street, South Norwood, SE25 6EB on Saturday 30 & Sunday 31 October 2010. The notice was received by the Licensing Team of the Community Services Department on 13 October 2010.

1.2 The notice was given under section 100 of the Licensing Act 2003.

1.3 The police have given an ‘objection notice’ regarding the temporary event notice under section 104 of the Licensing Act 2003.

1.4 A copy of the temporary event notice is attached at Appendix A1.

1.5 A copy of the police objection notice is attached at Appendix A2.

1.6 An ordnance survey extract map of the area, with the premises shown at the centre is attached at Appendix A3

2. **Policy Considerations**

2.1 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](http://www.croydon.gov.uk). Hard copies are also available from the Council’s Community Services 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.

4.1 Nothing in the ‘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

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

4.7 Licensing is about the control 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.
4.8 However, the Council acknowledges that it can only impose conditions where relevant representations have been received to an application and that such conditions must be considered necessary for the promotion of the licensing objectives raised by the representations.

4.9 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.

4.10 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.

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 reasonable can to prevent crime and disorder in the Borough.

5.2.3 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, 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.

5.29 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, and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder contained in the Statutory Guidance to the Act and the following examples of conditions specifically with regard to ‘significant events’:

1. The licensee shall undertake a risk assessment of any significant promotion or event (as defined below) using the MPS Promotion/Event Risk Assessment (Form 696) or an equivalent and provide a copy* to the Metropolitan Police Service and the licensing authority not less than 14 days before the event is due to take place.
2. Where an 'event' has taken place, the licensee shall complete an MPS After Promotion/Event Debrief Risk Assessment (Form 696A) and submit this* to the Metropolitan Police and the Licensing Authority, within 14 days of the conclusion of the event.

*submission of electronic documents by e-mail is preferred.

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 2003 Act covers a wide range of premises that require licensing, including, cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants and ‘fast food outlets/takeaways.

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 precautionary 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.

5.3.7 Additionally, when preparing their Operating Schedules, applicants are recommended to seek advice from the Council’s Health and Safety Officers and the London Fire and Emergency Planning Authority.

5.3.8 The Council will consider attaching Conditions to licences and permissions to promote safety, and these may include Conditions drawn from the Model Pool of Conditions relating to ‘Public Safety’ and ‘Cinemas and Fire Safety’ contained in the Statutory Guidance to the Act.

5.4.1 The Council recognises the need to protect the amenities of people living, visiting and working in the vicinity of the licensed premises, while 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.
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, necessary to reduce the 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 opening hours beyond 23.30 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.

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.

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

5.4.15 The Council will consider attaching Conditions to licences and permissions to prevent public nuisance, and these may include Conditions drawn from the Model Pool of Conditions relating to ‘Public Nuisance’.

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.

5.5.7 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.

8. TEMPORARY EVENT NOTICES

8.1 Certain temporary events do not require a licence and can be notified to the Council by a Temporary Event Notice giving a minimum of 10 working days notice.

8.2 However, bearing in mind the scale, location or timing of the event it is considered that this may not allow sufficient time for organisers to carry out full and proper discussion on the possible crime and disorder, public nuisance and health and safety issues with the Council, Police and any other interested parties.

8.3 The Council therefore recommends that, in order to ensure that events can take place with the minimum of risk, at least 28 days notice is given. Also, bearing in mind that it may be difficult to assess an event too far in advance, it recommends that normally, not more than 90 days notice is given.

8.4 The Council also recommends that where temporary event notices relate to promoted events at either existing licensed premises or non-licensed premises, the premises user complies with the Metropolitan Police Service’s Music Promotion/Event Risk Assessment Scheme and submits the relevant risk assessment forms both pre and post the event. Further details on this scheme can be obtained by contacting the police licensing team at Croydon police station on 020 8649 0167.

The Secretary of State for Culture, Media and Sport has produced Guidance under Section 182 of the Act.

At Chapter 7 of the Guidance, paragraphs 7.26 & 7.27 state:

POLICE INTERVENTION

7.26 The second and more important reason for the notification requirement is to give the police the opportunity to consider whether they should object
to the event taking place on the grounds that it would undermine the crime prevention objective.

7.27 Such cases might arise because of concerns about the scale, location or timing of the event. However, in most cases, where alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (e.g. at weddings or small social, community, charitable or sporting events) this should not give rise to the use of these police powers. If the police do not intervene, they will still be able to rely on their powers of closure under Part 8 of the 2003 Act should disorder or noise nuisance arise subsequently.

2.2 All relevant parties have been made aware of the date, time and location of the Sub-Committee meeting.
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<td>* Family name</td>
</tr>
<tr>
<td>* E-mail</td>
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<tr>
<td>Main telephone number</td>
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<tr>
<td>Other telephone number</td>
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**Indicate here if you would prefer not to be contacted by telephone**

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<td>☑ Applying as an individual</td>
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<td>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.</td>
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<tr>
<td>* Is your business registered outside the UK?</td>
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<tr>
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</tr>
<tr>
<td>* Business name</td>
</tr>
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<td>* VAT number</td>
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* required information
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<td><strong>Business Address</strong></td>
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</tr>
<tr>
<td><strong>Street</strong></td>
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<td><strong>District</strong></td>
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The information given here will be saved and will be pre-filled in future forms.

### Section 2 of 8

**APPLICATION DETAILS** *(See also guidance on completing the form, general notes and note 1)*

**Have you had any previous or maiden names?**

- **Yes**
- **No**

**Your date of birth**

- Day
- Month
- Year

**National insurance number**

This box need not be completed if you are an individual not liable to pay UK national insurance.

**Place of birth**
Continued from previous page...

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?  

- [ ] Yes  
- [ ] No  

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

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<td>District</td>
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</tr>
<tr>
<td>City or town</td>
<td>South Norwood</td>
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<td>County or administrative area</td>
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<td>Postcode</td>
<td>SE25 6EB</td>
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<td>United Kingdom</td>
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**Additional Contact Details**

Are the contact details the same as (or similar to) those given in section one?  

- [ ] Yes  
- [ ] No  

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

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<tr>
<td>Other telephone number</td>
<td>[Redacted]</td>
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**Section 3 of 8**

**THE PREMISES**

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [See also guidance on completing the form, note 2]

* Does the premises have an address?  

- [ ] Yes  
- [ ] No
### Address

Is the address the same as (or similar to) the address given in section one?  

- ☑ Yes  
- ❌ No  

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name: 64
* Street: High Street
* District: 
* City or town: South Norwood
* County or administrative area: London
* Postcode: SE25 6EB
* Country: United Kingdom

### Location Details

Provide further details about the location of the event

- The Jolly Sailor public house

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

- Bar area / Ground floor / Back yard

Describe the nature of the premises below (see also guidance on completing the form, note 4)

- Public house

Describe the nature of the event below (see also guidance on completing the form, note 5)

- Private party / Halloween party

### Section 4 of 8

**LICENSABLE ACTIVITIES**

State the licensable activities that you intend to carry on at the premises  
(see also guidance on completing the form, note 6)

- ☑ The sale by retail of alcohol
Continued from previous page...

☐ The supply of alcohol by or on behalf of a club to, or to the order of, a
member of the club

☐ The provision of regulated entertainment

☐ The provision of late night refreshment

State the dates on which you intend to use these premises
for licensable activities
(see also guidance on
completing the form, note 7)

Sat 30/10/10 & Sunday 31/10/10

State the times during the
event period that you propose
to carry on licensable activities
(give times in 24 hour clock)
(see also guidance on
completing the form, note 8)

10:00 (Sat 30/10/10) to 02:30 Sun (31/10/10)

State the maximum number
of people at any one time that
you intend to allow to be
present at the premises
during the times when you
intend to carry on licensable
activities, including any staff,
organisers or performers
(see also guidance on
completing the form, note 9)

150

Note that the maximum number of people
cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the
supplies will be for consumption on or off the premises, or both
(see also guidance on completing the form, note 10):

☐ On the premises only

☐ Off the premises only

☐ Both

Section 5 of 8

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 11)

Do you currently hold a valid personal licence?

☐ Yes  ☐ No

Provide the details of your personal licence below.

Issuing licensing authority: London borough of Southwark

Licence number: 0130363

Date of issue: 09 / 05 / 2009

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Continued from previous page...

Date of expiry: 08/05/2019

Any further relevant details:

Section 6 of 8

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 12)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?:
- Yes
- No

Have you already given a temporary event notice for the same premises in which the event period:
  a) Ends 24 hours or less before or
  b) Begins 24 hours or less after the event period proposed in this notice?
- Yes
- No

Section 7 of 8

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 13)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?
- Yes
- No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:
  a) Ends 24 hours or less before or
  b) Begins 24 hours or less after the event period proposed in this notice?
- Yes
- No
Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes
- No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:
  a) Ends 24 hours or less before; or
  b) Begins 24 hours or less after the event period proposed in this notice?

- Yes
- No

Section 8 of 8

CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.
(See also guidance on completing the form, note 14)

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.

This formality requires a fixed fee of £21

ATTACHMENTS

OFFICER POSTAL ADDRESS

Address
Building number or name: Tabener House
Street: Park Lane
District:
City or town: Croydon
County or administrative area:
Postcode: CR9 3JS
Country: UK

DECLARATION

* The information contained in this form is correct to the best of my knowledge and belief
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This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Digital signature [signature](signature)

The form must be digitally signed, this will be verified and passed to the authority.

When you are satisfied that you have completed the form correctly, save it and continue with the application process. If the online application screen is no longer available in your browser, click here to resume.

**OFFICE USE ONLY**

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<td>11/20/2010</td>
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**Digital Signature Information**

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<tr>
<th>Signer's name</th>
<th>Thi Pham</th>
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<td>Signer's contact information</td>
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<tr>
<td>Signer status</td>
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<tr>
<td>Signature status</td>
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<td>Certificate issuer</td>
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</table>

* The form must be digitally signed, this will be verified and passed to the authority.

When you are satisfied that you have completed the form correctly, save it and continue with the application process. If the online application screen is no longer available in your browser, click here to resume.
Continued from previous page...

* I understand that it is an offence:
  1. to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale and
  2. to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

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

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date (dd/mm/yyyy)

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Digital signature

The form must be digitally signed, this will be verified and passed to the authority.

When you are satisfied that you have completed the form correctly, save it and continue with the application process. If the online application screen is no longer available in your browser, click here to resume.
10. Acknowledgement (Please read note 17)

I acknowledge receipt of this temporary event notice.

<table>
<thead>
<tr>
<th>Signature</th>
<th>K. Plummer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>14.10.10</td>
</tr>
<tr>
<td>Name of Officer</td>
<td>K. Plummer</td>
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On behalf of the Licensing Authority.
Objection Notice - The Prevention of Crime and Disorder

I am satisfied that allowing THE JOLLY SAILOR to be used in accordance with the Temporary Event Notice received by Croydon Police on the 14th of October 2010 would undermine the Prevention of crime and disorder Objective for the following reasons:

- The applicant has not approached police with a risk assessment or plan showing how the proposed function is to be managed in accordance with the Crime and Disorder and Crime Prevention objective.
- The applicant has not informed police how the event will be managed outside the normal operating hours if the premises licence to meet the Crime and Disorder and Crime prevention objective.
- The applicant has not indicated to police or discussed with police officers the steps that will be taken to support the crime and disorder Licensing Objective.
- The Police have not been given advance notice of this event as recommended in the Croydon Council Licensing Policy or the Statutory Guidance to the Licensing Act 2003.
- Officers attended the premises at 0130hrs on the 21st of August 2010 to find that licensable activities were still taking place.
- Customers have been allowed to drink outside the premises on the 2nd of October 2010 - the day of a football match between Crystal Palace and Queens Park Rangers.
- On this day customers were involved in a disturbance in the street in the vicinity of the premises whereby a victim was stabbed in the head.
- The Premises Licence holder and DPS have not responded to a crime prevention report dated August 2010 or a subsequent letter.

At this time I consider that the Premises Licence holder and the DPS are not supporting the Prevention of Crime and Disorder.

Insp. Alan Goodall
Croydon Borough

On behalf of the Commissioner of the Metropolitan Police Service
Dear Mr Nguyen,

With reference to the letter dated 22nd July 2010 from Sergeant Cooper, in which he made comments and suggestions regarding ways to reduce crime and disorder in your premises and ensure safety of customers and staff.

Please update the office within seven days detailing the measures you have taken to address the suggestions of PS Cooper.

Additionally I would like to point out how disappointed I was that you are still allowing football supporters to drink from Glass and bottles outside your venue in the street. (2nd October 2010). I have advised you against this in the past on several occasions. In your letter to PS Cooper I would also like you to detail the measures you are taking to address my concerns.

Yours Faithfully

Alan Goodall
Inspector
Football & Licensing
Metropolitan Police
Croydon
Dear Mr Nguyen,

With reference to my recent visit to your premises, I would like to make the following comments and suggestions.

**CCTV System**

Having reviewed your premises I would suggest a colour digital CCTV system with at least nine cameras and the ability to download images from the system to a DVD disc. Two should be located in the outside beer garden area and the two entrance doors should both have a camera located in a position to be able to record a clear head and shoulders image of anybody entering the premises. The other cameras should cover the pool table area from both ends, the male toilet entrance door, the bar and rear exit area. I suggest your CCTV installer is asked to carry out a comprehensive survey to design a system that is fit for purpose for your establishment and be guided by them as to the numbers of cameras required. I would suggest you advise them of your operational requirements and ask for a written specification of the system that is installed.

A company accredited by either the National Security Inspectorate (NSI) or the Security Systems and Alarm Inspection Board (SSAIB) should carry out any work to ensure the correct quality, standards and location of cameras. Guidance is available in the Home Office Scientific Development Branch (HOSDB) publication 55-06, CCTV Operational Requirements Manual found on www.hosdb.homeoffice.gov.uk

It is vital that the system suits the environment it is to be used in, any recorded images must be of sufficient detail and quality that they can be used as valid evidence in a court of law. Any system you use must comply with the legal requirements, which includes the display of mandatory signage, of the Data Protection Act 1998, further information can be obtained from www.informationcommissioner.gov.uk

Regular maintenance of your CCTV system is vital to ensure it is working correctly. You should carry out a regular visual check of the cameras and review the recorded images, any defects in the system can then be identified and rectiﬁed immediately.

Crime prevention advice is given freely without the intention of creating a contract. The Metropolitan Police Service does not take any legal responsibility for the advice given.
attending a copy of the event on disc, I would suggest you also make a
copy for yourself.

**Lighting**

There is a need to balance what is the correct ambience for your customers
and their safety and security. Any lighting should complement the CCT
system to offer images of evidential quality. You may wish to consider asking
a qualified lighting engineer to carry out a full survey and any
recommendations implemented.

**Fire Gate in Beer Garden**

I would suggest you contact the local Fire Service safety officer to seek advice
on the correct signage of which door should be the designated fire exit.
This door should be fitted with an audible alarm to alert bar staff if they are
opened, signage should be clearly displayed indicating they are alarmed. This
can assist in deterring somebody from opening them unnecessarily or with the
intention of facilitating persons with criminal intent on to the premises.

**Signage**

Good clear signage indicating CCTV is in operation can act as a deterrent to
persons considering anti social behaviour or even criminal acts within the
premises.

**Final Exit Door to Beer Garden**

This door is in poor condition and should be replaced or strengthened as
signs of damage to the panels are visible. As this is part of the rear fire exit I
would suggest a thumb turn 6 lever mortice lock to British Standards BS 3621
is fitted about 1/3 way up from the bottom of the door to improve the security
of this door when locked.

**Door to Cellar**

Currently this is not fitted with any security device to prevent unauthorised
opening. I would suggest a digital key pad lock is installed and that the code
is changed regularly to prevent unauthorised entry.

**Door to Flat**

This door is in poor condition and should ideally be replaced with a solid core
doors as it leads to your living area.

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Metropolitan Police Service does not take any legal responsibility for the advice given.
To dissuade any drugs misuse staff should regularly check all toilets; you may wish to consider creating uneven surfaces on any smooth areas as a further deterrent.

**General Comments**

- It is important that any member of staff using or operating the CCTV system is conversant with how the system works and how to download images.

- Staff should be confident, alert and well informed to prevent crime. A protocol for dealing with any incident, security and staff safety should be readily available.

- All doors where the public should not have access need to be clearly marked with good signage indicating that it is private beyond.

- Any electrical, cleaning or store cupboards in public areas should always be kept locked during opening hours.

- Any security improvements must comply with The Owners Liability Act 1984, which relates to any person on your premises, invited or not.

If I can be of any further assistance please do not hesitate to contact me on the above phone number.

Andrew Williams
Crime Prevention Design Advisor

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