

Licensing Sub-Committee

Wednesday 27 January 2016

10.00 am

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Sandra Rhule
Councillor Charlie Smith

Reserves

Councillor David Hubber

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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Contact

Andrew Weir on 020 7525 7222 or email: andrew.weir@southwark.gov.uk
Webpage: www.southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 19 January 2016



Licensing Sub-Committee

Wednesday 27 January 2016
10.00 am
Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

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| PART A - OPEN BUSINESS | | |
| 1. | APOLOGIES | |
| | To receive any apologies for absence. | |
| 2. | CONFIRMATION OF VOTING MEMBERS | |
| | A representative of each political group will confirm the voting members of the committee. | |
| 3. | NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT | |
| | In special circumstances, an item of business may be added to an agenda within five clear days of the meeting. | |
| 4. | DISCLOSURE OF INTERESTS AND DISPENSATIONS | |
| | Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting. | |
| 5. | LICENSING ACT 2003: EV RESTAURANT, 97-99 ISABELLA STREET, LONDON SE1 8DA | 1 - 79 |
| 6. | LICENSING ACT 2003: JACK'S BAR, RAILWAY ARCH 96, JOAN STREET, LONDON SE1 8DA | 80 - 174 |
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ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

Item No.

Title

Page No.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 19 January 2016

| | | | |
|------------------------------------|--------------------------------|--|---|
| Item No. 5. | Classification: Open | Date: 27 January 2016 | Meeting Name: Licensing Sub-Committee |
| Report title: | | Licensing Act 2003: EV Restaurant, 97-99 Isabella Street, London SE1 8DA | |
| Ward(s) or groups affected: | | Cathedrals | |
| From: | | Strategic Director of Environment and Leisure | |

RECOMMENDATION

1. That the licensing sub-committee considers an application made under Section 51 of the Licensing Act 2003 by Southwark Council's environmental protection team (EPT) for a review of the premises licence issued in respect of the premises known as EV Restaurant, 97-99 Isabella Street, London SE1 8DA.
2. Notes:
 - a) The grounds for the review are stated in paragraph 12 to 15 of this report. A copy of the full application is provided as Appendix A.
 - b) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix B.
 - c) Paragraphs 16 – 24 of this report deals with the representations submitted in regards to the review application. Copies of the representations are attached as Appendices C & D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to:
- The Act itself
 - The guidance to the Act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51(1) of the Act it remains open to any responsible authority or interested party to apply to the local licensing authority for a review of the premises licence where there are concerns regarding one or more of the four stated licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The current licence issued in respect of the premises known as EV Restaurant, 97-99 Isabella Street, London SE1 8DA was issued to Tas Restaurant Limited on 5 August 2014. The licence permits the following licensable activities during the hours shown:
- Live music
Monday to Sunday 19:00 - 23:30
 - Recorded music
Monday to Sunday 11:00 - 00:30
 - Late Night Refreshment
Monday to Sunday 23:00 - 00:30
 - Sale of alcohol (on & off premises)
Monday to Sunday 11:00 - 00:30
 - Operating hours of the premises
Monday to Sunday 11.00 – 01.00
10. A copy of the current premises licence is attached to the report as Appendix B.

Designated premises supervisor

11. The designated premises supervisor (DPS) is Zeynep Gokkaya who holds a personal licence issued by London Borough of Islington and has been the DPS since 5 August 2014.

The application for a review of the premises licence

12. On 7 December 2015 an application for the review of the premises licence was submitted by Southwark Council's environmental protection team. The grounds for the review relate to the following licensing objective:
 - The prevention of public nuisance
13. The grounds for the review are stated as to address the premises licence after numerous complaints have been made to Southwark Council regarding public nuisance and along with numerous visits by council officers who have witnessed public nuisance occurring.
14. The purpose of the review of the premises licence is to seek to address the existing conditions on the premises licence and to apply further conditions to prevent future public nuisances being created by this premises.
15. The review outlines the current conditions relating to the prevention of public nuisance, gives details of the visits made by council officers over the previous 18 months, the complaints received and engagement undertaken by the council with the premises management. Recommendations for new conditions are included in the review application, a copy of which is attached as Appendix A.

Representations from responsible authorities

16. There have been three representations made by responsible authorities as follows:
17. The council's health and safety team made a representation under the public safety objective and supports the review. It states that there are no risk assessments made at the premises under the Noise at Work Regulations 2005. Secondly that management need to explain and set capacity figures for the each area of the premises.
18. The council's licensing team submitted a representation in support of the review under the prevention of public nuisance and also under the prevention of crime and disorder and public safety. It asks that this review is looked not only on an individual basis, but collectively in conjunction with the reviews submitted for the adjacent premises Jack's Bar and Thai Silk as each is contributing to a cumulative public nuisance. The representation asks for the suspension of conditions relating to live and recorded music be lifted under section 177A(4) proposes a further condition to be imposed and adjustments to the conditions proposed by the environmental protection team review.
19. The public health representation supports the review application under the prevention of public nuisance and explains the health affects caused by noise pollution stating that noise pollution has been associated with a range of significant negative effects on health and wellbeing, including changes in mood, hypertension, and various heart troubles. In addition, it is probable that the noise pollution is leading to sleep deprivation for local residents, as the records of both the council teams' visits and the noise complaints reported loud noise at various times of night. Sleep deprivation has also been associated with a range of significant negative effects on health and wellbeing, including reduced cognitive ability, depression, obesity, heart disease, hypertension and diabetes.
20. The representations from the responsible authorities are attached as Appendix C.

Representations from other persons in support of review application

21. There are nine representations submitted by other persons, three from the ward councillors and six from local residents.
22. The ward councillors support the review and state that the premises has given rise to noise nuisance and anti-social behaviour from not adhering to licence conditions, allowing patrons to drink outside beyond the hour allowed and in areas outside the licensable area using the street as an extension of their premises. Also citing music noise escape from the premises by leaving the premises doors open.
23. The residents' representations cite public nuisance from the noise from crowds outside the premises with some patrons becoming intoxicated, over spilling into the public areas including the street from loud voices, shouting and screeching. Patrons are also blocking the safe passage for pedestrians who wish to walk down the street. Other issues include loud music from the premises with speakers placed near the entrances and the doors kept open; the noisy collection of refuse, including bottles in the early hours of the morning; litter, including broken glassware, left in the street for the council to clear up; vehicle noise from patrons leaving the premises including slamming car doors; patrons urinating in the street and patrons causing damage to residents vehicles.
24. The other persons' representations are attached as Appendix D.

Response to the review application

25. At the time of writing the premises licence holder has not submitted a response to the review application and representation, any submissions received prior to the hearing will be circulated.

Further information – deregulation of entertainment

26. Entertainment deregulation came into force on 6 April 2015.
27. Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
28. Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
29. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

Licensing operating history

30. The initial premises licence was issued in respect of the premises on 27 September 2007 to Tas Restaurant Limited. The licence activities and hours of operation have remained the same as in current licence.
31. On 5 August 2014 an application was submitted to vary the premises licence to include the current designated premises supervisor.
32. On 31 July 2015 at 21:05 a visit was made to the premises by a licensing officer working on the night time economy team. On approach they could hear loud music consisting of a heavy bass, from The Cut. They observed dozens of people drinking

outside on the Styles House side of the TfL ventilation shaft. Pint glasses were everywhere and not being collected. They observed that EV Restaurant was blasting music. All three premises had their doors and windows open.

33. On 28 August 2015 at 20:15 council officers visited the area and on arrival noticed crowds of people standing on the walkway outside EV's bar, Jack's Bar and Thai Silk drinking and chatting. EV's Bar had their front doors open and music was playing very loudly. All three venues were playing loud music and had their entire frontage open and people sitting opposite side of walkway and passageway in the gardens. Security SIA staff were observed in the outside area. There were approximately 100 plus people outside at the time of the visit. Music was being played at entertainment level amplified to a volume to cause significant local public nuisance.
34. Further visits were made during September and on 25 September 2015 at 21:00 officers who were monitoring outside Styles house on the Hatfield side and heard that noise was evident, especially at bass volume. The officers made their way to Isabella Street which was busy with patrons and observed that the front doors of all premises were open and that loud music was being played.

The local area

35. A map of the area is attached to this report as Appendix E. The premises is identified by a diamond at the centre of the map. For purposes of scale only, the circle on the map has a 100 metre radius. The following licensed premises including terminal hours are also shown on the map:
- Thai Silk, Arches 94-95 Joan Street, London SE1(Monday to Sunday till 03:00)
 - Jacks Railway Arch 96, Joan Street, London SE1 (Sunday till 22:30, Monday to Wednesday till 23.30 and Thursday to Saturday till 00:30)

Southwark council statement of licensing policy

36. This application was received prior to 1 January 2015, therefore the licensing policy in force at the time of application should be used for the purpose of assisting with the determination of this review application.
37. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
- Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives.
 - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence.
 - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998.
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours.
 - Section 8 provides general guidance on ensuring public safety including safe capacities.

- Section 9 provides general guidance on the prevention of nuisance.
- Section 10 provides general guidance on the protection of children from harm.

38. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

39. No fee is payable in respect of an application for licence review.

Consultation

40. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was exhibited outside the premises for a period of 28 days.

Community impact statement

41. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

42. The sub-committee is asked to determine, under Section 52 of the Licensing Act 2003, an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

43. The principles which sub-committee members must apply are set out below.

Principles for making the determination

44. The licensing authority must hold a hearing to consider an application for review of a premises licence where:

- The application is properly made in accordance with Section 51 of the Act
- The applicant has given notice in accordance with Section 51(3) of the Act
- The advertising requirements provided for under Section 51(3) of the Act are satisfied
- The licensing authority has considered the ground(s) of review not to be frivolous, vexatious or repetitious
- The licensing authority has considered the ground(s) of review to be relevant to one or more of the licensing objectives.

45. The four licensing objectives are:

- The prevention of crime and disorder
 - The protection of public safety
 - The prevention of nuisance
 - The protection of children from harm.
46. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence.
47. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:
- Are relevant to one or more of the licensing objectives
 - Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
 - Have not been withdrawn
 - If made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
48. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
49. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
50. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
51. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

52. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The applicant
 - Any person who made relevant representations
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

53. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee, and
 - The licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
54. This matter relates to the review of the premises licence under section 51 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

55. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety, public health, childrens' services and the planning authority.
56. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

57. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
58. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
59. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
60. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
61. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
62. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

63. Members are required to have regard to the Department for Culture, Media and Sport guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Corporate Services

64. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

BACKGROUND DOCUMENTS

| Background papers | Held At | Contact |
|---|--|--|
| Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file | Southwark Licensing, C/o Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH | Kirty Read Phone number: 020 7525 5748 |

APPENDICES

| No. | Title |
|------------|--|
| Appendix A | Review application |
| Appendix B | Premises licence |
| Appendix C | Representations from responsible authorities |
| Appendix D | Representations from other persons |
| Appendix E | Map of local area |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Deborah Collins, Strategic Director of Environment and Leisure | |
| Report Author | Dorcas Mills, Principal Licensing Officer | |
| Version | Final | |
| Dated | 13 January 2016 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments sought | Comments included |
| Director of Law and Democracy | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Cabinet Member | No | No |
| Date final report sent to Constitutional Team | | 13 January 2016 |

Southwark Licensing Team

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London SE1 5LX

E-mail: licensing@southwark.gov.uk

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Mark Prickett, on behalf of Southwark Council's Environmental Protection Team

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

EV RESTAURANT BAR AND DELICATESSEN
97-99 Isabella Street

Post town London

Post code (if known) SE1 8DA

Name of premises licence holder or club holding club premises certificate (if known)

TAS RESTAURANT LIMITED

Number of premises licence or club premises certificate (if known)

845614

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address Mark Prickett (Principal Enforcement Officer) Environmental Protection Team Regulatory Services Southwark Council 3rd floor, Hub 2 160 Tooley Street London SE1 2QH |
| Telephone number (if any) Direct line: 0207 525 0023 EPT: 0207 525 4261 |
| E-mail address (optional) mark.prickett@southwark.gov.uk |

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

Please state the ground(s) for review (please read guidance note 2)

The review application is submitted to address the premises licence at EV Restaurant Bar & Delicatessen (EV), Railway Arches 97 – 99 Isabella Street, SE1 8DA after numerous complaints have been made to Southwark Council regarding public nuisance along with numerous visits by council officers to the premises who have witnessed public nuisance occurring.

Please provide as much information as possible to support the application (please read guidance note 3)

Southwark Council's Environmental Protection Team (EPT) submit a review application at EV, Railway Arches 97 – 99 Isabella Street, SE1 8DA to address the premises licence no: 845614, granted August 5th 2014.

EPT seek to review existing conditions and apply further conditions to prevent future public nuisance being created from this premises.

PREMISES SITE CONTEXT

There are 6 railway arches located between Joan Street (to the north and east), Hatfields (to the west) and Isabella Street (to the south), SE1 8DA. The arches are numbered from 94-99.

EV occupies 3 arches numbered 97, 98 & 99 which is divided up into a delicatessen, a restaurant and a bar. The bar area is situated in arch 97.

It is believed EV has been operational since 2005/6 and the recent premises licence (no: 845614) is dated 5th August 2014 due to a change in the Designated Premises Supervisor (DPS). The management, Tas Restaurants, have been present since 2005/6.

The 6 relevant conditions placed on the licence to address the 'prevention of public nuisance' licensing objective are as follows;

311 - That notices shall be displayed requesting that customers leave the premises in a quiet and orderly manner, without slamming doors

315 - That the external terrace shall be closed at 23.30 each day

324 - That a notice be displayed at the premises giving the telephone numbers of local mini-cab firms

344 - That doors and windows to the external terrace will be kept shut from 23:30 until the terminal hour

345 - That no live music shall be played on the terrace

346 - That live music played within the premises will generally be one acoustic guitar

INVESTIGATION & COMPLAINT HISTORY

The council has undertaken a long investigation process with EV. Relative correspondence and details of site meetings between both parties are detailed below.

All relevant information is presented in time order for the following separate sections;

- NTE visits
- Noise & Nuisance Team complaints
- EPT visits
- Council correspondence with the premises.

- **NTE VISITS**

Southwark's Licensing department run a Night Time Economy Team (NTE) that operates on both Friday & Saturday nights. All NTE visits to EV are detailed in Appendix 1 however highlights of relevant visits and officer actions are summarised below;

Feb/March 2014 Southwark's Licensing's Night Time Economy Team (NTE) commenced visits to

Isabella Street and to EV on the weekend of Friday 28th February 2014 in response to public nuisance complaints received to the licensing service, specifically from loud audible music and patron noise. Visit made by NTE 23:05 on 28/2/2014. NTE officer met with manager Ugur Ezgi (UE) and "apprised UE of recent noise complaints in regards to the premises. I advised him to ensure that customers entering / leaving the premises must be managed in such a way so that their actions do not give rise to noise nuisance. I advised him that staff should monitor customer behaviour and ensure that their behaviour does not give rise to nuisance. I advised UE that staff will have to pay particular attention to customer behaviour in the summer months when warm weather means that the external seating area is likely to be heavily used. I advised UE of the Noise and Nuisance Team (NaN) service and the possibility of s.80 notices being served. I also advised UE of the ability of local residents to submit an application for the review of the premises licence issued in respect of the premises in regards to the prevention of public nuisance." **Verbal warning to management of potential review action should action not be taken to address public nuisance complaints.**

April 2014 18/4/14 – NTE visit at 23:30. NTE officer noted "the premises was open and there were about 10 customers outside sitting drinking and smoking. Met Gizem Cetiz supervisor advised that nobody should be outside drinking after 11:30pm. She told me that they are shutting the arches one by one and it's difficult to get the customers inside. She told me that last order was 11:30pm and they close at 00:00hrs eventually customers all left." **Outside area in use beyond time permitted via condition 315.**

July 2014 12/7/14 - NTE visit at 21:35. NTE officer Spoke to the manager Ugur Ezgi and advised him that he may want to voluntarily bring people inside at 23:00 hours the same time as JACKS licence condition. Officer also "explained that the summer was here and we had started to get complaints re noise from premises along that walkway. I said that the complaint was not about his premises in particular but that all of the premises altogether could become an issue for local residents. He told me that he had decided to take my advice and bring people inside at 23:00 as I had suggested".

Aug 2014 1/8/14 - NTE visit at 18:24 - Officer witnessed "Huge numbers of people outside EV" and "we had trouble getting through the crowds." **Patrons permitted to be beyond premises boundary.**
1/8/14 - Re-visit at 22:13 "Still a large number of people outside and music can be heard as doors are open." **Patrons permitted to be beyond premises boundary and loud amplified music leaking out from premises.**

8/8/14 - NTE visit at 20:00 – Officer stated "On approach to Isabella Street from Hatfield (walking past Styles House) crowd noise could be heard and increased significantly by the time we reached the junction of Isabella Street and Hatfields. There were approximately 65 people drinking, smoking, and socialising across the length of Isabella Street". The NTE officer noted that the external terrace area of EV was at capacity." **Patron noise from the use of the external frontage area.**

Feb 2015 6/2/15 - NTE visit at 22:22 - "Walked from Hatfields to Joan St. EVs bar, directly next to Jack's bar has loud music, when door opens it is much louder, could hear it from Hatfields. Approx 12 people outside. Spoke to Ugur who was a bit argumentative & tried to blame Jacks." **Loud amplified music leaking out from premises.**

May 2015 16/5/15 - NTE visit at 00:19 - "Had the "Please leave Quietly signs displayed" it was very quiet we visited at 00:19hrs.". To note that no issues caused from premises when all patrons inside. **Demonstrating that when patrons are inside and the doors are closed then no public nuisance being caused.**

29/5/15 – NTE visit at 22:31 – "As we walked past EV we noted that there were 12 people using EV's terrace area. They were talking at normal conversational levels and not engaging in ASB. RnB style music could be heard emanating from EV. The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when EV's entrance door was opened for access and egress." Officer noted that "the installation of lobby doors would aid in reducing sound escape from each premises." **Patrons using terrace area after 10pm cut off agreed as per Isabella St 'Action Plan', mentioned below. Loud audible music leakage from premises.**

July 2015 5/7/15 – NTE visit at 01:54 "Impromptu staff party outside EV. 4 males and 1 female

dressed in EV attire listening to music on their phone, drinking and shouting/laughing. It was very loud at that time of morning and likely to be heard by neighbours as they would have their windows open. All speaking Turkish (?) very loudly. I spoke to them and they confirmed that they worked for EV. I advised them to move on as they are causing a nuisance, and waited for them to leave. They walked off in the direction of Southwark tube at 02:00hrs & one of them smashed a bottle as they left."
Public nuisance from staff witnessed.

31/7/15 - NTE visit at 21:03 - "Thai Silk (arches 94-95) is blasting music, and the others (Jacks & EV) are equally loud trying to compete. All premises have doors and windows open."

22:02 "All doors and windows wide open, and speakers are positioned at the entrance. Went inside and spoke to a female staff member at the bar - she couldn't hear me due to the noise. She got the manager, a male called Ugur who I had dealt with before. The volume was reduced. On the Styles House side of Isabella St there are at least a dozen people, laughing and talking loudly and they would probably be heard in Styles House. At 22:10 as we were talking to Ugur we observed 3 x females taking drinks in glassware to the garden area closest to Styles House. I pointed this out to Ugur however he chose not to act on it. He then said he would close the outside area. I advised that we would wait while he did this. People are still coming out of EV bar with drinks. People still talking loudly and laughing outside. As we departed at 22:21hrs we noticed approx. 10 busy tables of diners in EV restaurant's outside area on their premises, however they were not causing any nuisance."
Patrons permitted to be beyond premises boundary. Loud audible music leaking from premises. Patrons using terrace area after 10pm cut off agreed as per Isabella St 'Action Plan'. Spoke with management re nuisance issues.

Aug 2015 28/8/15 - NTE visit at 20:15 - "Noticed crowds of people standing on the walkway outside EV drinking and chatting. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway in the gardens...There were approximately 100+ people outside at the time of our visit. Music was entertainment level amplified significant local public nuisance". All 3 premises witnessed causing a local public nuisance from patron noise whilst beyond the premises boundary and from loud audible music leaking from premises. Pic below from NTE officer;



Sept 2015 25/9/15 - NTE visit at 21:00 "Stood outside Styles house at the Hatfields side and music noise was evident, especially bass. Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music...We entered EV Bar and spoke with Ugur who immediately reduced the volume and came outside to check the volume. He stated he would shortly be closing the front doors." **Patrons permitted to beyond premises boundary, loud audible music leaking from premises. Management spoken to again.**

- **NOISE & NUISANCE TEAM COMPLAINTS**

7/5/14 – Complaint to noise team 00:02. Loud audible music from allegedly from all bars. No visit made by Noise Team to substantiate.

5/7/14 – Complaint to Noise Team at 20:03. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate.

26/9/14 – Complaint to Noise Team at 21:18. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate.

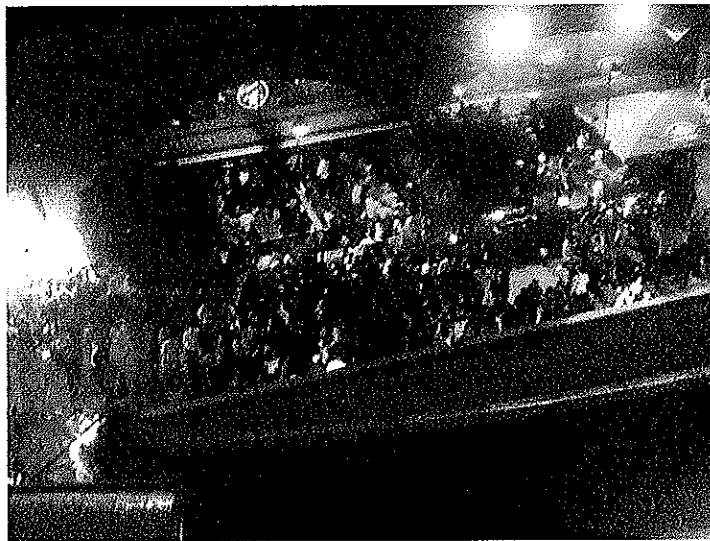
30/4/15 – Complaint to Noise Team at 22:05. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate.

1/5/15 - Complaint to Noise Team made on 8th re 1st. Alleged public nuisance from people/patrons leaving premises on Isabella Street. No visit made by Noise Team to substantiate.

23/7/15 – Complaint to Noise Team at 21:50. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate. Picture opposite sent through as evidence.

To note that all but one complaint is lodged at 22:05 or earlier.

Important to note that residents refused visits from Noise Team officers and were utilising the Noise Team service to record when disturbance was occurring so it could be logged on council complaint database. This list does not include the numerous direct email complaints received by the Licensing Team.



- **EPT VISITS**

July 2014 EPT were first notified of complaints being made about EV direct to Southwark Licensing Unit.

Aug 2014 EPT officers visited Isabella St at 21:20 on 15th August 2014 and noted **"Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St.** Approximately 20 patrons on Isabella St and 20 patrons in the section of chairs and tables on the opposite side of Isabella St. related to EV", "(EV) playing music at a volume that emanated beyond their premises boundary."

EPT officers investigated the disturbance from a residential property at 21:30-22:30 and noted "The internal noise levels (within complainants property and with windows shut) were not sufficiently intrusive to be considered a statutory nuisance due to noise. However, the external noise levels at the facade constituted a substantial public nuisance due to noise.

EPT officers also noted "A reduction in external noise levels was noticed at around 22:00. On inspection it could be seen that the majority of patrons had left the area or were now within the premises' external boundaries and under the canopies. There were approximately 5 persons left on Isabella Street."

At 22:45 "Full frontage open. Music from premises clearly audible on Isabella St. Concertina doors were closed at 23:00 with some tables and chairs being put away."

EPT visit confirmed that public nuisance was occurring due to loud audible music leaking from the

premises and from patron noise whilst using outdoor area beyond premises boundary.

Dec 2014 EPT officer visited at 21:45 and noted "15 ppl outside (first unit next to jacks). Doors shut. No music escape. No one outside 2nd & 3rd EV units & no one in leafy area on other side of Isabella St.

At 22:10 " Patrons still outside EV drinking. Only noise from inside heard when doors opened."

In summary, EV not closing external area at 10pm as per agreed in Isabell Street 'Action Plan', and noise leakage when front door opened.

- **COUNCIL CORRESPONDANCE WITH EV**

28/8/14 – Site meeting with EPT, Licensing & all 3 Isabella Street premises' representatives including EV. Meeting was set up to bring all 3 premises together in the hope of agreeing future strategy to control public nuisance.

EPT advised all premises that current level of music when doors are open is too loud and if concertina front doors to be open then music should be at background level.

All 3 verbally agreed to shut external areas at 10pm and move patrons inside/remove seating and tables. This is 1.5 hours earlier than the 11:30pm cut off required as per premises licence condition 315.

Whilst there was no commitment to work collaboratively between the 3 premises, all premises agreed that music levels needed to be reduced up to 10pm/while doors remained open and security needed to monitor and control patrons in outside areas to keep Isabella Street clear. Signage to be installed on Isabella St also advising patrons not to use area.

Sept 2014 A draft 'Isabella Street Action Plan' is drawn up by Jacks premises management which outlined measures to prevent continued public nuisance from occurring from all 3 premises on Isabella Street. For the full content of the action plan please see Appendix 2.

Dec 2014 Emails with Jacks confirming all 3 premises had agreed to adopt measures in action plan. To note that the content of this action plan had verbally been agreed with EV management during site meeting on 28/8/14.

March/April 2015 Site visit with EPT, Licensing, Highways & all 3 premises representatives on 6th March.

EPT follow up email dated 15th April outlining current stance with public nuisance, recommended measures to adopt to prevent public nuisance occurring and following warning of review;

"It is for management to adequately control noise & patrons over the coming warmer months when al fresco drinking/dining is likely to be of high demand on a regular basis. Should substantiated complaints continue over the coming months then EPT will have no other option than to review the premises licences which could result in amended opening hours being imposed, restrictive conditions being placed upon the licence or possibly even revocation."

Full email can be found in Appendix 3.

No correspondence was received back to EPT from this email.

Sept/Oct 2015 After NTE visits on 31st July & 28th August 2015, whereby NTE officers witnessed substantial public nuisance from EV, EPT decision to review EV premises licence on prevention of public nuisance grounds.

CONCLUSION

Southwark Council has carried out this investigation for over 1.5 years, dating from February 2014 to present. The investigation has totalled numerous officer hours in the office responding to repeated complaints against the premises, corresponding with and meeting with the premises as well as a numerous investigative hours spent by officers on the NTE service.

Whilst there are some visits made by the NTE team, as detailed in Appendix 1, that state that EV has been compliant with premises licence conditions and Action Plan measures, there has more importantly however been a consistent, repeated trend over the course of the 1.5 year investigation

of EV management not adequately addressing the following;

- Control the amplified music level within the premises and noise leakage from the premises.
- Management of patrons whilst in the external front terrace to prevent patrons spilling out in Isabella Street and beyond.
- Management of patrons whilst in the external front terrace from causing a public noise disturbance.
- Responded to advice from EPT which outlined site specific measures to prevent public nuisance from occurring.

Repeated witnessed instances of loud amplified music noise and patron noise from EV has led EPT to determine that this premises has caused a long standing public nuisance to neighbouring residents and as such premises management have not proven to operate the business with adequate regard to the prevention of public nuisance licensing objective.

On the first NTE visit under this investigation, dated 28/2/2014, the manager of EV was advised of the nature of public nuisance complaints Southwark had received and was verbally warned of possible review action should the complaints not be remedied.

A year after this first warning, EPT warned EV again of possible premises licence review action both verbally on 6/3/15 and via email on 15/4/15 should there be failure to adopt and comply with the measures outlined in the email, coupled with further substantiated complaints and witnessed instances of public nuisance.

NTE officers witnessed substantial public nuisance being caused from EV in both July & August 2015. EPT now consider that a review of the premises licence is the only option to appropriately address the public nuisance issues at EV after repeated correspondence, meetings and advice with the premises management has not considered to have been digested and implemented into forming an adequate solution.

EPT therefore seek to review existing conditions on EV premises licence and apply further conditions to prevent neighbouring residents from future public nuisance being created from this premises.

RECOMMENDATION

EPT consider the main issues creating public nuisance are from loud amplified music from within the premises and patron noise whilst the external frontage area in use prior to 10pm.

The level of music noise within the premises when concertina doors are open and the external frontage area is in use is, through numerous officer visits, considered too loud. This is believed to also raise the volume of speech from patrons to able to speak to one another, with a cumulative impact or increased noise.

The vast majority of complaints from residents occur prior to the 10pm after which the external area closes. As such relevant conditions are required to address this.

From review of complaints, once all patrons are inside the premises post 10pm, the other public nuisance issues are from noise leakage out of premises when front door is opening for access/egress and noise from patrons leaving the area.

To follow is a list of existing conditions to be removed and new conditions to be attached to premises licence 845614, which EPT consider relevant in order for EV to effectively control public nuisance. For the Licensing Sub-Committee's consideration;

REMOVAL OF CONDITIONS;

Removal of 311 - *That notices shall be displayed requesting that customers leave the premises in a quiet and orderly manner, without slamming doors.* Spirit of condition to be kept but reworded below.

Removal of 315 - *That the external terrace shall be closed at 23.30 each day.* Spirit of condition to be kept but reworded below, and closure time of 22:00 requested.

Removal of 324 - *That a notice be displayed at the premises giving the telephone numbers of local mini-cab firms.* Spirit of condition to be kept but reworded below.

Removal of 344 - *That doors and windows to the external terrace will be kept shut from 23:30 until the terminal hour.* Spirit of condition to be kept but reworded below.

Removal of 345 - *That no live music shall be played on the terrace.* Spirit of condition to be kept but reworded below.

NEW CONDITIONS;

Please note that for all reference to 'external frontage area', please refer to Appendix 4 for an indicative plan.

- A sound limiting device shall be installed, set and maintained, to ensure the maximum levels of volume and bass of music, song or speech from licensed entertainment permitted by the amplification system, does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.
- All audio and musical equipment used in the premises, or brought into the premises by third parties which is permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be played through the installed sound limiting device.
- During any licensed entertainment on the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012, all doors, concertina doors and windows shall remain closed (except for access or egress).
- Any background music played (for when concertina doors are open) shall remain at a volume that permits normal conversation and that the volume control of any music is behind the bar/counter and is in the full control of staff at all times.
- There will be no patron access to and from the premises via the use of the rear door, except for use in case of emergency.
- Acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to all doors so as to minimise sound escape from the premises.
- An acoustic lobby of adequate dimensions and providing sufficient residence time shall be installed to the front door entrance to minimise sound escape from the premises, ensuring that all doors open in the direction of escape in case of emergency.
- Sound insulation shall be installed to baffle any intake and extract vents or air extraction systems to prevent sound escape from the premises.
- The premises shall be adequately ventilated to allow doors and windows to remain closed during licensed entertainment.
- All external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.

- Amplified music, song or speech shall not be broadcast in external areas at any time.
- No external areas of the premises, including the external frontage area, shall be used for the purposes of licensed entertainment.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 09.00hrs and 23.00hrs.
- There shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 09.00hrs.
- The use of the external frontage area, except for smoking, shall cease at 22:00hrs at which point all patrons will be instructed to move indoors.
- At 22:00, if not already done so, the external terrace canopy shall be deployed to cover the designated smoking area.
- There shall be no drinks permitted to be taken outside after 22:00hrs.
- There shall be no drinks permitted to be taken beyond the boundary of external frontage area at any time.
- After 22:00hrs, customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to the external frontage area. No more than 5 customers will be permitted to remain in this designated smoking area at any one time.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00hrs.
- Clearly legible signage will be prominently displayed in the external frontage area, where it can easily be seen and read, requesting to the effect that patrons are not permitted to take drinks off the premises and into Isabella Street.
- When licensed entertainment is being provided the premises management shall carry out regular checks to monitor the sound level at the closest noise sensitive location(s) to the premises and shall ensure that the sound level of the entertainment does not cause a public nuisance in the vicinity of the premises at the/those location(s). A written record of sound level checks shall be kept and shall contain details of: the time, date and location of each check, the person who undertook the check and any actions taken as a result of the check. Each check shall be signed in the record by the person who made the check. The monitoring record shall be kept at the premises and made available to officers of the police or council on request.
- The premises licence holder shall display telephone numbers for local taxi companies and permit patrons to wait inside the premises until the arrival of the taxi.
- The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary.
- A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all

staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.

- Alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.
- That all licensable activity will cease 30 minutes before closing times

Additional comments for committee / responsible authorities to consider;

- Capacity limit for external area
- SIA security condition for Thursday, Friday and Saturday evenings.

Please tick yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ┆ | ┆ | ┆ | ┆ | ┆ | ┆ | ┆ | ┆ |
|---|---|---|---|---|---|---|---|

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

..... 7 / 12 / 2015

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mark Prickett (Principal Enforcement Officer)
Environmental Protection Team
Regulatory Services
Southwark Council
3rd floor, Hub 2
160 Tooley Street

Post town

London

Post Code

SE1 2QH

Telephone number (if any) 0207 525 0023

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) mark.prickett@southwark.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

EV NTE VISITS (28/2/2014 – 7/11/2015)

To note: All visits which have been recorded against Isabella Street ('The Street') have been kept as generally these notes refer to all 3 licensed premises. Some NTE visits have comments relating to EV but have been recorded against a different premises on Isabella Street, in these instances relative EV comments have been highlighted.

| date | desc | officer | name | address | adtext |
|------------|--------------------|--------------------|---|--|--|
| 28/02/2014 | 23:05 NTE Visit | Wesley McArthur | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | <p>Visit to premises with KVD re' noise complaint. We observed the premises from Isabella Street opposite the premises entrance for a few minutes. At that time there was no sound escape from the premises while the entrance door was closed. There were seats placed outside of the premises but nobody was using them. Nobody was congregating outside of the premises and no entertainment was taking place at the premises. Nobody opened the premises entrance door while we were observing the premises. When we entered the premises and IC2 male approached us. I.D'd myself to him. He then identified himself as Ugur Ezgi (UE) and stated that he was the manager of the premises. I asked UE if the DPS named on the premises licence still worked at the premises, UE stated that he did not. I asked UE if he held a premises licence and he stated that he did and produced it. I apprised UE of recent noise complaints in regards to the premises. I advised him to ensure that customers entering / leaving the premises must be managed in such a way so that their actions do not give rise to noise nuisance. I advised him that staff should monitor customer behaviour and ensure that their behaviour does not give rise to nuisance. I advised UE that staff will have to pay particular attention to customer behaviour in the summer months when warm weather means that the external seating area is likely to be heavily used. I advised UE of the Noise and Nuisance Team (NaNNT) service and the possibility of s.80 notices being served. I also advised UE of the ability of local residents to submit an application for the review of the premises licence issued in respect of the premises in regards to the prevention of public nuisance. I conducted an induction with UE and also undertook a full inspection of the premises. The premises were compliant. I told UE that he should pay particular attention to licence condition 349 relating to the use of the external area to the front of the premises. One fire exit was bolted shut. Everything else was OK. Compliance letter to follow.</p> |

| | | | | | |
|------------|--|---------------------|---|--|--|
| 18/04/2014 | 23:30 NTE Visit premises open | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 18/4/2014 23:30 FRC the premises was open and there were about 10 customers outside sitting drinking and smoking. Met Gizem Cetiz supervisor advised that nobody should be outside drinking after 11:30pm. She told me that they are shutting the arches one by one and its difficult to get the customers inside. She told me that last order was 11:30pm and they close at 00:00hrs eventually customers all left. |
| 17/05/2014 | 21:20 NTE Visit | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 17/5/2014 13:10 FRC accident investigation a cupboard door fell on a child as he was allegedly going to the toilet. Investigated incident apparently the child was hanging off the door and it broke off, the door is light wood or MDF material cannot see how it could fall off, staff have stated that the boy was running around misbehaving and was climbing on the door. |
| 12/07/2014 | 21:35 NTE Visit | Jayne Tear | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 21:35 - 12/7/14 - JMT & SUE HUNTER EV RESTAURANT BAR AND DELICATESSEN, 97-99 ISABELLA STREET, OFF JOAN STREET/HATFIELDS, LONDON, SE1 8DASpoke to the manager Uqur Esgir who remembered me from last month. (when I had inspected Jacks, I noted that people were still sitting outside drinking at EV at 23:20, however the condition on the licence says people need to come in at 23:30 and on Jacks they have to come in at 23:00. I advised him that he may want to voluntarily bring people inside at 23:00 hours the same time as Jacks to avoid getting the blame from nuisance outside as on a Friday night there are 200 odd people outside all of the premises as a whole. He said that he would think about this.) I then went on to explain that the summer was here and we had started to get complaints re noise from premises along that walkway. I said that the complaint was not about his premise in particular but that all of the premises altogether could become an issue for local residents. The premises had a male playing acoustic guitar inside. There was no noise escaping from the live music area. And the doors were shut. There were a few people sitting outside eating all very quiet. He told me that he had decided to take my advice and bring people inside at 23:00 as I had suggested before, as he did not want to add to the problem. He also said that 2 weeks ago on Monday at 00:00 that he saw and heard approx 12 people who were sitting on the benches (on the far side of the walkway directly opposite his frontage) with alcohol that they had brought with them, he said they were making a lot of noise shouting and laughing and that he was concerned that he may be blamed for that as his. I said that I would see if I could get the NTE police to check this on a regular basis and move the people on. |

| | | | | | |
|------------|-------|------------------|------------------------------------|--|--|
| 18/07/2014 | 23:45 | Jayne Tear | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 18/7/2014 23:45 JMT & COTEV RESTAURANT BAR AND DELICATESSEN, 97-99 ISABELLA STREET, (23:45)OFF JOAN STREET/HATFIELDS, LONDON, - Premises closed ATOV - NoPatrons inside or outside of premises - lights on inside premises and could see staff finishing |
| 01/08/2014 | 18:24 | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Visited Isabella St area and took some photos. Huge numbers of people outside EV and Jacks (and to a much lesser extent, a few people of St Thai Silk) and we had trouble getting through the crowds. Went inside Jacks and spoke to Michael. Advised we could hear bass from quite a distance and asked for it to be lowered. He said it is the busiest they've ever been. Explained that problems need to be addressed. |
| 01/08/2014 | 22:13 | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Still a large number of people outside and music can be heard as doors are open. |
| 08/08/2014 | 20:00 | Wesley McArthur | JACKS | Railway Arch 96, Joan Street | 8/8/2014 20:00 WJM/visit to Isabella Street with Sarah Newman (SN) to observe customer behaviour in regards to Jacks, EV & Thai Silk. On approach to Isabella Street from Hatfield (walking past Styles House) crowd noise could be heard and increased significantly by the time we reached the junction of Isabella Street and Hatfields. There were approximately 65 people drinking, smoking, and socialising across the length of Isabella Street. The external (terrace) areas of EV, Jacks and Thai Silk were all being used to capacity. Isabella Street, whilst busy, was easily traversable and IMO a wheelchair or pushchair would have been able to navigate the street without any problems. On discussing this issue with SN she agreed with me. RnB style music was being played at Jacks and could clearly be heard all along Isabella Street and at the junction of Isabella Street and Hatfields. The bass content of the music was very prominent, although the high and mid range frequencies of the music being played were not excessive. Crowd noise from Isabella Street could be heard at the entry to Styles House, but was unlikely, IMO, to be the cause of SNN. There were SIA door supervisors at each premises and what appeared to be an SIA marshal positioned on Isabella Street directly outside of Jacks. SN took various photos of the locale. We noted that there were also people drinking, smoking, and socialising in the passage way between Isabella Street and the r/o the tube station. |

| | | | | | |
|------------|-------|------------------|------------------------------------|--|---|
| 23/08/2014 | 19:03 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 23/8/2014 19:03 FRClIsabella street was all quiet a few people were passing by no noise witnessed. All the restaurants were open you can barely hear themusic. |
| 14/12/2014 | 01:10 | Mark Orton | CONSTRUCTION STREET | Isabella Street | MAD & MBAll premises closed and area quiet, no sign of ASB or personsloitering in the area, no music noise from premises or vehicles. |
| 19/12/2014 | 21:40 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 19/12/2014 21:40 FRCThere was nobody outside EV Bar, nobody in smoking area.Isabella Street SE1 - Visited at 21:50hrs, approximately 8-10 peopleoutside Jacks bar, they were drinking in the passage thoroughfarewhich was not part of their premises. I went to speak to the managerMichael Whitfield, by then the SIA staff were getting people insidethe premises. The manager apologised and said that the SIA staff knowthat they are not allowed outside after 10pm and they should have beeninside their space. I have warned the manager to ensure this doesnt happen again. |
| 06/02/2015 | 22:22 | Kristie Ashenden | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | With JCM. Walked from Hatfields to Joan St. EVs bar, directly next toJack's bar has loud music, when door opens it is much louder, couldhear it from hatfields. Approx 12 people outside. Spoke to Ugur whowas a bit argumentative & tried to blame Jacks. |
| 16/05/2015 | 00:19 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 17/5/2015 00:19 FRCl visited on Saturday night and checked all three premises EV's Bar,Jack's and Thai Silk all three premises had the "Please leave Quietlysigns displayed" it was very quiet we visited at 00:19hrs. |
| 29/05/2015 | 22:31 | Wesley McArthur | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 29/5/2015 22:31 WJMObservation with Adam Burchett (AB) of the area re' on going noisecomplaint. We stood on Hatfields between Styles House and 1-10 Tait &Benson House. The weather was dry and cool, with little to no breeze. Traffic on The Cut and Hatfields was light but regular. From where we were stood we could hear the voices of people walking along The Cut,traffic noise was louder than the peoples voices. We couldn't hear anyvoices or music from the direction of Isabella Street.We then went and stood at the entrance to Styles house (facingIsabella Street) and could only hear traffic noise (no music or raisedvoices). We then walked to the junction of Isabella Street andHatfields and looked down Isabella Street. There was no one drinkingwhilst on the public footpath / public areas on Isabella Street. As we walked past EV we noted that there were 12 people using EV's terracearea. They were talking at normal conversational levels and notengaging in ASB. RnB style music could be heard emanating from EV. Thesound escape caused by the music wasn't very loud with the entrancedoor shut but the sound level increased significantly when EV's entrance door was opened for access and egress. We then stood outside Jacks and noted 6 people talking and |

| | | | | | |
|------------|-------|------------------|------------------------------------|--|--|
| | | | | | smoking in Jacks' terrace area. They were talking at a normal conversational level. RnB style music was being played in the premises (a different song to the one being played at EV). The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when Jack's entrance door was opened for access and egress. We then stood outside Thai Silk. Nobody was using Thai Silk's terrace area. RnB style music was being played in the premises (a different song to the one being played at Jacks). Nobody entered or exited Thai Silk whilst we were outside of Thai Silk. All 3 premises had SIA D/S controlling entrances / exits to and from each premises. We didn't witness any ASB, customers with raised voices or customers congregating to drink in the public areas in / near Isabella Street. When we walked back to the junction of Hatfields and Isabella Street it was noted that the level of sound escape heard from this point was significantly lower than when in Isabella Street itself. We then stood on Hatfields between Styles House and 1-10 Tait & Benson House again, and the premises / customers on Isabella Street couldn't be heard. At ground level the sound escape from the premises is unlikely to constitute S/N/N IMO, however the installation of lobby doors would aid in reducing sound escape from each premises. We drove away from the area via Hatfields towards The Cut with the front car windows fully turned down and couldn't hear any sound escape from the premises on Isabella Street as we left. Photos of area taken as attached |
| 30/05/2015 | 22:43 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 30/5/2015 22:43 FRC No Music audible, nobody outside very quiet no noise witnessed, also visited outside Jacks bar and Thai silk the area was all quiet premises were all open but no music audible. We also visited Styles house and did not witness any noise all peaceful at the time of our visit at 22:43hrs. |
| 06/06/2015 | 22:02 | Kristie Ashenden | THE STREET | Street Bipu, Isabella Street, London | With Sue Hunter. Very cold evening, no one standing on Network Rail land, a few people walking through Isabella st, however no nuisance witnessed from any of the premises. |
| 05/07/2015 | 01:54 | Kristie Ashenden | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | With MEB. Impromptu staff party outside EV. 4 males and 1 female dressed in EV attire listening to music on their phone, drinking and shouting/laughing. It was very loud at that time of morning and likely to be heard by neighbours as they would have their windows open. All speaking Turkish (?) very loudly. I spoke to them and they confirmed that they worked for EV. I advised them to move on as they are causing a nuisance, and waited for them to leave. They walked off in the direction of Southwark tube at 02:00hrs & one of them smashed a bottle as they left. |

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|------------|-------|------------------|------------------------------------|--|---|
| 25/07/2015 | 21:09 | Richard Kalu | THE STREET | Street Blpu, Isabella Street, London | Visited Isabella Street with Farhad Chowdhury. No patrons located on the road all patrons by in large were contained in the external front smoking/ dining area of the various premises on the street. Spoke to management of all premises about complaints received of anti social behavior along Isabella Street. We had an interesting conversation with a Ugur Ezgi of Ev, 98 Isabella Street. Advised that the ASB issues was not actually as a result of the operation of the business along Isabella Street. Advised that what is happening is that 2 - 3 Rickshaw drivers are parking up and playing music to draw crowds around them and they are getting paid to entertain a crowd. He advised us that he has personally gone over to the Rickshaw drivers in an attempt to move them on as he said it was affecting his business with member so the public crowding the road which left his customers feeling intimidated. We have been advised that he has CCTV footage which details the issue on the road which supported his report to us that the Rickshaw drivers are responsible for whipping members of the public into a frenzy and playing loud music. Action - Can we report this to Police to see if we can get a visible police presence on Isabella Street to deter the Rickshaw drivers. NTE to monitor Isabella Street next weekend. |
| 31/07/2015 | 22:02 | Kristie Ashenden | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | With Matt Bourne. Having dealt with Thai Silk and Jack's, EV was notable for causing noise nuisance. All doors and windows wide open, and speakers are positioned at the entrance. Went inside and spoke to a female staff member at the bar - she couldn't hear me due to the noise. She got the manager, a male called Ugur who I had dealt with before. The volume was reduced. In the area closest to Styles House (where there are plants, and furniture made out of wood) we saw a lack of staff member go to the ventilation shaft area and collect glassware. On the Styles House side of Isabella St there are at least a dozen people, laughing and talking loudly and they would probably be heard in Styles House. At 22:10 as we were talking to Ugur we observed 3 x females taking drinks in glassware to the garden area closest to Styles House. I pointed this out to Ugur however he chose not to act on it. He then said he would close the outside area. I advised that we would wait while he did this. People are still coming out of EV bar with drinks. People still talking loudly and laughing outside. As we departed at 22:21 hrs we noticed approx 10 busy tables of diners in EV restaurant's outside area on their premises, however they were not causing any nuisance. |
| 28/08/2015 | 20:15 | Farhad Chowdhury | JACKS | Railway Arch 96, Joan Street | 28/8/2015 20:15 FRCAs we arrived noticed crowds of people standing on the walkway outside EV's bar, Jacks Bar and Thai Silk drinking and chatting. Thai silk had their front doors open music was very loud. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway in the gardens. Security SIA staff seen us and followed us, there were approximately 100+ people outside at the time of our visit. Music was entertainment level amplified significant local public nuisance. Sarah Newman and I made notes and took photos with our phones and we left at 20:23 hrs. |

| | | | | | |
|------------|-------|------------------|------------------------------------|--|---|
| 28/08/2015 | 20:15 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 28/8/2015 20:15 FRCAs we arrived noticed crowds of people standing on the walkway outside Ev's bar, Jacks Bar and Thai Silk drinking and chatting. Thai silk had their front doors open music was very loud. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway in the gardens. Security SIA staff seen us and followed us, there were approximately 100+ people outside at the time of our visit. Music was entertainment level amplified significant local public nuisance. Sarah Newman and I made notes and took photos with our phones and we left at 20:23hrs. |
| 05/09/2015 | 19:48 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 5/9/2015 19:48 FRCa call quiet nobody outside, all quiet in the garden areas. No music playing, not audible outside. there are 2 people eating outside Ev's bar, and about 15 outside jacks. frontage all closed due to cold weather. We walked up and down the walkway no public nuisance. |
| 11/09/2015 | 22:40 | Jayne Tear | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 22:40 on 11/9/2015 JMT & COT at JACKS, Railway Arch 96, Joan Street SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All very quiet – hardly any customers inside either premises – no one outside on public walkway. Will visit again later in the evening. |
| 12/09/2015 | 01:20 | Jayne Tear | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 01:20 on 12/9/2015 JMT & COT back at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All very quiet – nothing to report |
| 12/09/2015 | 22:45 | Jayne Tear | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 22:45 on 12/9/2015 JMT & COT back at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA Walked all around premises – all very quiet – no patrons outside in any of the three premises. |
| 18/09/2015 | 21:20 | Richard Kalu | THE STREET | Street Blpu, Isabella Street, London | No members of public located on road. Sound escape from premises was minimal. SIA staff presence in all premises. Majority of patrons watching the Rugby on TV no issues of concern noted. |

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|------------|-----------------------------------|---------------------|---|--|---|
| 25/09/2015 | 21:00 NTE Visit MAD & AB | Mark Orton | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Ioan Street/Hatfields | Monitoring visit to Isabella St SE1. Stood outside Styles house at the Hatfields side and music noise was evident, especially bass. Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music. AB and I walked the length of the street and paused outside each premises. DPS from Thai Silk recognised me but didn't approach, shortly after music levels from Thai Silk were reduced and the front doors closed. I spoke with the manager of Jaks Bar, Will, who stated he would reduce the volume. We entered EV Bar and spoke with Ugur who immediately reduced the volume and came outside to check the volume. He stated he would shortly be closing the front doors. As we left Isabella St, Jaks Bar had not reduced music volume. At the back of the TFL vent there were people drinking alcohol that appeared to have been bought from Tesco as there were Tesco carrier bags with empty bottles and cans in the vicinity. People drinking in this area are not disposing of their empty bottles and cans responsibly, leaving them strewn near the vent and in nearby planters and on the ground. |
| 02/10/2015 | 20:40 NTE Visit | Richard Kalu | THE STREET | Street Bipu, Isabella Street, London | Visited Isabella Street at request of David Franklin. Visit carried out with John. At time of visit no patrons were located along the stretch of road. I noted that some patrons wandered out into the road to smoke or talk and SIA staff were very quick in asking patrons to come back within the front courtyard smoking areas of their premises. In regards to noise breakout from the premises no significant concerns were noted and noise appeared to be more in relation to people noisily opposed to amplified music. |
| 17/10/2015 | 20:55 NTE Visit | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Ioan Street/Hatfields | 17/10/2015 20:55 FRCN nobody in the walkway empty all quiet, some people sitting outside jacks and music audible, also some people sitting outside Thai silk but walkway clear and peaceful. |
| 07/11/2015 | 19:55 NTE Visit | Farhad Chowdhury | THE STREET | Street Bipu, Isabella Street, London | 7/11/2015 19:55 FRC observations all quiet, nobody in the walkway or garden area, all quiet. there were some people sitting outside Jacks and Thai Silk some background music but not loud. No crowds outside. |

ISABELLA STREET ACTION PLAN SEPTEMBER 2014

Drafted and agreed to by members of EV, Thai Silk and Jacks Bar respectively. The aim of this plan is to alleviate and abate the noise levels disrupting residents of Styles House during months where patrons of any business operating on Isabella Street may be outside of the premises. This Action plan has been developed in conjunction with advice from Southwark Council.

The points we wish to address are:

1. Decrease levels of noise coming from Isabella Street from 6pm to Midnight.
2. Decrease levels of noise as patrons leave the premises at any point during opening hours and up to an hour after premises are closed.
3. Decrease noise pollution caused by music levels from all premises.
4. Decrease noise from any patron who may be smoking outside the premises after 10pm.

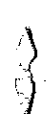
Below is an outline of the steps all premises on Isabella Street have agreed to take in order to achieve the above four aims.

Action Points:

- 1.1 Introduced two Stewards to patrol Isabella Street on Thursday and Friday nights. These stewards are trained doormen but are there in an informal capacity to help move customers standing outside all venues inside or within the boundary outside. They are fully briefed to urge customers standing in the open to be aware of the residents surrounding them. They will take action if they feel that any group or individual are creating noise levels that are unacceptable.
 - 1.2 All patrons are inside the premises and the doors are closed no later than 10pm. Closing the doors and concertina windows will help prevent any extra noise exiting the building after that time.
 - 1.3 Encouraging door staff where possible to prompt patrons to stay inside the premises and enjoy their evening to try and discourage large groups forming outside and around the venues.
 - 1.4 Ensure that music levels are kept at an appropriate level so that patrons are not shouting upon leaving due to affected acclimatised hearing. The stewards are briefed to make sure that all music is not audible from Isabella Street at all times of the evening.
 - 1.5 Ensure that on Monday, Tuesday, Wednesday and Saturday nights that all members of staff are aware of the importance of making sure patrons of all venues on Isabella Street are leaving quietly, not blocking the street and enjoying the outside areas without causing disturbance to residents surrounding.
 - 1.6 Put up signs on Isabella Street, surrounding the back of the Underground shaft and in the attractive leafy areas telling patrons politely to return to the place that they acquired their beverage and be respectful to the surrounding residents.
-
- 2.1 Stewards are hired to stay up to an hour after closing time to ensure that all patrons leave the premises and Isabella Street quietly and respectfully.
 - 2.2 Stewards are working throughout the evening to ensure that patrons leave all premises and Isabella Street quietly.
 - 2.3 Discourage smokers to stand outside the premises in groups.

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- 2.4 Bring the music levels down in stages from 1hr before closing so that patron's ears can re-acclimatise to an appropriate level of talking when leaving.
- 2.5 Ensure on Monday, Tuesday, Wednesday and Saturday nights there are enough members of staff on duty to monitor patrons leaving in a quiet and respectful manor.
- 3.1 Stewards are briefed to patrol outside all premises during the evening on Isabella Street to make sure no music is audible from the road and advise where appropriate each manager to turn the music down.
- 3.2 Make sure that on Monday, Tuesday, Wednesday and Saturday staff in all bars are responsible for exiting the premises at various points throughout the night and checking that the music levels are low enough and not audible from Isabella Street.
- 3.3 Mutual patrolling on Monday, Tuesday, Wednesday and Saturday nights between managers and staff of all premises on Isabella Street encouraging each other to keep the music at an appropriate level.
- 4.1 Discourage any smokers from exiting the main venue to smoke outside for extended periods of time by prompting their return inside as quickly as possible after they have extinguished their cigarette.
- 4.2 Briefing all doormen and staff on appropriate levels of audible noise from the premises if patrons are outside after 10pm smoking. Re-iterate no tolerance of unacceptable noise levels to patrons if they are persistently noisy.

We expect and hope that if all premises comply and co-operate with these guidelines the noise radiating from Isabella Street of an evening will be reduced significantly. Stewards are in place as of 29th August and will be trialled throughout the month of September.



Prickett, Mark

Subject: FW: Isabella Street
Attachments: ISABELLA STREET ACTION PLAN SEPTEMBER 2014 DRAFT.docx

From: Prickett, Mark
Sent: Wednesday, April 15, 2015 12:36 PM
To: [REDACTED]
 'ev@
Cc: Taylor, Craig; Newman, Sarah; Parkins, Richard; Franklin, David
Subject: RE: Isabella Street

Dear all,

On the back on Ian Law's email below I wish to add further comment with regards the Environmental Protection Team's (EPT) stance regarding noise from the licensed premises on Isabella Street;

Firstly, thank you all again for your time on Friday 6th March to discuss matters.

It was suggested during the meeting that EPT would arrange a visit to agree and set maximum noise levels at the premises. To clarify EPT will not be providing this service, it is for each premises DPS/Management team to set their own amplified music & bass levels to ensure that any noise emitted from their premises does not cause noise disturbance at the closest noise sensitive receptor and/or residential property, so as to comply with the 'prevention of public nuisance' licensing objective detailed under the Licensing Act 2003. EPT are happy to offer advice on how to accomplish this, but we will not agreeing a set level per se.

I attach the noise management action plan put in place in September 2014. The terms and control measures within this action plan were agreed to by all 3 premises' management at the meeting on Friday 6th March. If this is not the case for your premises please advise us at your earliest convenience.

It is noted that all 3 premises licences for EV, Jacks & Thai Silk have differing conditions, specifically with regards to the time at which the external areas to the front of the arches must close and patrons brought inside. However all 3 premises have agreed to a 10pm closure of external areas, as per the noise management plan mentioned above. This is the cut off time that is expected to continue for all 3 premises into the foreseeable future, again if this is not found agreeable please advise.

Visits to Isabella Street were undertaken over the winter months by myself and the licensing department's Night Time Economy Team and concerns were still held over noise emissions from all premises. The following list of advice is offered to you (on top of the noise management plan) to assist you in managing your premises in compliance with the 'prevention of public nuisance' licensing objective;

- Close all external areas to patron use at 10pm, only smokers are permitted to use the external area after this time. Limit the number of smokers allowed outside to a sensible number to prevent large groups forming (e.g. 5-10 people).
- No drinks allowed outside after 10pm – signage erected and security to enforce when present. This prevents smokers from loitering outside for extended periods. Encourage all smokers to stay within your premises frontage.
- When concertina doors/premises frontages are open during the day (up to 10pm), the noise level of any amplified music, sound or speech should not be audible at the façade of Styles House, both at the base and at the top residential properties of the tower block. This is for management to assess and in so doing we would strongly welcome premises management correspondence with residents to build up a working relationship. It is recommended that when premises' frontages are open internal noise levels should revert to background level with internal speakers facing into the arch, not towards the Isabella Street frontage.
- Premises management to be aware of the 'Lombard effect' – for instance when music noise levels are at 70-75dB, the conversational volume of patrons inevitably rises in attempt to be above the music level. This

~~increases the background level by approx 15dB. This is to be avoided before 10pm and when premises frontage is open.~~

- After 10pm, close all front doors. Noise leakage from premises still occurs when doors are opened for access/egress. It is strongly recommended that premises management look to install acoustically valid lobbied entrances with enough residence time to allow one door to be shut before another one opens to prevent noise leakage from access/egress.

As mentioned to you all during our meeting, all 3 premises licences are favourable to the licensee as they were granted without too many restrictive conditions imposed. It is for management to adequately control noise & patrons over the coming warmer months when al fresco drinking/dining is likely to be of high demand on a regular basis. Should substantiated complaints continue over the coming months then EPT will have no other option than to review the premises licences which could result in amended opening hours being imposed, restrictive conditions being placed upon the licence or possibly even revocation.

Kind regards,

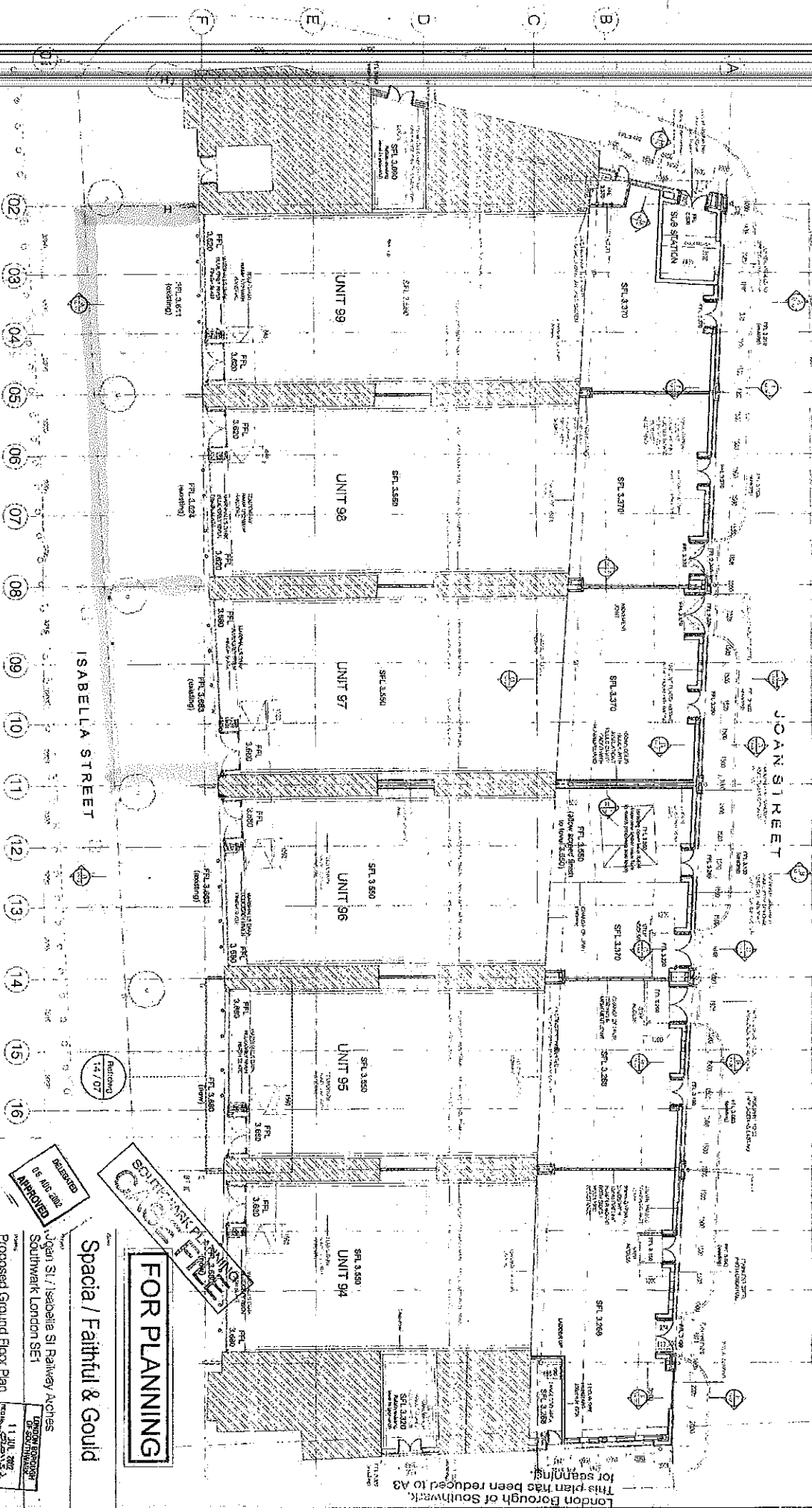
Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
Southwark Council

Tel: 0207 525 0023

Environmental Protection Team | EH&TS | Community Safety & Enforcement
3rd floor | Hub 2 | 160 Tooley Street | London | SE1 2QH

EV-INDICATIVE PLAN

EXTERNAL FRONTAGE AREA
DESIGNATED SMOKING AREA AFTER 22.00



- 1. 04/07/02: See system review notes & plans indicated.
- 2. 04/07/02: See system review notes & plans indicated.
- 3. 04/07/02: See system review notes & plans indicated.
- 4. 04/07/02: See system review notes & plans indicated.
- 5. 04/07/02: See system review notes & plans indicated.
- 6. 04/07/02: See system review notes & plans indicated.
- 7. 04/07/02: See system review notes & plans indicated.
- 8. 04/07/02: See system review notes & plans indicated.
- 9. 04/07/02: See system review notes & plans indicated.
- 10. 04/07/02: See system review notes & plans indicated.
- 11. 04/07/02: See system review notes & plans indicated.
- 12. 04/07/02: See system review notes & plans indicated.
- 13. 04/07/02: See system review notes & plans indicated.
- 14. 04/07/02: See system review notes & plans indicated.
- 15. 04/07/02: See system review notes & plans indicated.
- 16. 04/07/02: See system review notes & plans indicated.

Released
06.11.02
APPROVED

SOUTHWAICK PARTNERSHIP
FOR PLANNING

Spacia / Faithful & Gould

Proposed Ground Floor Plan
11 JUN 2002
LONDON BOROUGH OF SOUTHWARK
PLANNING DIVISION

London Borough of Southwark
This plan has been reduced to A3 for scanning

Project Name: Spacia / Faithful & Gould
Client: Southwark Council
Date: 02/10/01
Scale: 1:100
Author: [Name]
Reviewer: [Name]
Date: 12-1-01

Licensing Act 2003 Premises Licence

39

APPENDIX B



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

845614

Part 1 - Premises details

| | |
|---|-----------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| EV RESTAURANT BAR AND DELICATESSEN 97-99 Isabella Street Off Joan Street/Hatfields London SE1 8DA Ordnance survey map reference (if applicable), 180025531566 | |
| Post town London | Post code SE1 8DA |
| Telephone number 7620 6191 | |

| |
|--|
| Where the licence is time limited the dates |
|--|

| |
|---|
| Licensable activities authorised by the licence Live Music - Indoors Recorded Music - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises |
|---|

| |
|--|
| The opening hours of the premises For any non standard timings see Annex 2 Monday 11:00 - 01:00 Tuesday 11:00 - 01:00 Wednesday 11:00 - 01:00 Thursday 11:00 - 01:00 Friday 11:00 - 01:00 Saturday 11:00 - 01:00 Sunday 11:00 - 01:00 |
|--|

| |
|--|
| Where the licence authorises supplies of alcohol whether these are on and/ or off supplies Sale by retail of alcohol to be consumed on premises Sale by retail of alcohol to be consumed off premises |
|--|

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

| | |
|-----------|---------------|
| Monday | 19:00 - 23:30 |
| Tuesday | 19:00 - 23:30 |
| Wednesday | 19:00 - 23:30 |
| Thursday | 19:00 - 23:30 |
| Friday | 19:00 - 23:30 |
| Saturday | 19:00 - 23:30 |
| Sunday | 19:00 - 23:30 |

Recorded Music - Indoors

| | |
|-----------|---------------|
| Monday | 11:00 - 00:30 |
| Tuesday | 11:00 - 00:30 |
| Wednesday | 11:00 - 00:30 |
| Thursday | 11:00 - 00:30 |
| Friday | 11:00 - 00:30 |
| Saturday | 11:00 - 00:30 |
| Sunday | 11:00 - 00:30 |

Late Night Refreshment - Indoors

| | |
|-----------|---------------|
| Monday | 23:00 - 00:30 |
| Tuesday | 23:00 - 00:30 |
| Wednesday | 23:00 - 00:30 |
| Thursday | 23:00 - 00:30 |
| Friday | 23:00 - 00:30 |
| Saturday | 23:00 - 00:30 |
| Sunday | 23:00 - 00:30 |

Sale by retail of alcohol to be consumed on premises

| | |
|-----------|---------------|
| Monday | 11:00 - 00:30 |
| Tuesday | 11:00 - 00:30 |
| Wednesday | 11:00 - 00:30 |
| Thursday | 11:00 - 00:30 |
| Friday | 11:00 - 00:30 |
| Saturday | 11:00 - 00:30 |
| Sunday | 11:00 - 00:30 |

Sale by retail of alcohol to be consumed off premises

| | |
|-----------|---------------|
| Monday | 11:00 - 00:30 |
| Tuesday | 11:00 - 00:30 |
| Wednesday | 11:00 - 00:30 |
| Thursday | 11:00 - 00:30 |
| Friday | 11:00 - 00:30 |
| Saturday | 11:00 - 00:30 |
| Sunday | 11:00 - 00:30 |

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

TAS RESTAURANT LIMITED
11 Avon House
Clissold Crescent
London
N16 9LH
020 7928 3300

Registered number of holder, for example company number, charity number (where applicable)

04260540

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Zeynep Gokkaya
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. 91575
Authority L.B Islington

Licence Issue date 05/08/2014

[REDACTED]
Anti-Social Behaviour, Noise Nuisance &
Licensing Manager
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

491 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:-

(a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price would not be a whole number of pennies, the permitted price shall be taken to be the price rounded up to the nearest penny.

(4) Where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax, the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

110 No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

109 Alcohol shall not be sold or supplied except during permitted hours as stated elsewhere on this licence and:

a. On Good Friday, 1200 to 2230 hours

b. On Christmas Day, 1200 to 1500 hours, and 1900 to 2230 hours

c. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

i) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;

ii) The sale of alcohol to a trader or club for the purposes of the trade or club;

iii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

iv) The taking of alcohol from the premises by a person residing there; or

v) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bonafide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or

vi) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises

111 This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

127 Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;

b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;

c. To a canteen or mess.

172 The Licensee / Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.

311 That notices shall be displayed requesting that customers leave the premises in a quiet and orderly manner, without slamming doors

315 That the external terrace shall be closed at 23.30 each day

324 That a notice be displayed at the premises giving the telephone numbers of local mini-cab firms

340 No children will be allowed on the premises unless accompanied by a parent or responsible adult

341 That all staff will be updated on all relevant legislation, and necessary training will be given

342 That there will be a further personal licence holder for the premises as well as the DPS

343 No unaccompanied children shall be allowed on the premises

344 That doors and windows to the external terrace will be kept shut from 23:30 until the terminal hour

345 That no live music shall be played on the terrace

346 That live music played within the premises will generally be one acoustic guitar

347 In the area shaded pink and hatched black on the deposited plan, intoxicating liquor shall not be sold or supplied other than to persons taking table meals there and for consumption by such persons as ancillary to meals served in the Licensed Premises. No non-alcoholic beverages including drinking water shall be available at all times the premises are open to the public

348 Service in the area shaded pink and hatched black on deposited plan shall be at the table only and shall be provided by staff employed for that purpose

349 No alcoholic drinks shall be served in the area shaded pink alone on the deposited plan after 11pm on weekdays and 10.30pm on Sundays and Good Friday

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 845614
Plan No. TAS01/02
Plan Date April 2005


1. FIRE DETECTION & ALARM SYSTEM

Restaurant to be protected by an automatic fire detection and alarm system in accordance with B.S.5839 Pt1 & IS 3218 to at least L2 standard. Mains units with secondary power supply are acceptable. They should be permanently wired to a separately fused circuit at the distribution board and may operate at a lower voltage via a mains transformer. Wiring must be in accordance with I.E.E. Regulations but need have no special fire surviving properties. Fire alarm system is to be linked with main building for Fire Certificate purposes.












2. EMERGENCY LIGHTING

Emergency artificial lighting to be provided on escape routes in accordance with B.S.5266: Part 1: 1988. Lighting to escape stairs should be on a separate protected circuit from that supplying any other part of the escape route.

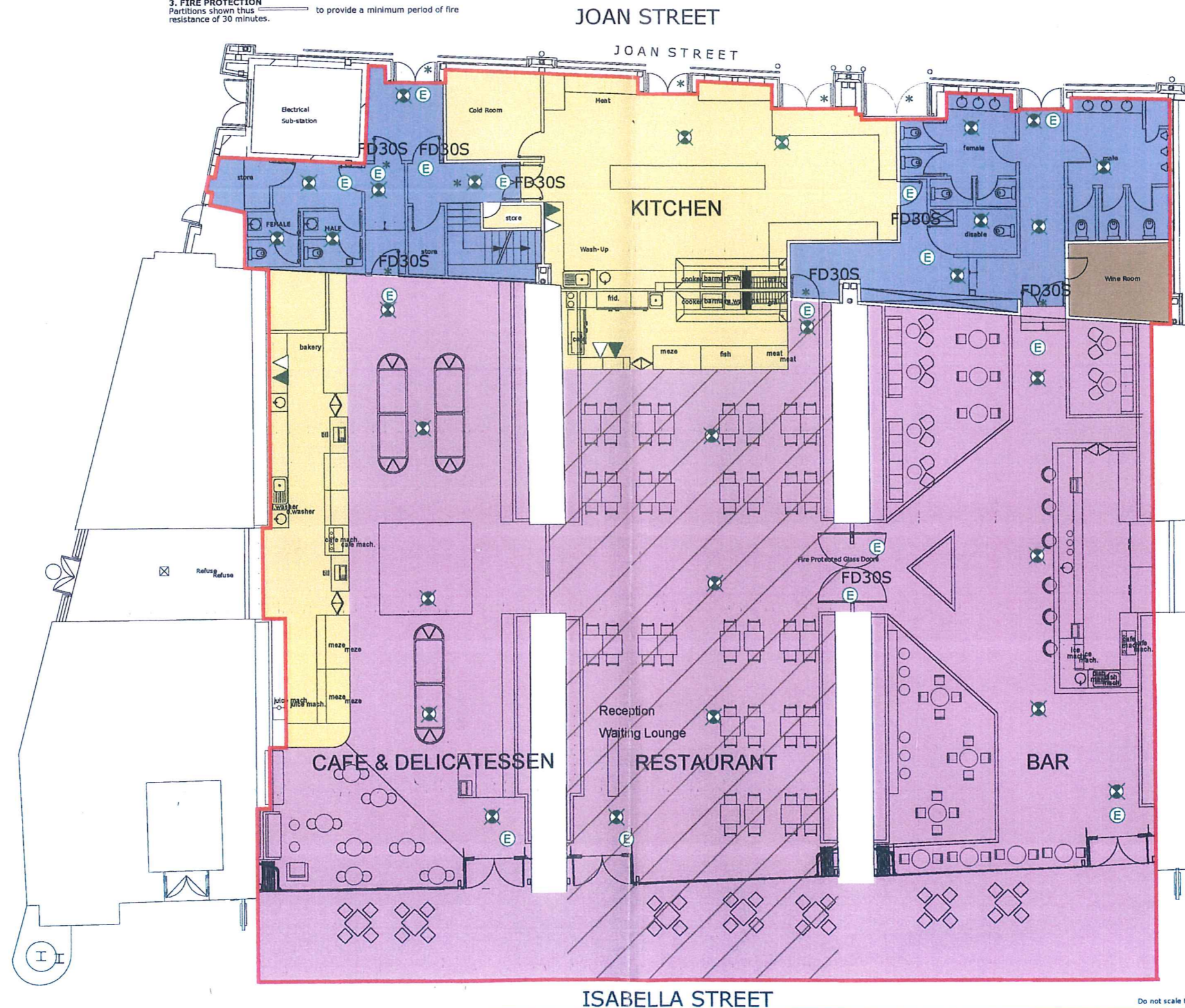
3. FIRE PROTECTION

Partitions shown thus  to provide a minimum period of fire resistance of 30 minutes.

Key

-  kitchen/staff area
-  corridor/w.c./circulation
-  drinking area
-  liquor store
-  licensed area edged in red
-  Fire blanket
-  Emergency light
-  Approved portable fire extinguishers
-  Emergency Exit signage
-  1/2 hour fire-resisting self-closing door with intumescent smoke seal
-  Minimum 850mm clear opening.

NOTE
Stairs & Steps to conform to following:
Max. rise = 170
Min. going = 270



| | | | | | | |
|--|--------------------------|---|----------------|------------------|----------------------------|----------|
| Project Units 97,98 & 99 Isabella St./Joan St.Arches | Client Tas Restaurant | Drawing Title A3 Restaurant Ground Floor Plan | Scale 1:100 | Date APR 2005 | Drawn by Jasmine Gokmen | TAS01/02 |
| | | | Job No | Drawing No | Revision No | |

Do not scale this drawing

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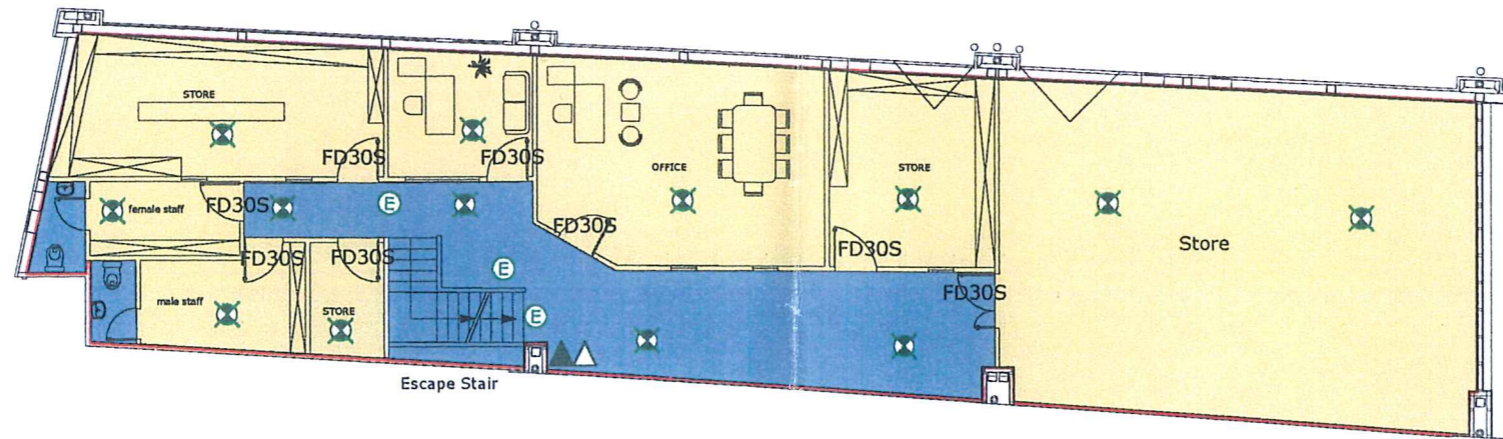
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-  Fire blanket
-  Emergency light
-  Approved portable fire extinguishers
-  FD30S 1/2 hour fire-resisting self-closing door with intumescent smoke seal
-  Emergency Exit signage
-  * Minimum 850mm clear opening.

NOTE
Stairs & Steps to conform to following:
Max. rise = 170
Min. going = 270



Do not scale this drawing

| | | | | | | |
|---|--------------------------|-----------------------------------|----------------|------------------|----------------------------|----------|
| Project Units 97,98 &99 Isabella St./Joan St.Arches | Client Tas Restaurant | Drawing Title Upper Floor Plan | Scale 1:100 | Date APR 2006 | Drawn by Jasmine Gokmen | TAS01/02 |
| | | | Job No | Drawing No | Revision No | |

From: Franklin, David

Sent: Monday, January 04, 2016 4:25 PM

To: Regen, Licensing

Subject: Reviews JACKS, Railway Arch 96, Joan Street, SE1 8DA. EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA. THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA

I write this representation as the responsible authority for the Licensing Authority in support of the 3 review applications submitted by the responsible authority for public nuisance (EPT) for the premises JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA. The grounds for this representation is under the licensing objectives for the prevention of public nuisance, the prevention of crime and disorder and public safety.

I have read the review applications and attached list of the visits made by the Council's Night Time Economy Team to the area and to all three premises, licensing officers are frequently one of the officers making up the NTE team and officers have concerns that the popularity of the venues have given rise to issues of public nuisance and public safety. Licensing Officers have been involved with meeting with the management of the three premises with the EPT officer and have encourage the premises operators to take control of the outside areas of their premises and to work collectively to reduce the potential for public nuisance associated with the operation of the venues.

Firstly the problem of noise from patrons in the street is not only a problem that relates to each of the individual premises by is also a cumulative problem when patrons from each of the premises are outside at the same time as each other. The noise from these patrons collectively and noise escape from each of the premises in the playing of loud music again collectively leads to a greater potential of nuisance than one premises.

I therefore submit that the premises reviews should be considered both individually and collectively, and would suggest that the conditions proposed by the Environmental Protection Team should be imposed on each of the premises with a view of, not only reducing the potential for each individual premises to be responsible for a public nuisance, but to reduce the potential from all three premises collectively.

I support the conditions that are being recommended by the EPT that both deal with individual circumstances for each premises and offers a number of conditions that, if placed on all the premises, would deal with the collective effect on the licensing objectivities of the premises operations, however would suggest the following in additions:

Restrictions on the use of the outside area needs to be constantly monitored and patrons challenged when a potential for nuisance arises, for instance when patrons outside they are outside and have become excited an noisy, or patrons drinking outside the designated area or are outside after the time the designated area is closed. Additionally a dispersal policy for each of the premises needs to be enforced. For this I would recommend that adequately trained staff in dealing with individuals and crowd control employed specifically for these tasks to ensure crime and disorder, as well as public nuisance, is prevented as the new conditions could create the potential for conflict between the patrons and the staff enforcing the premises licence terms and conditions. I Therefore I would recommend that each premises has a condition along the lines of:

That two SIA registered door supervisors will be engaged when the premises are in operation Thursday, Friday and Saturday and will be employed at all times after 17:00 until the

end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.

While some of the noise is related to people noise outside the premises, there has also been noise from musical entertainment provided at the premises witnessed before 23:00 hours that had the potential to give rise to a public nuisance in the area, therefore it is recommended that the Licensing Sub-Committee considers the removal of the allowance for live and recorded music under section 177(6) of the licensing Act 2003 and a statement of this placed on the licence in line with section 15.55 of the S182 Statutory Guidance to Local Authorities similar to the following;

Following this review of the premises licence the suspension of the conditions relating to the provision of live or recorded music is lifted under section 177A(3) of the Licensing Act 2003, all the conditions imposed shall apply under section 177A(4).

I would also advised that should members impose the conditions recommended by the EPT that **references to the Live Music Act 2012 are removed** as this Act has now been superseded with regards to live music and this Act only now relates to performances of dance.

Additionally, there have been concerns from visiting officers with regards to the number of patrons outside the premises and the potential for overcrowding in the restricted space allowed outside each premises for the consumption of alcohol. I therefore recommend that a finite number of patrons is defined for the outside area and that there is a clear passage maintained through the outside area to allow the safe passage of other patrons arriving or leaving the venue. In order to facilitate this I would suggest that:

That all patrons drinking outside the premises shall be seated and the seating arranged to give adequate passage to patrons leaving and arriving at the premises.

I also wish to comment on one condition recommended by the EPT, "There shall be no drinks permitted to be taken outside after 22:00 hours" is not enforceable as it allows patrons who purchase drinks before 22:00 hours to remain outside to finish their drinks. Officers visiting the premises at a later time will not be able to differentiate between patron who may have brought drinks outside before or after 22:00 hours. I would recommend that the condition should be amended to read as follows:

There shall be no drinks permitted to be taken outside after 21:40 hours and consumption of drinks in the outside area of the premises shall cease at 22:00 hours.

Similarly the condition that relates to signage "Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00hrs" is modified to read:

Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 21:40hrs and informing patrons that drinking outside shall cease at 22:00hrs.

Regards

David Franklin
Responsible Authority for the Licensing Authority



Dr Ruth Wallis FFPH
 Director of Public Health
 Lambeth and Southwark Public Health
 1st Floor, Hub 2 160 Tooley Street
 LONDON SE1 2QH

Licensing Unit
 Hub 2, Floor 3,
 160 Tooley Street,
 LONDON SE1 2QH

24 December 2015

To whom it may concern:

Re: Application for the review of EV Restaurant, Bar, and Delicatessen, 97-99 Isabella Street, London SE1 8DA

As Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to offer my support for the Southwark Council's Environmental Protection Team review of the above premises.

The representation is made in respect of the following licensing objectives:

- Prevention of public nuisance

General Comments

EV Restaurant, Bar, and Delicatessen has been the subject of a number of complaints from the public regarding audible music and patron noise. Following numerous visits from Southwark Council's Night-time Economy Team and Environmental Protection Team, and following substantial communication between the Council and EV management, public nuisance continues to be attributed to the apparent noise emanating from EV.

Noise pollution has been associated with a range of significant negative effects on health and wellbeing, including changes in mood, hypertension, and various heart troubles. In addition, it is probable that the noise pollution is leading to sleep deprivation for local residents, as the records of both the Council teams' visits and the noise complaints reported loud noise at various times of night. Sleep deprivation has also been associated with a range of significant negative effects on health and wellbeing, including reduced cognitive ability, depression, obesity, heart disease, hypertension and diabetes.

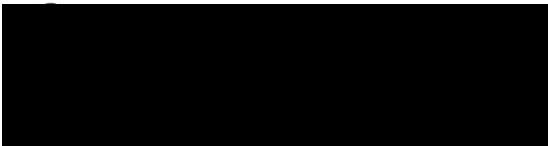


Recommendation

Based on the evidence supplied by the Environmental Protection Team suggesting EV's repeated breaches of their alcohol license, leading to continued noise pollution, I support the application to review EV's premises license.

If you have any further questions, please do not hesitate to contact me.

Yours faithfully,



Dr Ruth Wallis BM FFPH
Director of Public Health - Lambeth and Southwark

PLEASE RETURN ANY CORRESPONDENCE TO richard.pinder@southwark.gov.uk.

MEMO: Licensing Unit

| | | | | |
|---------------|--|------------------|------------------|------------|
| To | Licensing Team | Date | 15 December 2015 | |
| Copies | Mark Prickett EPT | | | |
| From | Farhad Chowdhury | Telephone | 020 7525 0398 | Fax |
| Email | Farhad.chowdhury@southwark.gov.uk | | | |

Subject Ev Restaurant Bar and Delicatessen, 97-99 Isabella Street SE1 8DA

I write in reference to an application made by Mark Prickett from the Environmental Protection Team to review the Premises Licence in respect of Ev Restaurant Bar and Delicatessen 97-99 Isabella Street London SE1 8DA.

Made under Section 51 of the Licensing Act 2003.

I would make the following comments in support of the review:-

- 1) There is no noise risk assessments carried out under “**The Noise at Work Regulations 2005**”. There is no arrangements in place to protect employees from noise induced hearing loss from exposure to amplified loud music.

The Control of Noise at Work Regulations 2005 require employers to:

- assess the risks to employees from noise at work.
- take action to reduce the noise exposure that produces those risks.
- provide employees with hearing protection if the noise exposure cannot be reduced enough by using other means.
- make sure the legal limits on noise exposure are not exceeded.
- provide information, instruction and training, and carry out health surveillance where there is a risk to health.

Please provide details of your noise at work risk assessments.

- 2) The licensee needs to explain the maximum accommodation limit for inside the premises and the external areas. Also explain how the crowds will be managed and how they will limit the capacity.

Submit a full scale drawing of the premises to explain the maximum capacity figure for each of the areas.

I therefore fully support the Environmental Protection Team's review under Public Safety.

Kind regards,

Farhad Chowdhury
Principal Enforcement Officer

From: Morris, Adele
Sent: Tuesday, December 29, 2015 8:13 PM
To: Jerrom, Charlie
Cc: Linforth-Hall, Maria; Noakes, David
Subject: RE: EV Restaurant Review Joan Street

Dear Charlie

I would like to add my support to the review of the licence for EV restaurant on Joan St. All of the restaurants and bars in Isabella St have been causing problems for residents for several years, and there have been numerous complaints made to the Council both by residents and by myself about this. This includes me writing to the Chief Executive on more than one occasion.

The issues are largely related to noise and antisocial behaviour, and are caused by a lack of adherence to the licensing conditions. This includes allowing patrons to crowd and block the highway, drink outside beyond the permitted hours, drink in areas which are not covered by their licence, play music with the doors open, and attach lights to a wall not owned by them without permission. This list is not exhaustive.

Best wishes

Councillor Adele Morris
Cathedrals Ward Liberal Democrat Councillor
Opposition Spokesperson for Regeneration
Vice Chair of Licensing Committee
Member of LGA Environment, Economy, Housing and Transport Board

Tel: [REDACTED]

twitter.com/AdeleCathedrals

<http://adelemorris.mycouncillor.org.uk/>

From: Noakes, David
Sent: Sunday, January 03, 2016 9:39 PM
To: Jerrom, Charlie; Linforth-Hall, Maria; Morris, Adele; Regen, Licensing
Subject: Re: EV Restaurant Review Joan Street

Charlie,

I would like to add my support for the license review of EV restaurant in Joan Street.

I have been a ward councillor for Cathedrals Ward for almost 10 years and although I cannot give you specific details about dates, times and particular breaches, I am aware as a result of correspondence from constituents in Styles House of the long standing issues and complaints they have suffered from and made about the licenced establishments in Joan Street and Isabella Street.

These include noise nuisance from patrons drinking outside into the early hours, music and the use of Isabella Street and Joan Street as an extension of their premises.

I believe that breaches of the licenses have been observed by the noise team and licensing officers and that it is time that the unacceptable impact on residents' amenity is addressed by more effective and robust conditions.

Councillor David Noakes
Liberal Democrat Councillor for Cathedrals Ward
Deputy Leader of Southwark Liberal Democrat Council Group
Opposition Spokesperson for Health
Vice Chair of Healthy Communities Scrutiny Sub Committee

Tel. no. 020 7525 1326

E-mail david.noakes@southwark.gov.uk

From: Linforth-Hall, Maria
Sent: Monday, January 04, 2016 11:43 AM
To: Jerrom, Charlie
Subject: RE: Ev Restaurant, Review Isabella Street

Dear Charlie,

All of the restaurants and bars in Isabella St have been causing problems for residents for several years, and there have been numerous complaints made to the Council both by residents and by myself about this. This includes me writing to the Chief Executive on more than one occasion.

The issues are largely related to noise and antisocial behaviour, and are caused by a lack of adherence to the licensing conditions. This includes allowing patrons to crowd and block the highway, drink outside beyond the permitted hours, drink in areas which are not covered by their licence and playing music with the doors open. This list is not exhaustive.

Regards

Maria

Cllr Maria Linforth-Hall
Liberal Democrat Councillor
Cathedrals Ward
Opposition Spokesperson for Adult Social Care
Vice Chair of Planning Sub Committee B
Southwark Council
The Members' Room
160 Tooley Street
London SE1 2QH
Tel: 020 7525 0332

E-mail: maria.linforthhall@southwark.gov.uk

From: [REDACTED]
Sent: Wednesday, December 23, 2015 3:46 PM
To: Regen, Licensing
Subject: Review of Licenses - EV, Jack's Bar, Thai Silk; all on Isabella Street SE1 8DA

EV at 97-99, SE1 8DA, License number: 845614
Jacks at 96, SE1 8DA, License number: 843349
Thai Silk at 94-95, SE1 8DA, License number: 849435

I would like to support the review of these premises on Isabella Street SE1 8DA, and make the following comments:

- The sound limiting device on the speakers is useless as Jacks has supposedly used one for the last year and that doesn't seem to work. I propose that we ask for the bars to remove their very loud speakers and have new speakers installed under 100 watts power, that way the music won't be able to be played too loud.
- I also think that the furniture put outside the boundary area should be disposed off (for EV and Thai Silk, although the benches opposite Thai Silk came from Jacks). It encourages drinkers to stay on late into the night and early morning.
- The bar should be responsible to clean up around the full area early in the morning, they should not wait for the council cleaner to spend hours cleaning their broken glasses
- None of the bars should be allowed to empty their bottles bin late at night; this noise is extremely loud.
- I think that the very late license that Thai Silk has for its 'private club' needs monitoring. How can you be sure that only smokers will be allowed back in after 1am?

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Sunday, December 27, 2015 11:51 PM
To: Regen, Licensing
Subject: Review of Licenses - EV, Jack's Bar, Thai Silk; all on Isabella Street

I would like to make a representation regarding the review of the following licenses:

EV, 97-99 Joan Street, SE1 8DA, License number: 845614
Jacks, 96 Joan Street, SE1 8DA, License number: 843349
Thai Silk, 94-95 Joan Street, SE1 8DA, License number: 849435

I would like to support the review of these premises, and thank the enforcement teams for all their observations over the last year. I particularly want to support the 'New Conditions' they would like to impose on the businesses and give the following account to justify my support of these conditions. **I would also like to request two other conditions.** One is related to the position of any speakers inside the premises, I think they should be placed well inside the premises and not on the external walls right near the entrance; this would help retain the noise inside the premises and stop leakage as people leave. The second condition is related to the location of the premises in a Saturation Zone; they should be asked observe this 'legislation'.

The first complaint I made regarding the noise from these bars was in 2011; the complaint can be seen on the SE1 Forum. Since then I have been in constant communication with the council about the noise and crowding; particularly over the last two years as the bars have become very popular. I have also gone downstairs to the bars in the evening and asked for the music to be turned down. Each of the bar has a deep 'terrace' of about four metres, EV has three arches, Jacks one and Thai Silk has two so this gives an idea of the width of the terraces; they are all much larger than the average outside space enjoyed by most bars in London. Over the years the 'spill over' from the terrace has increased dramatically, to the point that it is not possible to walk down the middle of the road. I once went down and did a quick head count and counted 356 people standing beyond the terraced areas, there must have been about the same number out on the terraces. The noise created by such a large number of people out in the open is so loud, that I cannot have any windows open in the summer, and can't use my kitchen window at all during the evenings. Add to this the bass from loud music and it has become impossible to rest in my own home.

Picture: Dozens of people sitting out on the terraces, and hundreds of people out on the road and opposite pavement



On 15 August 2014, the Environment Protection Team visited my flat as a direct response to my complaints and found the following:

Please find below a summary of the Environmental Protection Team's inspection of area in the vicinity of the licensed premises in the arches on Isabella Street (EV, Jacks and Thai Silk) and the result of the noise impact assessment at [REDACTED] Styles House [REDACTED] 09.15 - 23.00hr on Friday 15th August 2014.

Mark Prickett and Sarah Newman of the Environmental Protection Team were in attendance.

21:15 - Arrived on site.

Music and bass noise audible on corner of Isabella Street and Joan Street.

21:20 - 21:25 - We walked the length of Isabella St.

Thai Silk - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 40 patrons beyond the external (plant potted lined) boundary on Isabella St.

Jacks - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 65 patrons beyond the external front terrace, mostly stood on Isabella St. and around high tables and chairs.

EV - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 20 patrons on Isabella St and 20 patrons in the section of chairs and tables on the opposite side of Isabella St. related to EV.

Jacks had largest number of patrons on Isabella Street.

All 3 premises were playing music at a volume that emanated beyond their premises boundary.

There were approximately 200 persons in the open either on the terraces of the premises, on Isabella St or on the landscaped area at the other side of the street.

21:30 - Visited [REDACTED] [REDACTED]

11th floor communal/staircase balcony which faces north (towards Isabella St)

Patron and music noise from Isabella St were the dominant noise sources. The bass beat from the music being played in the bars was clearly audible above passing trains on the viaduct above the licensed premises.

Within the kitchen/lounge. (Window by kitchen sink facing north overlooking Isabella St. Lounge windows x 2 facing east towards Southwark Tube Station. Balcony on south facade.)

Music and patron noise from Isabella St were clearly audible when the windows were open in kitchen/lounge. The TV was on when we arrived, this could be heard above the external noise, but an increase in TV volume would have been required if anyone wanted to watch it with the windows open. With both the kitchen/lounge windows and window vents closed the music and patron noise were audible with all other electrical equipment turned off. The ticking of a decorative clock was the predominant noise source and was louder than the external noise.

A reduction in external noise levels was noticed at around 22:00. On viewing from the window it could be seen that the majority of patrons had left the area or were now within the premises' external boundaries and under the canopies. There were approximately 5 persons left on Isabella Street.

The internal noise levels were not sufficiently intrusive to be considered a statutory nuisance due to noise. However, the external noise levels at the facade constituted a substantial public nuisance due to noise.

Indicative noise monitoring;

Short term noise readings of approximately 5 minutes each were taken in the habitable rooms of [REDACTED]

NB: Readings taken after 22:00 when activity on Isabella St had reduced. Could expect up to 10dB increase in levels when Isabella St at peak usage.

22:02 - In the bedroom with windows and vents shut (facing north towards Isabella St) 29/30dB(A).

When train passed this rose to 33-35dB(A).

Bedroom with window partially open - 50-53dB(A). Other noise sources were also prevalent during the assessment including road traffic, helicopters & trains.

22:15 - On the communal balcony facing north towards Isabella St - 66-68dB(A).

22:30 - In the kitchen/lounge with windows and vents shut - 36-38dB(A).

In the kitchen/lounge with one east facing lounge window partially open - 50/51dB.

Summary of the discussion with the complainant

The resident advised that she suffers from mild tinnitus.

The resident reported they are predominantly disturbed by both music and patron noise during busy weekends (Thurs - Sat) between the hours of 18.00 - 00.00hrs.

The resident does not want the licensed premises closed but would appreciate a more considerate operating approach and improved control over the number of patrons beyond the boundaries of the premises, in Isabella St and on the land on the other side of the street.

22:45-23:00 - Walked back along Isabella Street.

EV - Full frontage open. Music from premises clearly audible on Isabella St. Concertina doors were closed at 23:00 with some tables and chairs being put away.

Jacks - 22:45 - Concertina doors closed with approximately 45 patrons remaining in the external area. Noise from both patrons and music was clearly audible on Isabella St. The main doors were open with no acoustic lobby installed. At 23:00 the outdoor area was closed, tables and chairs were put away and the front door closed.

Thai Silk - Premises still trading but all front doors were closed and the external area vacated. There was occasional noise bleed out when the front door was opened to permit patrons and smokers to leave and enter.

Besides the noise nuisance, I have always had public safety concerns about crowding on the street as it is impossible to walk down there with ease during summer months, particularly on Thursday and Friday evenings. All three premises have put seats and/or tables beyond the terraces and on the opposite pavement and have made it almost impossible for wheelchair users and people with pushchairs to get past. The bars' Waiters and Waitresses serve people at these tables.

Picture: early evening, and this is the pavement on the opposite side of the road, some customers are sitting on stools put there by EV



Picture: The terraces are full, most premises are keeping the road clear as instructed by the council, however, they are sending their customers across the road onto the pavement





In April 2015 they were asked to move the furniture they have put out beyond their property/terraces and it is still there. The furniture that has been put on the opposite side of the road on the pavement is left out all the time and encourages street drinkers to sit on them late at night. What this has done, is to move the patrons even close to my block of flats and so the noise is even louder. At one time, EV even had signs on the tables saying they were reserved for their patrons. Other tables they have put on the pavement have created a barrier that could prevent an escape if a lone person was being pursued. It encourages the bars' clients to hang around long after the bars are closed, this means that patrons then end up using the street, or our estate as a toilet. Clearly this is just a nuisance for anyone who lives in the area.

Picture: furniture on the opposite pavement creating a barrier

Picture;

table on the pavement on the opposite side of the road with a reserved sign



In addition to this public safety concern, I have witnessed numerous fights outside the bars and on occasions the police have been called and attended. This can be verified with the police (occasionally Lambeth attend as the street is on the boundary between Lambeth and Southwark).

Finally, I think it is absolutely essential that these new conditions are imposed because the bars have shown very little willingness to abide by their current conditions despite the many visits by officers who have discussed these issues with them. They have ignored advice from the Environment Team regarding furniture and done other things without permission eg chopping (very badly) huge branches off the trees on the street, installing strip lighting without permission on walls owned by London Underground and attaching advertising notices on public lampposts etc. I think this shows a total lack of regard for the area and shows that they cannot compromise or comply with officers from Southwark Council.

Picture: badly pruned tree
installed on our allotment wall

Picture: strip lights
installed across the width of
the street





I have no wish for these bars to close down, but they are very large premises with large terraces and should be able to run very profitable businesses without taking over the street and causing a nuisance.

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From: [REDACTED]
Sent: Sunday, January 03, 2016 10:59 AM
To: Regen, Licensing
Subject: Reviews of licenses 843349, 845614 and 849435 on Isabella St

To whom it may concern,

Regarding the following license reviews:

843349, Jacks, 96 Joan Street, SE1 8DA
845614, EV, 97-99 Joan Street, SE1 8DA
849435, Thai Silk, 94-95 Joan Street, SE1 8DA

I am writing in strong support of the review of all three licenses and am in full agreement with all of the Licensing Team's proposals.

All three establishments have caused me and my neighbours issues for some five years now in the areas of disorder, public safety and public nuisance. Countless times I have witnessed or heard at street level or from my residence 10 floors up from street level:

- large numbers of heavily intoxicated patrons leaving the venue at closing time and remaining on Isabella St shouting and singing at a volume high enough to wake me. In warmer months this occurs at least twice every week
- excessively loud music during business hours. In warmer months this occurs at least three times a week
- excessively loud music after business hours on occasion (as recently as after midnight on 29 December 2015)
- dozens of non-smoking patrons outside the venue after the permitted hours. This was the absolute norm until 2014 but still occurs on a regular basis
- doors and windows of the venues left open to Isabella St after the permitted hours, again this was the absolute norm until 2014
- physical fights between patrons of the venues on Isabella St, many extremely violent, often attended by police
- The public thoroughfare being used by patrons all year around, to the extent in warmer months where it is difficult to pass through. I have been verbally abused on two occasions by patrons for requesting that they let me pass while carrying shopping or luggage
- patrons consuming drugs in the greenery on Isabella St
- rubbish and broken glass left in Hatfields and Isabella St as well as glasses and bottles being thrown over the fence between Isabella St and the allotments of Styles House
- patrons urinating in Isabella St, Hatfields and Styles House grounds

At times the three venues have brought some of these issues under control for short periods of time but this has never been long-lasting. I would also note that on many occasions, specific complaints about breaches of license made by both residents and the Council have been ignored by the venues as rapidly as the following day.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

I would like to make a representation regarding the review of the following licenses:

- EV, 97-99 Joan Street, SE1 8DA, License number: 845614
- Jacks, 96 Joan Street, SE1 8DA, License number: 843349
- Thai Silk, 94-95 Joan Street, SE1 8DA, License number: 849435

I write to support the review of these premises.

I believe the conditions being suggested are sensible, particularly given that many of the problems are caused by the noise outside the premises.

I think it should be emphasised that all of the premises concerned are in Southwark's saturation zone, which was introduced because of the anti-social behaviour and alcohol related crime arising from licensed premises.

I support all of the conditions suggested, but have made some additional ones which I would like the licensing committee to consider:

Consider introducing licensed door people for Thursday, Friday and Saturday nights.

One of the biggest problems is that people are leaving the premises extremely drunk and causing problems and disturbance as they leave. Whenever I have had to ring the police due to fighting it has been as customers are leaving at the end of the night. It is common for drunken customers to be noisy from Isabella Street all the way to Waterloo Station (and we can still hear them), which means that residents are disturbed over a wide area. One of our biggest frustrations is that when trouble occurs on Isabella Street the staff from the bars take no steps to stop this (and can themselves add to it, as is shown by the investigation undertaken by officers).

Properly trained door people will be able to deal with the aggression arising from large groups of drunken people.

Closure of the terrace at 10pm.

I personally think this is still too late and should be 9pm, as the level of noise experienced is very high and creates a considerable nuisance for local residents. We have to keep our windows closed most of the year and the noise is constant from around 5pm on several days of the week. We are hopeful that the other measures proposed such as limiting the leakage of music will assist with the noise, but ultimately, having three hundred people stood in the street in summer is going to be incredibly noisy and is creating a nuisance. Only the closure of the terrace at an earlier time will limit this (as well as considering the introduction of a limit on the numbers allowed outside).

Closure of doors and windows at 11.30pm.

This is far too late and means we will still suffer noise from music turned up too loud and people talking, eating and drinking. It is somewhat ludicrous that a bar can have the whole front of its building open, so all of the noise inside leaks out to affect those

living nearby. What bar, pub or nightclub is allowed to do this until 11.30pm at night anywhere else.

I would also like to raise the positioning of the music speakers. They should be inside the premises and not on the external walls, as allowing the opening of the front of the building, coupled with allowing speakers by the entrance will clearly mean a nuisance is likely to be caused.

External waste handling, collections, deliveries of external areas shall only occur between the hours of 9:00 and 23:00

Currently, bottles are being recycled in batches, which is very loud and in fact loud enough to wake up local residents. A specific condition should be included to limit this to the hours of 9:00 and 22:00.

Ev particularly, put away their fold up chairs by loudly banging them closed. They generally do this at 1am on a Thursday, Friday and Saturday after patrons have left. Again, this should limited to be carried out shortly after the terrace closes. Ev also leaves out a large number of chairs and tables, which encourages large groups to sit outside. Part of closing the terrace needs to include them putting away their chairs and tables. Jacks bar has fixed seating, which also needs to be considered.

There shall be no drinks permitted to be taken beyond the boundary of external frontage area at any time.

I would like this to be extended (if it is within the power of licensing legislation to do so) to include eating outside being limited to the external frontage area. Currently people sit at tables right up to the wall of Styles House and people sat eating, even if they are not drinking can be very loud and causes a nuisance.

Signage that “patrons are not permitted to take drinks off the premises and into Isabella Street”

I believe patrons will be unclear about what area is meant by Isabella Street. Given that all three premises have signage boards in the street and seating out there, it will seem to customers that the whole of the street is part of the premises (which I believe is part of why we have such problems now). Could this condition be made clearer?

The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary

We currently try calling the premises involved and the phone is unanswered. I feel it would be useful to detail how this telephone number will be answered.

Dispersal policy

I strongly support the introduction of this, but it is unclear what will be included. Given that this is major concern for residents and a big part of why the premises are

causing such a public nuisance, affecting public safety and are a risk to crime and disorder, more specifics about this would be better.

Alcohol for consumption off the premises is not sold for immediate consumption in the area

As people leaving the bars drunk and then standing in the street drinking is such a major problem, a much better condition would be not to allow any sale of alcohol for consumption off the premises.

Capacity limit

There is a serious public nuisance caused by the large number of drinkers on Isabella Street and a capacity limit should be introduced. There can literally be hundreds of people in the street in summer and it has defacto become a pedestrianized drinking area, which has happened without any agreement from the Council as it is not part of the current licensing conditions. Without a limit the situation will just continue. Currently in summer it is impossible to walk down this street as it is so busy, which really isn't an acceptable situation in a residential street. The large number of people also means we have a great deal of broken bottles, urination and general anti social behaviour that the presence of large numbers of drunken people bring. This is unacceptable in a town centre, but we aren't a town centre we are just a residential street.

Licence review

Local residents had thought that the licence review would mean the bars were more careful during this period, but this has not been the case. It appears that the premises are unaware of the nuisance they cause and unclear what needs to be done to stop it, which is why I believe the conditions need to be more specific. The attempt at an action plan by Council officers also demonstrates that the bars are unwilling to really try to improve the situation and the Council needs to impose conditions upon them.

Recent examples

The period in the week before Christmas was terrible and the noise was incredibly intrusive, but one of the big problems with the bars is that it is continuous, not just a one off. We live in a noisy area and are used to it, but the level of noise from the bars goes beyond what is reasonable. We have just had the fireworks on the Southbank and it was interesting to note that the noise from the speakers and crowd of 500,000 people was still not as noisy as the bars are, week in and week out.

Over the last week Ev have had live music on two nights, which was in itself incredibly loud, but wasn't the only problem as we also had to suffer drunken people outside making a great deal of noise.

On the most recent Saturday - 2nd January I was woken at midnight with people leaving Ev, who were literally shouting at the top of their voices.

A group of around 25-30 people then stood in the street in Hatfields, who were so drunk they didn't move when cars came, who then beeped them to move. At one point 6 cars were in a queue, most of who were beeping repeatedly.

The patrons were so drunk they could not stand up and were falling down onto the parked cars. At one point around ten people were laying against the cars and across the bonnets. I could hear glass repeatedly breaking and there was a great deal of shouting and noise. As is probably clear, I could not sleep while this went on and it could be heard through my closed window. I eventually called the police because of the damage they were causing to the parked cars. They dispersed at about 1am, but I was still kept awake by Ev banging loudly as they put the chairs and tables away and recycled bottles.

This sort of incident is normal on a Saturday even in winter and is amplified in summer, as it's a much bigger group who are sat outside. It is normal to be kept up to 2am or 3am on a Friday and Saturday night in summer. This isn't a normal level of disturbance from bars.

Crime and disorder

I am unclear if there is a normal level of violence and fights to be expected from pubs, but I have witnessed numerous fights outside the bars and on occasions have called the police. This means that not only are we disturbed by the bars, we then have to get out of bed and ring the police, who often then ring back and want to discuss the matter. The same is true of the noise team, which is why we don't bother ringing anymore and only ring the police if there is a particularly bad fight, as it all takes up time and energy.

After about 11pm Isabella Street and the streets around can become very unpleasant and tense. The customers coming out of Ev are generally very drunk but the customers from Jacks and particularly Thai Silk are much more likely to get involved in fights. I am unclear why this is the case, but Thai Silk (and to a lesser extend Jacks) appears to be set up like a night club and is possibly why the customers are very different. There are often groups of young men, rather than mixed groups and I have witnessed some unpleasant fights where a group of men have attacked an individual for example. I have also had the impression that it has got worse over the last couple of years and there has been more incidents involving the police.

Finally, I would like to thank Southwark Council officers for the work they have carried out over the last year in relation to this matter. It is clear that they have tried to work with the businesses involved to improve the situation and when this didn't work they have carried out a detailed investigation, leading to the licence review. We are very appreciative of their hard work.

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From: [REDACTED]
Sent: Monday, January 04, 2016 10:08 PM
To: Regen, Licensing
Subject: Objection to license applications: 850625; 850629; 850630

To whom it may concern,

Our names are [REDACTED] and we reside at [REDACTED], Waterloo, London SE1 8DH. Please confirm the date of this email as the date of our letter to you with the deadline for objections being 4 January 2015 (no time). We are emailing to object against the following licenses which are currently being reviewed:

Licence number: 850625
 Application: JACKS
 Address: Railway Arch [96 Joan Street SE1 8DA](#)

Licence number: 850629
 Application: EV RESTAURANT BAR AND DELICATESSEN
 Address: [97-99 Isabella Street SE1 8DA](#)

Licence number: 850630
 Application: Thai Silk Restaurant & Bar
 Address: Railway Arches 94 To [95 Joan Street SE1 8DD](#)

We would like to register our objection to the application of these licences on the basis that the premises above have become a public nuisance. We live across the road from these premises and we can confirm we have experienced the following:

- High levels of noise by people leaving the premises during the early hours of the morning which has increased in the time since the bars / restaurants opened.
- High levels of noise by workers in the early hours of the morning, roughly [1am](#)/2am and sometimes [5am](#) in the morning on numerous occasions. The noise I refer to is the emptying of hundreds of empty bottles into bins in the closing hours and by the waste collectors. The noise has woken me up on more than one occasion and again seems to have got worse as the years have progressed.
- High volumes of rubbish which left outside of the restaurants. The rubbish is literally left outside the premises opposite my house and I can confirm that as a result of the rubbish being left, vermin has been seen by me and neighbours of mine by the bins (although I do not have hard evidence of this). Given the huge amount of rubbish generated I would expect this would be collected on a daily basis at a reasonable hour during the day but it isn't.
- As recent as Saturday 2 Jan 2016, I was kept awake by loud music, screaming and shouting outside EV that went on well past midnight which as I understand is in breach of their licence. Cars were hooting their horns too. Following that was the smashing of the bottles into the bins that again took place into the early hours of Sunday without any regard to the residents.

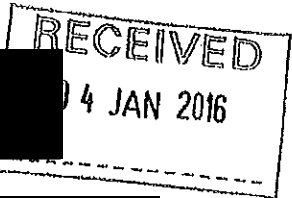
We have lived in the same street since 1987 so I am in a good position to demonstrate how the area was before and after the above premises were granted their licences.

It doesn't give us pleasure to complain about this as we have used the bars on a number of occasions (without the staff knowing us/ our address) and we have always enjoyed ourselves at the bars. Sadly however, no thought or consideration is given to local residents, the majority of whom have lived there for more than 20 years (if not longer).

Best regards,

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Review of licensing of Thai Silk
Jack's Bar and EV situate at 95, 96 & 97-99
Isabella Street respectively.
London



1/1/2016

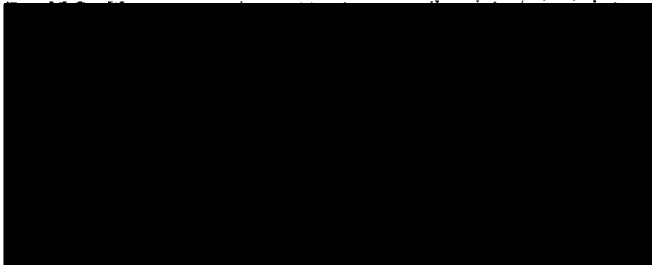
Dear Sir/Madam

I would like to add my voice to the proposed alterations to the licensing of the above premises. Which as I understand it seek to control the noise and nuisance to local residents and other properties nearby. I have lived with the very nuisances that I forecast would be a result of Southwark applying such long and lax licensing in the first place and they were the basis of my original objections . The noise from loud music, crowds of drunks and merry-makers is beyond belief at times, especially the shrieking and screaming of high pitched female voices, throw in foul language of loose tongues and we have Isabella Street . This continues under my bedroom window whilst the customers wait for their minicabs to arrive until 1-1.30 am. I then suffer all the noise and disturbance from minicabs revving their engines, pumping out poisonous fumes and the slamming of their doors by patrons of Isabella Street who care not one jot that there are bedrooms overlooking the street. Some of the men urinate in the closest semi-concealed point they can which is oftentimes our block entrance.. I have had repair bills for my car for a total of £750 over three incidences and foolishly remonstrated with a group of young drunks running over my car from front to back. I said "foolishly" because one of the drunks turned nasty and five against one old man was not good odds. Fortunately there was a peacemaker amongst the group.. My neighbour has just had her car repaired after damage caused by a drunk who got drunk in one of the bars in Isabella Street and decided it would be a good thing to jump up and down on her roof causing over £3000 worth of damage, she got her car back from the repairers just before Christmas. The culprit was caught by good neighbours and has had to pay that bill. So wanton damage to cars is still current. The bars have been allowed to take over the street completely, turning what was an Emergency Access Road with locked gates at either end into their private gardens and dining areas making it difficult for pedestrians to traverse the street. I dread to think what will happen if a serious fire breaks out there.

I now have bright strip lights shining across the street into my bedroom.

If all this was happening in the third world one would blame corrupt officials for allowing it to happen but this is Southwark and Southwark maintains the highest standards in there officials so why has nothing been done about these encroachments by the above businesses. I support any measures that brings an end to these abuses.

Yours sincerely,



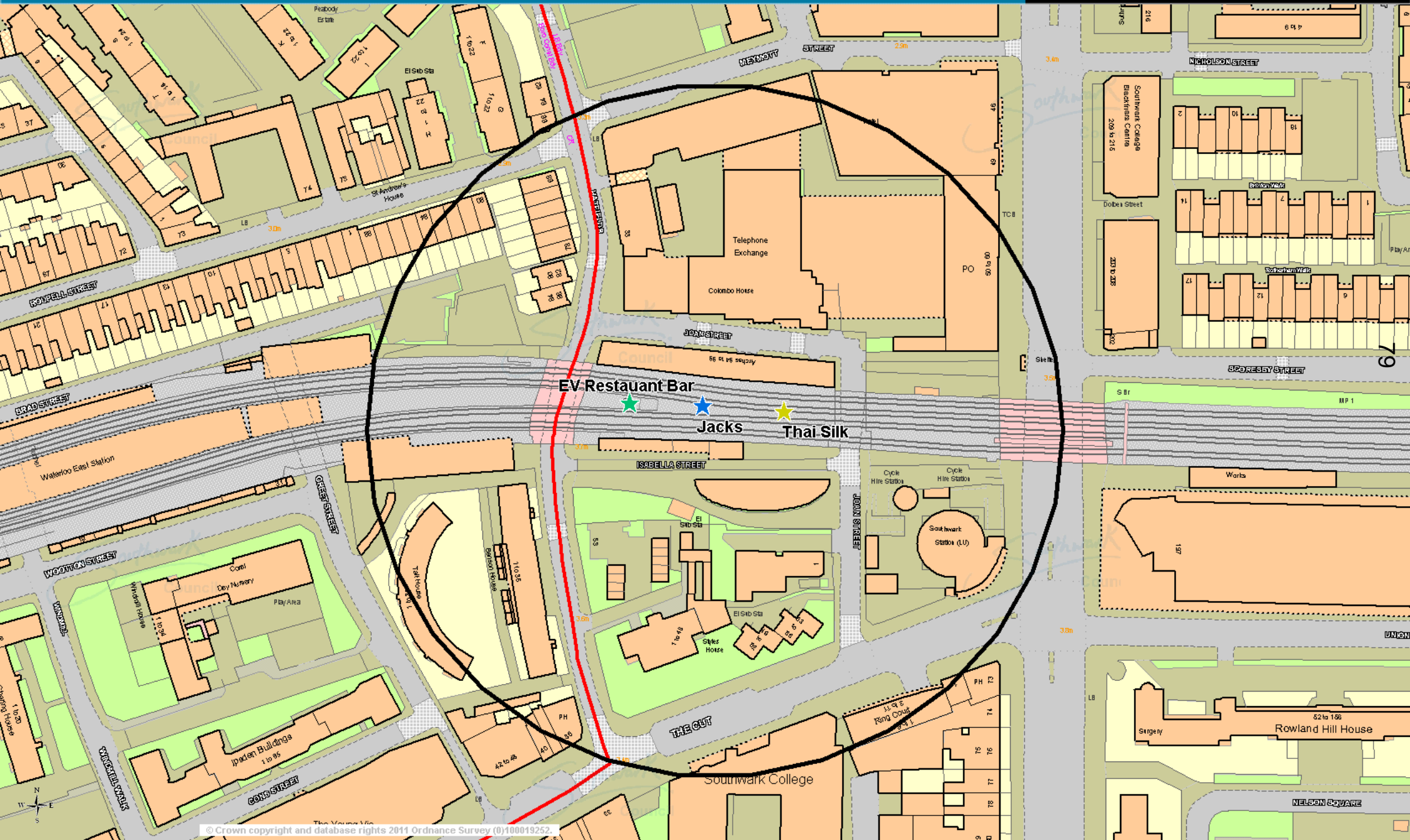
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EV Reataurant Bar, Jacks and Thai Silk

Date 6/1/2016



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|------------------------------------|--------------------------------|--|---|
| Item No. 6. | Classification: Open | Date: 27 January 2016 | Meeting Name: Licensing Sub-Committee |
| Report title: | | Licensing Act 2003: Jack's Bar, Railway Arch 96, Joan Street, London SE1 8DA | |
| Ward(s) or groups affected: | | Cathedral | |
| From: | | Strategic Director of Environment and Leisure | |

RECOMMENDATION

1. That the licensing sub-committee considers an application made under Section 51 of the Licensing Act 2003 by Southwark Council's environmental protection team (EPT) for a review of the premises licence issued in respect of the premises known as Jack's Bar, Railway Arch 96, Joan Street, London SE1 8DA.
2. Notes:
 - a) The grounds for the review are stated in paragraph 12 to 15 of this report. A copy of the full application is provided as Appendix A.
 - b) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix B.
 - c) Paragraphs 16 – 24 of this report deals with the representations submitted in regards to the review application. Copies of the representations are attached as Appendices C & D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to:
- The Act itself
 - The guidance to the Act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51(1) of the Act it remains open to any responsible authority or interested party to apply to the local licensing authority for a review of the premises licence where there are concerns regarding one or more of the four stated licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The premises licence issued in respect of the premises known as Jacks, Railway Arch 96, Joan Street, London SE1 8DA was first issued in September 2005 to Windmill Taverns Limited. The current licence permits the following licensable activities during the hours shown:
- Live music
Monday to Wednesday 19:00 - 23:30
Thursday to Saturday 19:00 - 00:30
Sunday 19:00 - 22:30
 - Recorded music
Monday to Wednesday 11:00 - 23:30
Thursday to Saturday 11:00 - 00:30
Sunday 11:00 - 22:30
 - Sale of alcohol (on premises)
Monday to Wednesday 11:00 - 23:00
Thursday to Saturday 11:00 - 00:00
Sunday 11:00 - 22:30
 - Opening hours
Monday to Wednesday 07:00 - 23:30
Thursday to Saturday 07:00 - 00:30
Sunday 07:00 - 22:30
10. A copy of the current premises licence is attached to the report as Appendix B.

Designated premises supervisor

11. The designated premises supervisor (DPS) is Mr John McElhinney who holds a personal licence issued by London Borough of Lambeth and has been the DPS since 18 November 2013.

The application for a review of the premises licence

12. On 07 December 2015 an application for the review of the premises licence was submitted by Southwark Council's Environmental Protection service. The grounds for the review relate to the following licensing objective:
 - The prevention of public nuisance
13. The grounds for the review are stated as to address the premises licence after numerous complaints have been made to Southwark Council regarding public nuisance and along with numerous visits by council officers who have witnessed public nuisance occurring.
14. The purpose of the review of the premises licence is to seek to address the existing conditions on the premises licence and to apply further conditions to prevent future public nuisances being created by this premises.
15. The review outlines the current conditions relating to the prevention of public nuisance, gives details of the visits made by council officers over the previous 18 months, the complaints received and engagement undertaken by the council with the premises management. Recommendations for new conditions are included in the review application, a copy of which is attached as Appendix A.

Representations from responsible authorities

16. There have been three representations made by responsible authorities as follows:
17. The council's health and safety team made representation under the public safety objective and supports the review. It states that there are no risk assessments made at the premises under the Noise at Work Regulations 2005. Secondly that management need to explain and set capacity figures for the each area of the premises.
18. The council's licensing service submitted a representation in support of the review under the prevention of public nuisance and also under the prevention of crime and disorder and public safety. It asks that this review is looked not only on an individual basis, but collectively in conjunction with the reviews submitted for the adjacent premises, Thai Silk and EV Restaurant as each is contributing to a cumulative public nuisance. The representation asks for the suspension of conditions relating to live and recorded music be lifted under section 177A(4) proposes a further condition to be imposed and adjustments to the conditions proposed by the environmental protection team review.
19. The public health representation supports the review application under the prevention of public nuisance and explains the health affects caused by noise pollution stating that noise pollution has been associated with a range of significant negative effects on health and wellbeing, including changes in mood, hypertension, and various heart troubles. In addition, it is probable that the noise pollution is leading to sleep deprivation for local residents, as the records of both the council teams' visits and the noise complaints reported loud noise at various times of night. Sleep deprivation has also been associated with a range of significant negative effects on health and

wellbeing, including reduced cognitive ability, depression, obesity, heart disease, hypertension and diabetes.

20. The responsible authorities' representations are attached as Appendix C.

Representations from other persons in support of review application

21. There are nine representations submitted by other persons, three from the ward councillors and six from local residents.
22. The ward councillors support the review and state that the premises has given rise to noise nuisance and anti-social behaviour from not adhering to licence conditions, allowing patrons to drink outside beyond the hour allowed and in areas outside the licensable area using the street as an extension of their premises. Also citing music noise escape from the premises by leaving the premises doors open.
23. The residents' representations cite public nuisance from the noise from crowds outside the premises with some patrons becoming intoxicated, over spilling into the public areas including the street from loud voices, shouting and screeching. Patrons are also blocking the safe passage for pedestrians who wish to walk down the street. Other issues include loud music from the premises with speakers placed near the entrances and the doors kept open; the noisy collection of refuse, including bottles in the early hours of the morning; litter, including broken glassware, left in the street for the council to clear up; vehicle noise from patrons leaving the premises including slamming car doors; patrons urinating in the street and patrons causing damage to residents vehicles.
24. The other persons' representations are attached as Appendix D.

Response to the review application

25. At the time of writing the premises licence holder has not submitted a response to the review application and representation, any submissions received prior to the hearing will be circulated.

Further information – deregulation of entertainment

26. Entertainment deregulation came into force on 6 April 2015.
27. Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
28. Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
29. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

Licensing operating history

30. Windmill Taverns Limited applied for a premises licence on 2 September 2005, the application was for live and recorded music and sale of alcohol.

31. On 5 October 2006 a variation application was submitted to extend the hours on a Thursday night to 00:30. The application was opposed and was granted by the licensing sub-vommittee with additional conditions relating to the outside area.
32. On 25 September 2009 at 20:05 a licensing officer conducted an inspection of the Jack's Bar and the following issues were found and a warning letter was issued:
 - Breach of condition 9501 (340): That all escape routes and emergency exits will be immediately available for use and kept free from any obstruction at all times the premises is in use under the licence. Both rear fire exits were obstructed at the time of visit.
 - Breach of condition 9504 (343): That open containers are not to be taken away from the premises. At the time of visit there were a large number of customers consuming alcohol in open containers beyond the premises. According to the plans the premises includes the actual building, any outside space is not highlighted within the cartilage of the premises and is not considered part of the premises.
 - The premises licence (or certified copy) was not kept at the premises. Breach of Sections 57(2) of the Licensing Act 2003
33. A revisit was made on 13 November 2009 and the premises was found to be compliant.
34. On 22 June 2011 an application was made to vary the premises licence by extending the hours of the licensable activities and the opening hours on a Monday to Saturday to 03:00. This application was opposed by local residents and the application was refused at a hearing of the licensing sub-committee.
35. An application to vary the DPS to Mr John McElhinney was submitted on 18 November 2013 and granted.
36. On 1 March 2014 at 00:05 a visit was made to the premises by a licensing officer working on the night time economy team, there was some noise escape from the premises but not loud enough to cause concern, the premises was closing soon and patrons leaving in an orderly manner.
37. On 20 March 2014 at 16:45 a licensing officer conducted an induction meeting with the manger he was provided with a copy of the premises licence, the officer reiterated the requirement to comply with all licence conditions and pointed out in particular those conditions relating to the prevention of nuisance. The officer advised that all staff should be conversant with all of the conditions and that staff should be trained to keep noise caused by customers to a minimum.
38. An advisory letter was hand delivered to the premises at the time of the visit and an email covering other matters discussed at the induction meeting was sent the following day. A copy of the letter and email are attached as Appendix E.
39. On 3 May 2014 at 21:45 hours a visit was made to the area and officers observed some music breakout from Jacks when premises door opens to admit patrons, some noise from patrons outside speaking whilst smoking and drinking but not excessive.
40. On 12 July 2014 at 21:28 officers visited the premises and observed that there were about 30 people sitting outside Jack's Bar eating and drinking, the premises was not very busy inside and people were all watching the football on TV. No noise was

emanating from the premises other than the hustle and bustle of people talking outside the doors were open. The management were advised of noise complaints and advised to close doors should entertainment be provided.

41. On 18 July 2014 at 23:45 officers parked on Hatfields under the railway arch. They could hear the bass beat of house type music. They identified and visited the source of the noise Jacks, there were about 12 people sitting outside smoking and few males in the walkway directly outside Jacks. The officer spoke to the same manager as on the previous week and negotiated a reduction in the volume of the music. The manager was defensive trying to place the blame on the other two premises (EV and Thai Silk) which were closed at that time. Whilst leaving the officer observed three males who came out of Jack's Bar one of whom started shouting and joking about. Jack's Bar management and SIA staff, who were still present did not attempt to address the behaviour until asked by the licensing officer.
42. A little later on the same evening at 00:15 the officers observed four males coming from the walkway in Isabella Street shouting and joking. They got into a car parked directly in front of them. They put on loud music in the vehicle and then turned it down and then it went up again. One of them went back to the walkway and then came back to the car. Jack's Bar was the only premises open in Isabella/Joan Street at that time.
43. On 23 July 2014 a temporary event notice (TEN) was submitted for the premises for 10 August 2014, the TEN was objected to by the EPT and the Licensing Sub-Committee decided at hearing to issue a counter notice to prevent the TEN from going ahead.
44. On 30 July 2014 at 23:10 a licensing inspection was made at Jack's Bar. The premises was compliant apart from when officers arrived there were still several people sitting outside drinking. The manager was advised of the condition on the licence concerning people sitting outside after 23:00 to 09:00 and they asked the doorman to tell the patrons that were outside to take their drinks inside.
45. On 1 August 2014 at 18:42 officers visit Isabella Street area and observed a large numbers of people outside EV and Jack's Bar with a few outside Thai Silk. The officers had trouble getting through the crowds. They went inside Jack's Bar and spoke to the manager to advise that they could hear bass from quite a distance and asked for it to be lowered. He said it was the busiest they had ever been. The licensing officer advised that the problems needed to be addressed.
46. The officers returned at 22:13 and observed that there was a large number of people outside Jack's Bar and music could be heard as doors to Jacks were open.
47. On 3 August 2014 at 00:49 hours officers visited the area, which was found to be quiet.
48. On 8 August 2014 at 20:00 officers visited Isabella Street. On the approach to Isabella Street from Hatfields (walking past Styles House) crowd noise could be heard and increased significantly at the junction of Isabella Street and Hatfields. There were approximately 65 people drinking, smoking, and socialising across the length of Isabella Street. The terrace areas of EV, Jacks and Thai Silk were all being used to capacity. Isabella Street, whilst busy, was easily traversable and a wheel chair or pushchair would have been able to navigate the street without any problems. Loud music with a prominent bass was being played at Jack's Bar and could clearly be heard all along Isabella Street and at the junction of Isabella Street and Hatfields. There was crowd noise from Isabella Street which could be heard at the entry to Styles house, but was unlikely to be the cause of a nuisance. There were SIA door

supervisors at each premises and what appeared to be an SIA marshal positioned on Isabella Street directly outside Jacks. People drinking, smoking, and socialising in the passage way between Isabella Street and the tube station.

49. On 19 December 2014 at 21:50, officers visit and observed approximately 8-10 people outside Jacks bar drinking in the passage thoroughfare which was not part of their premises. SIA staff then approached and moved the people inside the premises. There were no customers outside EV restaurant, we also visited Thai Silk and noticed lots of people in the outside smoking area.
50. On 6 February 2015 at 22:37 officers visited the area and could hear dance music from Jacks, getting louder when the door is open. Six people were outside, some shouting. The officers observed a male stumble out of Jack's who appeared to be heavily intoxicated. The officers spoke to a new manager and had only worked there for a week and requested they reduce music volume and clear up vomit at the entrance. Across Isabella Street, there were six people sitting on wooden tables and chairs put in area with plants.
51. On 22 July 2015 at 20:45 officers visited Jack's Bar, which was very busy. Music from the venue was not exceptionally loud. There were two SIA staff at the entrance in the external front beer garden / smoking area and there appeared to be a zero tolerance approach of SIA staff in relation to control and management of patrons in the external area of the premises.
52. On 31 July 2015 at 21:49 officers visited Jack's Bar. Officers had just visited Thai Silk who were asked to close their doors and reduce the music volume. It became evident that Jack's Bar was also causing noise nuisance from loud music. Officers spoke to the duty manager who stated that a sound limiting device (SLD) had been fitted. The folding doors along the entire front of the premises were open and officer surmised that and the SLD had probably been set with them closed. The licensing officer advised that the music was too loud, and that the limiter would need to be reset. The manager claimed that none of the people behind the ventilation shaft on the other side of Isabella St were his customers although there was a lot of empty glassware and rubbish.
53. On 28 August 2015 at 20:15 officers visited and observed crowds of people standing on the walkway outside EV's bar, Jack's Bar and Thai Silk drinking and chatting. Thai Silk had their front doors open music was very loud. All three venues were playing loud music and had their entire frontage open and people were sitting on the opposite side of the walkway and passageway in the gardens. Security SIA staff were on site and there were approximately 100+ people outside at the time of the visit. Music was amplified and causing significant local public nuisance.
54. A further five visits made during September found no noise or non-compliance issues with Jacks.
55. On 25 September 2015 at 21:00 officers visited Isabella St area and stood outside Styles house at the Hatfields side where music noise was evident, especially bass. Isabella Street was busy with patrons, the front doors of all premises were open and playing loud music. The designated premises supervisor (DPS) from Thai Silk recognised the officers and shortly after music levels from Thai Silk were reduced and the front doors were closed. The licensing officer spoke with the manager of Jack's Bar, who stated that he would reduce the volume. Officers entered EV's bar and spoke with a member of staff who immediately reduced the volume and came outside to check the volume and stated he would shortly be closing the front doors. As the officers left Isabella Street, it was noted that Jack's Bar had not reduced music volume.

56. On 5 November 2015 an email was received from the premises licence holder Windmill Taverns Limited giving feedback from their perspective on how they were attempting to address the problems created by the popularity of the premises in Isabella/Joan Street and problems in implementing an action plan in conjunction with the two adjacent licensed premises. A copy of this email is submitted as Appendix F.

Temporary event notices

57. There have been four temporary event notices in the last 2 years detailed as follows:

| Start date | End date | Times | Max no people | sale of alcohol | On/off premises | Regulated Ent. | late night refresh | Counter notice |
|------------|------------|----------------|---------------|-----------------|-----------------|----------------|--------------------|----------------|
| 13/04/2014 | 14/04/2014 | 23:30 to 03:00 | 220 | Yes | On Premises | Yes | No | No |
| 29/06/2014 | 29/06/2014 | 00:00 to 03:00 | 210 | Yes | On Premises | Yes | Yes | No |
| 06/07/2014 | 06/07/2014 | 00:00 to 03:00 | 210 | Yes | On Premises | Yes | Yes | No |
| 10/08/2014 | 10/08/2014 | 00:00 to 03:00 | 200 | Yes | On Premises | Yes | Yes | Yes |

The local area

58. A map of the area is attached to this report as Appendix G. The premises is identified by a diamond at the centre of the map. For purposes of scale only, the circle on the map has a 100 metre radius. The following licensed premises including terminal hours are also shown on the map:

- EV Restaurant Bar, 97-99 Isabella Street, London SE1(Monday to Sunday till 01:00)
- Thai Silk, Arches 94-95 Joan Street, London SE1(Monday to Sunday till 03:00)

Southwark council statement of licensing policy

59. This application was received prior to 1 January 2015, therefore the licensing policy in force at the time of application should be used for the purpose of assisting with the determination of this review application.
60. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
- Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives.
 - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence.
 - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998.
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours.

- Section 8 provides general guidance on ensuring public safety including safe capacities.
- Section 9 provides general guidance on the prevention of nuisance.
- Section 10 provides general guidance on the protection of children from harm.

61. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

62. No fee is payable in respect of an application for licence review.

Consultation

63. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was exhibited outside the premises for a period of 28 days.

Community impact statement

64. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

65. The sub-committee is asked to determine, under Section 52 of the Licensing Act 2003, an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

66. The principles which sub-committee members must apply are set out below.

Principles for making the determination

67. The licensing authority must hold a hearing to consider an application for review of a premises licence where:

- The application is properly made in accordance with Section 51 of the Act
- The applicant has given notice in accordance with Section 51(3) of the Act
- The advertising requirements provided for under Section 51(3) of the Act are satisfied
- The licensing authority has considered the ground(s) of review not to be frivolous, vexatious or repetitious
- The licensing authority has considered the ground(s) of review to be relevant to one or more of the licensing objectives.

68. The four licensing objectives are:
- The prevention of crime and disorder
 - The protection of public safety
 - The prevention of nuisance
 - The protection of children from harm.
69. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:
- Modify the conditions of the licence by altering, omitting or adding any condition
 - Exclude a licensable activity from the scope of the licence
 - Remove the designated premises supervisor
 - Suspend the licence for a period not exceeding three months
 - Revoke the licence.
70. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:
- Are relevant to one or more of the licensing objectives
 - Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
 - Have not been withdrawn
 - If made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.
71. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.
72. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.
73. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
74. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

75. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The applicant
 - Any person who made relevant representations
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

76. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee, and
 - The licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
77. This matter relates to the review of the premises licence under section 51 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

78. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety, public health, childrens' services and the planning authority.
79. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.

80. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
81. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
82. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
83. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Other persons must live in the vicinity of the premises. This will be decided on a case to case basis.
84. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
85. Other persons, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

86. Members are required to have regard to the Department for Culture, Media and Sport guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Corporate Services

87. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

BACKGROUND DOCUMENTS

| Background papers | Held At | Contact |
|---|--|--|
| Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file | Southwark Licensing, C/o Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH | Kirty Read Phone number: 020 7525 5748 |

APPENDICES

| No. | Title |
|------------|--|
| Appendix A | Review application |
| Appendix B | Premises licence |
| Appendix C | Representations from responsible authorities |
| Appendix D | Representations from other persons |
| Appendix E | Licensing advisory letters |
| Appendix F | Email from premises licence holder |
| Appendix G | Map of local area |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Deborah Collins, Strategic Director of Environment and Leisure | |
| Report Author | Dorcas Mills, Principal Licensing Officer | |
| Version | Final | |
| Dated | 13 January 2016 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments sought | Comments included |
| Director of Law and Democracy | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Cabinet Member | No | No |
| Date final report sent to Constitutional Team | 13 January 2016 | |

Southwark Licensing Team

Community Safety EHTS,
3rd Floor Hub 2
160 Tooley Street
PO Box 64529
London SE1 5LX

E-mail: licensing@southwark.gov.uk

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Mark Prickett, on behalf of Southwark Council's Environmental Protection Team

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

| | |
|---|-------------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description | |
| JACKS Railway Arch 96 Joan Street | |
| Post town London | Post code (if known) SE1 8DA |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Windmill Taverns Limited |

| |
|---|
| Number of premises licence or club premises certificate (if known) |
| 843349 |

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address Mark Prickett (Principal Enforcement Officer) Environmental Protection Team Regulatory Services Southwark Council 3rd floor, Hub 2 160 Tooley Street London SE1 2QH |
| Telephone number (if any) Direct line: 0207 525 0023 EPT: 0207 525 4261 |
| E-mail address (optional) mark.prickett@southwark.gov.uk |

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

The review application is submitted to address the premises licence at Jack's, Railway Arch 96 Joan Street, SE1 8DA after numerous complaints have been made to Southwark Council regarding public nuisance along with numerous visits by council officers to the premises who have witnessed public nuisance occurring.

Please provide as much information as possible to support the application (please read guidance note 3)

Southwark Council's Environmental Protection Team (EPT) submit a review application at Jack's, Railway Arch 96 Joan Street, SE1 8DA to address the existing premises licence no: 843349, granted November 18 2013.

EPT seek to review existing conditions and apply further conditions to prevent future public nuisance being created from this premises.

PREMISES SITE CONTEXT

There are 6 railway arches located between Joan Street (to the north and east), Hatfields (to the west) and Isabella Street (to the south), SE1 8DA. The arches are numbered from 94-99.

Jack's is a single arch premises, numbered 96, and described as a "bar and kitchen" on their website. It is believed Jack's has been operational since 2005/6 and the recent premises licence (no: 843349) is dated 18th November 2013 due to a change in the Designated Premises Supervisor (DPS).

The 4 relevant conditions placed on the licence to address the 'prevention of public nuisance' licensing objective are as follows;

344 - That reasonable steps shall be taken to prevent noise and vibration escaping from the premises including music, noise from ventilation and human voices.

845 - No movement of / collection of bottles outside the premises shall take place between the hours of 23:00 and 09:00 the following day

846 - There shall be no public entertainment outside the premises

847 - No patrons shall sit outside the premises between the hours off 2300 hours and 0900 hrs.

INVESTIGATION & COMPLAINT HISTORY

The council has undertaken a long investigation process with Jacks. Relative correspondence and details of site meetings between both parties are detailed below.

All relevant information is presented in time order for the following separate sections;

- NTE visits
- Noise & Nuisance Team complaints
- EPT visits
- Council correspondence with the premises.

- **NTE VISITS**

Southwark's Licensing department run a Night Time Economy Team (NTE) that operates on both Friday & Saturday nights. All NTE visits to Jack's are detailed in Appendix 1 however highlights of relevant visits and officer actions are summarised below.

March 2014 Southwark's Licensing Night Time Economy Team (NTE) commenced visits to Isabella Street on the weekend of Friday 28th February/Saturday 1st March 2014 in response to complaints received to the licensing service regarding public nuisance from Jacks.

1 visit made by NTE 00:05 on 1/3/2014. **Officer noted some sound escape but no major issues.**

May 2014 3/5/14 - NTE visit 21:45. Officer noted music breakout from Jack's "when premises door opens to admit patrons, some noise from patrons outside speaking whilst smoking and drinking".

Noise leakage witnessed from front door when in use.

July 2014 12/7/14 - NTE visit at 21:28 after Licensing team received complaints regarding music and patron noise breakout when front doors were open. **Officer advised the manager Michael Whitfield of the details of the complaint and warned of problems with playing regulated entertainment with doors open, with possible implications of a premises licence review in future.**

18/7/14 - NTE visit at 23:45 – Officer heard music bass level from car when parked in Hatfields. Officer linked this bass music to Jacks. Officer spoke to manager Michael Whitfield again and noted “Whilst we were talking 3 white males came out and were standing in the walkway directly outside Jacks. One of the males started shouting and joking about. Mr Whitfield did nothing to address this until I told him to”. **Officer witnessed loud amplified music audible beyond premises boundary.**

25/7/14 - NTE visit at 20:09– Officer witnessed “several people were in the pedestrianised area drinking, as well as behind the tube ventilation”. The pedestrian area referred to is Isabella Street. **Patrons permitted beyond the premises boundary.**

Aug 2014 1/8/14 - NTE visit at 18:24 - Officer witnessed “Huge numbers of people outside” and “we had trouble getting through the crowds. Went inside Jacks and spoke to manager Michael Whitfield. Advised we could hear bass from quite a distance and asked for it to be lowered. He said it is the busiest they've ever been.” **Patrons permitted beyond premises boundary and loud audible music leaking out from premises.**

1/8/14 - Re-visit at 22:13 “Still a large number of people outside and music can be heard as doors are open.”

8/8/14 - NTE visit at 20:00 – Officer stated “On approach to Isabella Street from Hatfield (walking past Styles House) crowd noise could be heard and increased significantly by the time we reached the junction of Isabella Street and Hatfields. There were approximately 65 people drinking, smoking, and socialising across the length of Isabella Street”. “RnB style music was being played at Jacks and could clearly be heard all along Isabella Street and at the junction of Isabella Street and Hatfields”. “We noted that there were also people drinking, smoking, and socialising in the passage way between Isabella Street and the r/o the tube station”. **Patrons permitted beyond premises boundary and loud amplified music heard leaking out from premises.**

Dec 2014 19/12/14 - NTE visit at 21:50 - “Approximately 8-10people outside Jacks bar, they were drinking in the passage thorough fare which was not part of their premises. I went to speak to the manager Michael Whitfield...the manager apologised and said that the SIA staff know that they are not allowed outside after 10pm and they should have been inside their space. I have warned the manager to ensure this does not happen again” **Patrons permitted beyond the premises boundary.**

Feb 2015 6/2/15 - NTE visit at 22:37 - “Can hear dance music from premises, gets louder when the door is open. 6 people outside, some shouting. Asked doorman to get manager. As we were waiting, we saw a male stumble out of Jack's -he appeared to be heavily intoxicated. Spoke to Catherine and advised of issues. She said she was a new manager and had only worked there for a week. Told her to reduce music volume and clear up vomit at the entrance.” **Loud amplified music leaking out from premises when front door in use.**

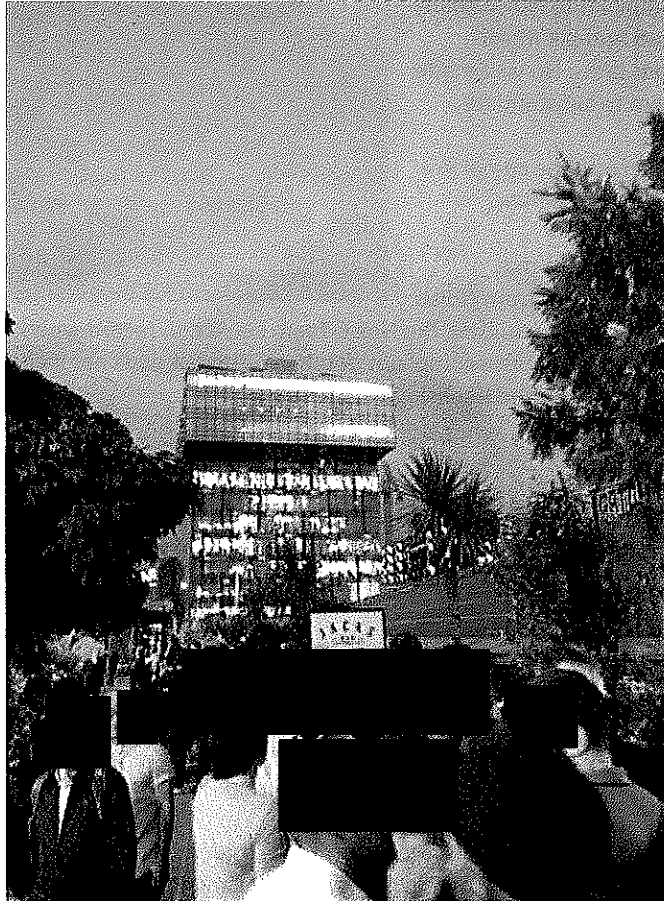
May 2015 16/5/15 - NTE visit at 00:19 - “Had the ‘Please leave Quietly signs displayed’ it was very quiet we visited at 00:19hrs.”. To note that no issues caused from premises when all patrons inside. **Demonstrating that when patrons are inside and doors are closed then no public nuisance was being caused.**

29/5/15 - NTE visit at 22:31 - “The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when Jack's entrance door was opened for access and egress...the installation of lobby doors would aid in reducing sound escape”.

July 2015 31/7/15 - NTE visit at 21:03 - "Thai Silk (arches 94-95) is blasting music, and the others (Jacks & EV) are equally loud trying to compete. All premises have doors and windows open."

21:49 "It became evident that Jack's Bar was also causing noise nuisance. LAM clearly audible in area. Spoke to Mr McElhinney who said that an SLD had been set. I pointed out that the doors (inc bifold doors the entire length) were open and the SLD had probably been set with them closed. Either way, I advised that it was too loud, and it would need to be reset." "In the area closest to Styles House (where there are plants, and furniture made out of wood) we saw a Jack's staff member go to the ventilation shaft area and collect glassware." **Officer witnessed public noise nuisance from Jacks due to loud audible leaking out of the premises with the doors open.**

Aug 2015 28/8/15 - NTE visit at 20:15 - "Noticed crowds of people standing on the walkway outside Jacks Bar drinking and chatting. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway in the gardens... There were approximately 100+ people outside at the time of our visit. Music was entertainment level amplified significant local public nuisance". All 3 premises witnessed causing a local public nuisance from patrons creating noise whilst beyond the premises boundary and from loud amplified music emanating from premises with front doors open. Pic opposite from NTE officer.



Sept 2015 25/9/15 - NTE visit at 21:00 "Stood outside Styles house at the Hatfields side and music noise was evident, especially bass. Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music. I spoke with the manager of Jacks Bar, Will, who stated he would reduce the volume. As we left Isabella St, Jacks Bar had not reduced music volume." NTE officer's advice been ignored by Jacks Bar and continued to cause a public noise nuisance.

Nov 2015 28/11/15 - NTE visit at 22:00 "Area quiet, loudest premises was Jacks Bar, music audible especially when front door opened for access." Noise leakage from premises with front doors open.

- **NOISE & NUISANCE TEAM COMPLAINTS**

7/5/14 – Complaint to noise team 00:02. Loud audible music from allegedly from all bars. No visit made by Noise Team to substantiate.

5/7/14 – Complaint to Noise Team at 20:03. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate.

26/9/14 – Complaint to Noise Team at 21:18. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate.

30/4/15 – Complaint to Noise Team at 22:05. Loud Audible Music from licensed premises on Isabella

Street. No visit made by Noise Team to substantiate.

1/5/15 - Complaint to Noise Team made on 8th re 1st. Alleged public nuisance from people/patrons leaving premises on Isabella Street. No visit made by Noise Team to substantiate.

23/7/15 - Complaint to Noise Team at 21:50. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate. Picture opposite sent through as evidence;

6/8/15 - Complaint to Noise Team at 20:58. Loud Audible Music allegedly from Jacks. No visit made by Noise Team to substantiate.

To note that all but one complaint is logged at 22:05 or earlier.

Important to note also that residents refused visits from Noise Team officers and were utilising the Noise Team service to record when disturbance was occurring so it could be logged on council complaint database. This list does not include the numerous direct email complaints received by the Licensing Team.



- **EPT VISITS**

July 2014 EPT were first notified of complaints being made about Jacks direct to Southwark Licensing Unit.

Aug 2014 EPT officers visited Isabella St at 21:20 on 15th August 2014 and noted "Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 65 patrons beyond the external front terrace, mostly stood on Isabella St and around high tables and chairs", "Jacks had largest number of patrons on Isabella Street (and) were playing music at a volume that emanated beyond their premises boundary."

EPT officers investigated the disturbance from a residential property at 21:30-22:30 and noted "The internal noise levels (within complainants property and with windows shut) were not sufficiently intrusive to be considered a statutory nuisance due to noise. However, the external noise levels at the facade constituted a substantial public nuisance due to noise.

EPT officers also noted "A reduction in external noise levels was noticed at around 22:00. On inspection it could be seen that the majority of patrons had left the area or were now within the premises' external boundaries and under the canopies. There were approximately 5 persons left on Isabella Street."

At 22:45 "Concertina doors closed with approximately 45 patrons remaining in the external area. Noise from both patrons and music was clearly audible on Isabella St. The main doors were open with no acoustic lobby installed."

EPT visit confirmed that public nuisance was occurring due to loud amplified music leaking from the premises and from people noise whilst patrons were outside of Jacks premises boundary on Isabella Street.

Dec 2014 EPT officer visited at 21:45 and noted "all patrons under canopy. Baseline/music audible on other side of Isabella St. Approx 30 people in outdoor area. Music not loud enough for people having to shout over and also not audible above the noise from a passing train. Music escape as the front

door was open and no lobby. Security guard spotted patrolling area in front of Jacks." In summary "Music levels at Jacks still loud & doors left open".

- **COUNCIL CORRESPONDANCE WITH JACKS**

July/Aug 2014 EPT objected to a Temporary Event Notice applied for at Jacks in light of information that complaints had been received by the Licensing Team regarding licensed entertainment from Jacks.

Licensing sub-committee upholds EPT objection and serves counter-notice.

EPT advise Jacks of past complaints, current issues and for need for Jacks to contact planning department for existing planning restrictions on premises.

28/8/14 – Site meeting with EPT, Licensing & all 3 Isabella Street premises' representatives including Jacks. Meeting was set up to bring all 3 premises together in the hope of agreeing future strategy to control public nuisance.

EPT advised all premises that current level of music when doors are open is too loud and if concertina front doors to be open then music should be at background level.

All 3 verbally agreed to shut external areas at 10pm and move patrons inside/remove seating and tables. This is 1 hour earlier than the 11pm cut off required as per premises licence condition 847.

Whilst there was no commitment to work collaboratively between the 3 premises, all premises agreed that music levels needed to be reduced up to 10pm/while doors remained open and security needed to monitor and control patrons in outside areas to keep Isabella Street clear. Signage to be installed on Isabella St also advising patrons not to use area.

Sept 2014 A draft 'Isabella Street Action Plan' is drawn up by Jacks which outlined measures to prevent continued public nuisance from occurring from Jacks and other 2 premises on Isabella Street. For the full content of the action plan please see Appendix 2.

Dec 2014 Emails with Jacks confirming all 3 premises had agreed to adopt measures in action plan.

March/April 2015 Site visit with EPT, Licensing, Highways & all 3 premises representatives on 6th March.

EPT follow up email dated 15th April outlining current stance with public nuisance, recommended measures to adopt to prevent public nuisance occurring and following warning of review; *"It is for management to adequately control noise & patrons over the coming warmer months when al fresco drinking/dining is likely to be of high demand on a regular basis. Should substantiated complaints continue over the coming months then EPT will have no other option than to review the premises licences which could result in amended opening hours being imposed, restrictive conditions being placed upon the licence or possibly even revocation."*

A full copy of this email can be found in Appendix 3.

No correspondence was received back to EPT from this email.

Aug 2015 After the NTE visit to Jacks on 31/7/2015 whereby substantial public noise nuisance was witnessed, Jacks submitted to the council a revised Action Plan dated 7th August 2015. A copy of this is found in Appendix 4.

Sept/Oct 2015 After an NTE visits 28th August 2015 whereby NTE officers again witnessed substantial public nuisance from Jacks, EPT decision to review Jack's premises licence on prevention of public

nuisance grounds.

Nov 2015 Email from Victoria Mawson at Jacks, asking for feedback from operations during 2015 & outlining measures Jacks have implemented in 2015 in attempt to prevent public nuisance. This email can be found in full as Appendix 5.

CONCLUSION

Southwark Council has carried out this investigation for over 1.5 years, dating from March 2014 to present. The investigation has totalled numerous officer hours in the office responding to repeated complaints against the premises, corresponding with and meeting with the premises as well as a numerous investigative hours spent by officers on the NTE service.

Whilst there are some visits made by the NTE team, as detailed in Appendix 1, that state that Jack's has been compliant with premises licence conditions and Action Plan measures, there has more importantly however been a consistent, repeated trend over the course of the 1.5 year investigation of Jack's management not adequately addressing the following;

- Control the amplified music level within the premises and noise leakage from the premises.
- Management of patrons whilst in the external front terrace to prevent patrons spilling out in Isabella Street and beyond.
- Management of patrons whilst in the external front terrace from causing a public noise disturbance.
- Responded to advice from EPT which outlined site specific measures to prevent public nuisance from occurring.

Repeated witnessed instances of loud amplified music noise and patron noise from Jacks has led EPT to determine that this premises has caused a long standing public nuisance to neighbouring residents and as such premises management have not proven to operate the business with adequate regard to the prevention of public nuisance licensing objective.

On one of the first NTE visits on 12/7/2014, the manager of Jacks was advised of the nature of public nuisance complaints Southwark had received, and verbally warned of possible review action should the complaints not be remedied.

Several months after this first warning, EPT warned Jacks again of possible premises licence review action both verbally on 6/3/15 and via email on 15/4/15 should there be failure to adopt and comply with the measures outlined in the email, coupled with further substantiated complaints and witnessed instances of public nuisance.

EPT now consider that a review of the premises licence is the only option to appropriately address the public nuisance issues at Jacks after repeated correspondence, meetings and advice with the premises management has not considered to have been digested and effectively implemented into forming an adequate solution.

EPT therefore seek to review existing conditions on Jacks premises licence and apply further conditions to prevent neighbouring residents from future public nuisance being created from this premises.

RECOMMENDATION

EPT consider the main issues creating public nuisance are from loud amplified music from within the premises and patron noise whilst the external frontage area in use prior to 10pm.

The level of music noise within the premises when concertina doors are open and the external frontage area is in use is, through numerous officer visits, considered too loud. This is believed to also raise the volume of speech from patrons to able to speak to one another, with a cumulative impact of

increased noise levels.

The vast majority of complaints from residents occur prior to the 10pm after which the external area closes. As such relevant conditions are required to address this.

From review of the complaints and NTE visits, once all patrons are inside post 10pm the other public nuisance issues are from noise leakage from the premises when the front door is opening for access/egress and from noisy patrons leaving the area.

To follow is a list of existing conditions to be removed and new conditions to be attached to premises licence 843349, which EPT consider relevant in order for Jacks to effectively control public nuisance. For the Licensing Sub-Committee's consideration;

REMOVAL OF CONDITIONS;

Remove condition 344 "That reasonable steps shall be taken to prevent noise and vibration escaping from the premises including music, noise from ventilation and human voices."

Remove condition 845 "No movement of / collection of bottles outside the premises shall take place between the hours of 23:00 and 09:00 the following day." Spirit of condition to be kept but to be expanded on below:

Remove condition 846 "There shall be no public entertainment outside the premises." Spirit of condition to be kept but reworded with relevant wording below.

Remove condition 847 "No patrons shall sit outside the premises between the hours off 2300 hours and 0900 hrs." Spirit of condition to be kept but reworded with different times below.

NEW CONDITIONS;

Please note that for all reference to 'external frontage area', please refer to Appendix 6 for an indicative plan.

- A sound limiting device shall be installed, set and maintained, to ensure the maximum levels of volume and bass of music, song or speech from licensed entertainment permitted by the amplification system, does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.
- All audio and musical equipment used in the premises, or brought into the premises by third parties which is permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be played through the installed sound limiting device.
- During any licensed entertainment on the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012, all doors, concertina doors and windows shall remain closed (except for access or egress).
- Any background music played (for when concertina doors are open) shall remain at a volume that permits normal conversation and that the volume control of any music is behind the bar/counter and is in the full control of staff at all times.
- There will be no patron access to and from the premises via the use of the rear door, except for use in case of emergency.
- Acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to all doors so as to minimise sound escape from the premises.

- An acoustic lobby of adequate dimensions and providing sufficient residence time shall be installed to the front door entrance to minimise sound escape from the premises, ensuring that all doors open in the direction of escape in case of emergency.
- Sound insulation shall be installed to baffle any intake and extract vents or air extraction systems to prevent sound escape from the premises.
- The premises shall be adequately ventilated to allow doors and windows to remain closed during licensed entertainment.
- All external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
- Amplified music, song or speech shall not be broadcast in external areas at any time.
- No external areas of the premises, including the external frontage area, shall be used for the purposes of licensed entertainment.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 09.00hrs and 23.00hrs.
- There shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 09.00hrs.
- The use of the external frontage area, except for smoking, shall cease at 22:00hrs at which point all patrons will be instructed to move indoors.
- At 22:00, if not already done so, the external terrace canopy shall be deployed to cover the designated smoking area.
- There shall be no drinks permitted to be taken outside after 22:00hrs.
- There shall be no drinks permitted to be taken beyond the boundary of external frontage area at any time.
- After 22:00hrs, customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to the external frontage area. No more than 5 customers will be permitted to remain in this designated smoking area at any one time.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00hrs.
- Clearly legible signage will be prominently displayed in the external frontage area, where it can easily be seen and read, requesting to the effect that patrons are not permitted to take drinks off the premises and into Isabella Street.
- When licensed entertainment is being provided the premises management shall carry out regular

checks to monitor the sound level at the closest noise sensitive location(s) to the premises and shall ensure that the sound level of the entertainment does not cause a public nuisance in the vicinity of the premises at the/those location(s). A written record of sound level checks shall be kept and shall contain details of: the time, date and location of each check, the person who undertook the check and any actions taken as a result of the check. Each check shall be signed in the record by the person who made the check. The monitoring record shall be kept at the premises and made available to officers of the police or council on request.

- The premises licence holder shall display telephone numbers for local taxi companies and permit patrons to wait inside the premises until the arrival of the taxi.
- The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary.
- A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the council or police on request.
- That all licensable activity will cease 30 minutes before closing times

Additional comments for committee / responsible authorities to consider;

- Capacity limit for external area
- SIA security condition for Thursday, Friday and Saturday evenings.

Please tick yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

| Day | Month | Year |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓

yes

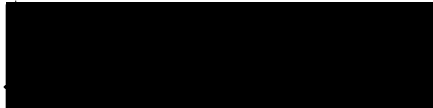
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature



Date

7/12/2015

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mark Prickett (Principal Enforcement Officer)
Environmental Protection Team
Regulatory Services
Southwark Council
3rd floor, Hub 2
160 Tooley Street

Post town

London

Post Code

SE1 2QH

Telephone number (if any) 0207 525 0023

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) mark.prickett@southwark.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

JACKS NTE VISITS (1/3/2014 – 7/11/2015)

To note: All visits which have been recorded against Isabella Street ('The Street') have been kept as generally these notes refer to all 3 licensed premises. Some NTE visits have comments relating to Jacks but have been recorded against a different premises on Isabella Street, in these instances relative comments to Jacks have been highlighted.

| adate | desc | aofficer | name | address | adtext |
|------------|--|---------------------|------------|--|--|
| 01/03/2014 | 00:05 NTE Visit | Wesley McArthur | JACKS | Railway Arch 96, Joan Street | 1/3/2014 00:05 WJM/visit to premise with KVD. We observed the premises for a few minutes. There were no tables or chairs outside of the premises or people congregating / smoking outside of the premises. There was some soundscape from the premises caused by the music being played, but it wasn't at a level that was likely to cause noise nuisance IMO. We noted many people leaving the premises, they were doing so in an orderly manner, talking to each other at a normal level (not shouting or raising their voices). When we got to the entrance of the premises I spoke to an IC2 male door supervisor. I.D'd myself. The DS stated that the premises were shutting & I noted that the premises only had a few customers left in it who appeared to be getting ready to leave the premises. I asked the DS if the premises always shut this early, and he stated that the premises have been shutting at midnight on the weekends for quite a while. Because the premises were shutting for the night we didn't conduct an inspection and left. |
| 12/04/2014 | 19:31 NTE Visit | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Requested visit from WJM. Arrived at premises 19.31 however premises closed to public - private hire for a 30th b'day. To visit another evening. |
| 18/04/2014 | 23:15 NTE Visit, closed premises | Farhad Chowdhury | JACKS | Railway Arch 96, Joan Street | 18/4/2014 23:20 FRC, premises was closed at the time of visit. Shutters were down. |
| 03/05/2014 | 21:45 NTE Visit | Mark Orton | THE STREET | Street Blpu, Joan Street, London | Visited area to assess noise from licensed premises. Some music breakout from Jacks when premises door opens to admit patrons, some noise from patrons outside speaking whilst smoking and drinking but not excessive. |

APPENDIX 108 I

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|------------|-------|------------|-------|---------------------------------|--|
| 12/07/2014 | 21:28 | Jayne Tear | JACKS | Railway Arch 96, Joan Street | 21:28 - 12/7/14 - JMT & SUE HUNTER/JACKS, RAILWAY ARCH 96, JOAN STREET, SE1 8DA spoke to the manager Michael Whitfield discussed the noise issues, there were approx 30 people sitting outside eating and drinking, the premises was not very busy inside and people were all watching the football on TV. There was not any noise emanating from the premises other than the hustle and bustle of people talking outside. I explained to him that we had received complaints about music emanating from the premises and noted that the entrance doors were wide open. I said that although that was not a problem at the moment, but if music was playing that the sound could travel and cause a nuisance to surrounding residents. He said that when he has music that the doors are closed. I said that the complaint had said that the doors were open and that he needed to be mindful of that and make sure that the doors were closing during regulated entertainment. I then went onto ask what time he stops people eating and drinking in the outside area. He said that at 22:50 he starts calling the customers to come inside and only allows smokers outside after that 23:00 hours and that they are not allowed to bring drinks out with them. I explained that he should be mindful of the noise in particular and explained what happens if the NT are called and the possible implications of a review and what could happen. (did not do an inspection as I had already done one approx 1 month ago and premises was compliant). |
| 18/07/2014 | 23:45 | Jayne Tear | JACKS | Railway Arch 96, Joan Street | 18/7/2014 23:45 JMT & COT/JACKS, RAILWAY ARCH 96, JOAN STREET, SE1 8DA (23:45) We parked on the Hatfields side under the railway arch in the middle of the arch. Opened windows of the car and sat there for approx 5 minutes. Could hear base beat of house type music. As we walked into the archway could see that EV was closed. Went to Jacks, there were approx 12 people sitting outside smoking. There were also a few males in the walkway directly outside Jacks. Could hear the base beat of the same music that I had heard from the car. I asked the door supervisors if they could get the manager. Whilst we were waiting, the level of the music was reduced slightly, but could still hear it outside, the manager, who I spoke to last week, Michael Whitfield, came out of the premises. I told him that I could hear the music from the premises from under the arch in Hatfields. I asked him to reduce the level. I said that it had gone down slightly whilst we were waiting for him, but that it needed to go down more. He went back in and got the level reduced. When he came back out. I went over the same issues as last week. He kept saying that it was also the other premises either side as well. I said that both other premises are closed at this time and that it is his premises causing the problem from what I can see tonight. Whilst we were talking 3 white males came out and were standing in the walkway directly outside Jacks. One of them started shouting and joking about. Mr Whitfield did nothing to address this until I told him to. He asked his door supervisors to deal with it and they brought the 3 patrons back inside the premises |

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| 19/07/2014 | 00:15 NTE Visit | Jayne Tear | JACKS | Railway Arch 96, Joan Street | 19/ 7/2014 00:15 JMT & COT Walked back to the car from visiting Thai silk and whilst writing mynotes, 4 males came from the walkway shouting and joking about (3black males and onw white male, they got into an audi parked directly in front of us). They put the music from the vehicle loud and then turned it down and then it went up again, One of them went back to the walkway and then came back to the car. Although I did not see these males come out of Jack's that is where I think they came from as all the other premises were closed. We left at 00:30. |
| 25/07/2014 | 20:09 NTE Visit | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Visited Isabella St area with regards to noise complaints. Took photos, noticed that several people were in the pedestrianised area drinking, as well as behind the tube ventilation. |
| 01/08/2014 | 18:24 NTE Visit | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Visited Isabella St area and took some photos. Huge numbers of people outside EV and Jacks (and to a much lesser extent, a few people on Thai Silk) and we had trouble getting through the crowds. Went inside Jacks and spoke to Michael. Advised we could hear bass from quite a distance and asked for it to be lowered. He said it is the busiest they've ever been. Explained that problems need to be addressed. |
| 01/08/2014 | 22:13 NTE Visit | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Still a large number of people outside and music can be heard as doors are open. |
| 03/08/2014 | 00:49 NTE Visit | Farhad Chowdhury | JACKS | Railway Arch 96, Joan Street | 3/8/2014 FRCall quiet no activity, Justin said the area gets very busy around Isabella Street and there could be pickpockets and difficult to walk past sometimes at night. |

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| 08/08/2014 | 20:00 | NTE Visit | Wesley McArthur | JACKS | Railway Arch 96, Joan Street | 8/8/2014 20:00 WJMV/visit to Isabella Street with Sarah Newman (SN) to observe customer behaviour in regards to Jacks, EV & Thai Silk. On approach to Isabella Street from Hatfield (walking past StylesHouse) crowd noise could be heard and increased significantly by the time we reached the junction of Isabella Street and Hatfields. There were approximately 65 people drinking, smoking, and socialising across the length of Isabella Street. The external (terrace) areas of EV, Jacks and Thai Silk were all being used to capacity. Isabella Street, whilst busy, was easily traversable and IMO a wheelchair or pushchair would have been able to navigate the street without any problems. On discussing this issue with SN she agreed with me. RnB style music was being played at Jacks and could clearly be heard all along Isabella Street and at the junction of Isabella Street and Hatfields. The bass content of the music was very prominent, although the high and mid range frequencies of the music being played were not excessive. Crowd noise from Isabella Street could be heard at the entry to StylesHouse, but was unlikely, IMO, to be the cause of SNN. There were SIA door supervisors at each premises and what appeared to be an SIA marshal positioned on Isabella Street directly outside of Jacks. SN took various photos of the locale. We noted that there were also people drinking, smoking, and socialising in the passage way between Isabella Street and the r/o the tube station. |
| 09/08/2014 | 19:07 | NTE Visit | Dave Swaby | JACKS | Railway Arch 96, Joan Street | 09/8/2014 19:07 DDS/visit to the premises to hand-deliver the Counter Notice. |
| 14/12/2014 | 01:10 | NTE Visit | Mark Oton | CONSTRUCTION STREET | Isabella Street | MAD & MBALL premises closed and area quiet, no sign of ASB or persons loitering in the area, no music noise from premises or vehicles. |
| 19/12/2014 | 21:40 | NTE Visit | Farhad Chowdhury | JACKS | Railway Arch 96, Joan Street | 19/12/2014 19:40 FRC2) Isabella Street SE1 - Visited at 21:50hrs, approximately 8-10 people outside Jacks bar, they were drinking in the passage thoroughfare which was not part of their premises. I went to speak to the manager Michael Whitfield, by then the SIA staff were getting people inside the premises. The manager apologised and said that the SIA staff know that they are not allowed outside after 10pm and they should have been inside their space. I have warned the manager to ensure this does not happen again. There were no customers outside EV restaurant, we also visited Thai Silk and noticed lots of people in the outside smoking area. |

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| 06/02/2015 | 22:37 | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Visit with JCM. Can hear dance music from premises, gets louder when the door is open. 6 people outside, some shouting. Asked doorman to get manager. As we were waiting, we saw a male stumble out of Jack's - he appeared to be heavily intoxicated. Spoke to Catherine and advised of issues. She said she was a new manager and had only worked there for a week. Told her to reduce music volume and clear up vomit at the entrance. Across Isabella St, there were 6 people sitting on wooden tables and chairs put in area with plants. Saw a couple with nangs and balloons. At 22:48 we went back to the car in Hatfields & saw 2x males with canisters and balloons - called NTE police to deal with. |
| 16/05/2015 | 00:19 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 17/5/2015 00:19 FRCI visited on Saturday night and checked all three premises: EV's Bar, Jacks and Thai Silk all three premises had the "Please leave Quietly signs displayed" it was very quiet we visited at 00:19hrs. |
| 29/05/2015 | 22:31 | Wesley McArthur | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 29/5/2015 22:31 WJM Observation with Adam Burchett (AB) of the area re' on going noise complaint. We stood on Hatfields between Styles House and 1-10 Tait & Benson House. The weather was dry and cool, with little to no breeze. Traffic on The Cut and Hatfields was light but regular. From where we were stood we could hear the voices of people walking along The Cut, traffic noise was louder than the people's voices. We couldn't hear any voices or music from the direction of Isabella Street. We then went and stood at the entrance to Styles house (facing Isabella Street) and could only hear traffic noise (no music or raised voices). We then walked to the junction of Isabella Street and Hatfields and looked down Isabella Street. There was no one drinking whilst on the public footpath / public areas on Isabella Street. As we walked past EV we noted that there were 12 people using EV's terrace area. They were talking at normal conversational levels and not engaging in ASB. RnB style music could be heard emanating from EV. The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when EV's entrance door was opened for access and egress. We then stood outside Jacks and noted 6 people talking and smoking in Jacks' terrace area. They were talking at a normal conversational level. RnB style music was being played in the premises (a different song to the one being played at EV). The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when Jack's entrance door was opened for access and egress. We then stood outside Thai Silk. Nobody was using Thai Silk's terrace area. RnB style music was being played in the premises (a different song to the one being played at Jacks). Nobody entered or exited Thai Silk whilst we were outside of Thai Silk. All 3 premises had SIA D/S controlling entrances / exits to and from each premises. We didn't witness any ASB, customers with raised voices or customers congregating to drink in the public areas in / near Isabella Street. When we walked back to the junction of Hatfields and Isabella Street it was noted that |

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| | | | | | the level of sound escape heard from this point was significantly lower than when in Isabella Street itself. We then stood on Hatfields between Styles House and 1-10 Tait & Benson House again, and the premises / customers on Isabella Street couldn't be heard. At ground level the sound escape from the premises is unlikely to constitute S/N/N IMO, however the installation of lobby doors would aid in reducing sound escape from each premises. We drove away from the area via Hatfields towards The Cut with the front car windows fully turned down and couldn't hear any sound escape from the premises on Isabella Street as we left. Photo's of area taken as attached. |
| 30/05/2015 | 22:43 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 30/5/2015 22:43 FRCNO Music audible, nobody outside very quiet no noise witnessed, also visited outside Jacks bar and Thai silk the area was all quiet premises were all open but no music audible. We also visited Styles house and did not witness any noise all peaceful at the time of our visit at 22:43hrs. |
| 06/06/2015 | 22:02 | Kristie Ashenden | THE STREET | Street Blpu, Isabella Street, London | With Sue Hunter. Very cold evening, no one standing on Network Rail land, a few people walking through Isabella st, however no nuisance witnessed from any of the premises. |
| 25/07/2015 | 21:09 | Richard Kalu | THE STREET | Street Blpu, Isabella Street, London | Visited Isabella Street with Farhad Chowdhury. No patrons located on the road all patrons by in large were contained in the external front smoking/ dining area of the various premises on the street. Spoke to management of all premises about complaints received of anti social behavior along Isabella Street. We had an interesting conversation with a Ugat Ezgi of Ev, 98 Isabella Street. Advised that the ASB issues was not actually as a result of the operation of the business along Isabella Street. Advised that what is happening is that 2 - 3 Rickshaw drivers are parking up and playing music to draw crowds around them and they are getting paid to entertain a crowd. He advised us that he has personally gone over to the Rickshaw drivers in an attempt to move them on as he said it was affecting his business with member so the public crowding the road which left his customers feeling intimidated. We have been advised that he has CCTV footage which details the issue on the road which supported his report to us that the Rickshaw drivers are responsible for whipping members of the public into a frenzy and playing loud music. Action - Can we report this to Police to see if we can get a visible police presence on Isabella Street to deter the Rickshaw drivers. NTE to monitor Isabella Street next weekend. |

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|------------|-------|------------------|-----------|--|--|
| 27/07/2015 | 20:45 | Richard Kalu | JACKS | Railway Arch 96, Joan Street | Visited premises with farhad Chowdhury. Premises was very busy and myself and Farhad spoke to the duty manager at the premises Hannah Burton. Advised that from 22:00hrs all patrons are moved into the premises and all windows and doors are closed to stop any noise breakout. Music from the venue was not exceptionally loud. Myself and Farhad were able to have a conversation without needing to raise our voices above the level of music which was being played from the premises ATOV. Noted that there are X2 SIA staff at the entrance in the external front beer garden / smoking area and there appeared to be a zero tolerance approach of SIA staff in relation to control and management of patrons in the external area of the premises. Observed X1 SIA member of staff before we approached and identified ourselves a patron to remain in the smoking area and not to go out on to the main road. This zero tolerance approach was reiterated by the duty manager who advised us that SIA staff were under strict instruction that the external area was to be controlled with a Zero tolerance approach. Wespoke to the SIA staff and they advised us that from 22:00 hrs patrons coming outside for a cigarette that were loud / abusive or causing an ASB issue were asked to vacate the area and would be refused re-entry into the premises. When we arrived no patrons were located on Isabella Street and it was evident that SIA staff were keeping patrons restricted to the front external smoking/drinking area of the premises. Action - NTE to monitor the premises next weekend for ASB related issues and compliance with the licence.. |
| 31/07/2015 | 21:03 | Kristie Ashenden | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | With Matt Bourne. Visited area and on approach can hear LAM, esp heavy bass, from The Cut. Nice evening, dozens of people drinking outside on the Styles House side of the TfL ventilation shaft. Took a photo of Thai Silk to show how many people are blocking Isabella St. Pint glasses everywhere, not being collected. Thai Silk is blasting music and the others are equally loud trying to compete. All premises have doors and windows open. |
| 31/07/2015 | 21:49 | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | With Matt Bourne. Visited Jack's Bar. Due to Thai Silk being told to close doors and reduce volume, it became evident that Jack's Bar was also causing noise nuisance. LAM clearly audible in area. Spoke to Mr McElhinney who said that an SLD had been set. I pointed out that the doors (inc bifold doors the entire length) were open and the SLD had probably been set with them closed. Either way, I advised that it was too loud, and it would need to be reset. He claimed that none of the people behind the ventilation shaft on the other side of Isabella St were his customers. Walked behind the shaft and there was a lot of empty glassware and rubbish. |

| | | | | | |
|------------|-------|------------------|------------------------------------|--|--|
| 28/08/2015 | 20:15 | Farhad Chowdhury | JACKS | Railway Arch 96, Joan Street | 28/8/2015 20:15 FRCAs we arrived noticed crowds of people standing on the walkway outside Ev's bar, Jacks Bar and Thai Silk drinking and chatting. Thai silk had their front doors open music was very loud. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway in the gardens. Security SIA staff seen us and followed us, there were approximately 100+ people outside at the time of our visit. Music was entertainment level amplified significant local public nuisance. Sarah Newman and Imade notes and took photos with our phones and we left at 20:23hrs. |
| 05/09/2015 | 19:48 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | 5/9/2015 19:48 FRCall quiet nobody outside, all quiet in the garden areas. No music is playing, not audible outside. there are 2 people eating outside Ev's bar, and about 15 outside Jacks. frontage all closed due to cold weather. We walked up and down the walkway no public nuisance. |
| 11/09/2015 | 22:40 | Jayne Tear | JACKS | Railway Arch 96, Joan Street | 22:40 on 11/9/2015 JMT & COT at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All very quiet – hardly any customers inside either premises – no one outside on public walkway. Will visit again later in the evening. |
| 12/09/2015 | 01:20 | Jayne Tear | JACKS | Railway Arch 96, Joan Street | 01:20 on 12/9/2015 JMT & COT back at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All very quiet – nothing to report |
| 12/09/2015 | 22:45 | Jayne Tear | JACKS | Railway Arch 96, Joan Street | 22:45 on 12/9/2015 JMT & COT back at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA Walked all around premises – all very quiet – no patrons outside in any of the three premises. |
| 18/09/2015 | 21:20 | Richard Kalu | THE STREET | Street Bipu, Isabella Street, London | No members of public located on road. Sound escape from premises was minimal. SIA staff presence in all premises. Majority of patronswatching the Rugby on TV no issues of concern noted. |

| | | | | | |
|------------|-----------------------------------|---------------------|---|--|---|
| 25/09/2015 | 21:00 NTE Visit MAD & AB | Mark Orton | EV RESTAURANT BAR AND DELICATESSEN | 97-99 Isabella Street, Off Joan Street/Hatfields | Monitoring visit to Isabella St SE1. Stood outside Styles house at the Hatfields side and music noise was evident, especially bass. Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music. AB and I walked the length of the street and paused outside each premises. DPS from Thai Silk recognised me but didn't approach, shortly after music levels from Thai Silk were reduced and the front doors closed. I spoke with the manager of Jaks Bar, Will, who stated he would reduce the volume. We entered EV Bar and spoke with Ugur who immediately reduced the volume and came outside to check the volume. He stated he would shortly be closing the front doors. As we left Isabella St, Jaks Bar had not reduced music volume. At the back of the TFL vent there were people drinking alcohol that appeared to have been bought from Tesco as there were Tesco carrier bags with empty bottles and cans in the vicinity. People drinking in this area are not disposing of their empty bottles and cans responsibly, leaving them strewn near the vent and in nearby planters and on the ground. |
| 02/10/2015 | 20:40 NTE Visit | Richard Kalu | THE STREET | Street Blpu, Isabella Street, London | Visited Isabella Street at request of David Franklin. Visit carried out with John. At time of visit no patrons were located along the stretch of road. I noted that some patrons wandered out into the road to smoke or talk and SIA staff were very quick in asking patrons to come back within the front courtyard smoking areas of their premises. In regards to noise breakout from the premises no significant concerns were noted and noise appeared to be more in relation to people noises opposed to amplified music. |
| 07/11/2015 | 19:55 NTE Visit | Farhad Chowdhury | THE STREET | Street Blpu, Isabella Street, London | 7/11/2015 19:55 FRCObservations all quiet, nobody in the walkway or garden area, all quiet. there were some people sitting outside Jaks and Thai Silk some background music but not loud. No crowds outside. |

APPENDIX 2

ISABELLA STREET ACTION PLAN SEPTEMBER 2014

Drafted and agreed to by members of EV, Thai Silk and Jacks Bar respectively. The aim of this plan is to alleviate and abate the noise levels disrupting residents of Styles House during months where patrons of any business operating on Isabella Street may be outside of the premises. This Action plan has been developed in conjunction with advice from Southwark Council.

The points we wish to address are:

1. Decrease levels of noise coming from Isabella Street from 6pm to Midnight.
2. Decrease levels of noise as patrons leave the premises at any point during opening hours and up to an hour after premises are closed.
3. Decrease noise pollution caused by music levels from all premises.
4. Decrease noise from any patron who may be smoking outside the premises after 10pm.

Below is an outline of the steps all premises on Isabella Street have agreed to take in order to achieve the above four aims.

Action Points:

- 1.1 Introduced two Stewards to patrol Isabella Street on Thursday and Friday nights. These stewards are trained doormen but are there in an informal capacity to help move customers standing outside all venues inside or within the boundary outside. They are fully briefed to urge customers standing in the open to be aware of the residents surrounding them. They will take action if they feel that any group or individual are creating noise levels that are unacceptable.
 - 1.2 All patrons are inside the premises and the doors are closed no later than 10pm. Closing the doors and concertina windows will help prevent any extra noise exiting the building after that time.
 - 1.3 Encouraging door staff where possible to prompt patrons to stay inside the premises and enjoy their evening to try and discourage large groups forming outside and around the venues.
 - 1.4 Ensure that music levels are kept at an appropriate level so that patrons are not shouting upon leaving due to affected acclimatised hearing. The stewards are briefed to make sure that all music is not audible from Isabella Street at all times of the evening.
 - 1.5 Ensure that on Monday, Tuesday, Wednesday and Saturday nights that all members of staff are aware of the importance of making sure patrons of all venues on Isabella Street are leaving quietly, not blocking the street and enjoying the outside areas without causing disturbance to residents surrounding.
 - 1.6 Put up signs on Isabella Street, surrounding the back of the Underground shaft and in the attractive leafy areas telling patrons politely to return to the place that they acquired their beverage and be respectful to the surrounding residents.
-
- 2.1 Stewards are hired to stay up to an hour after closing time to ensure that all patrons leave the premises and Isabella Street quietly and respectfully.
 - 2.2 Stewards are working throughout the evening to ensure that patrons leave all premises and Isabella Street quietly.
 - 2.3 Discourage smokers to stand outside the premises in groups.

- 2.4 Bring the music levels down in stages from 1hr before closing so that patron's ears can re-acclimatise to an appropriate level of talking when leaving.
- 2.5 Ensure on Monday, Tuesday, Wednesday and Saturday nights there are enough members of staff on duty to monitor patrons leaving in a quiet and respectful manor.
- 3.1 Stewards are briefed to patrol outside all premises during the evening on Isabella Street to make sure no music is audible from the road and advise where appropriate each manager to turn the music down.
- 3.2 Make sure that on Monday, Tuesday, Wednesday and Saturday staff in all bars are responsible for exiting the premises at various points throughout the night and checking that the music levels are low enough and not audible from Isabella Street.
- 3.3 Mutual patrolling on Monday, Tuesday, Wednesday and Saturday nights between managers and staff of all premises on Isabella Street encouraging each other to keep the music at an appropriate level.
- 4.1 Discourage any smokers from exiting the main venue to smoke outside for extended periods of time by prompting their return inside as quickly as possible after they have extinguished their cigarette.
- 4.2 Briefing all doormen and staff on appropriate levels of audible noise from the premises if patrons are outside after 10pm smoking. Re-iterate no tolerance of unacceptable noise levels to patrons if they are persistently noisy.

We expect and hope that if all premises comply and co-operate with these guidelines the noise radiating from Isabella Street of an evening will be reduced significantly. Stewards are in place as of 29th August and will be trialled throughout the month of September.

APPENDIX 3

Prickett, Mark

Subject: FW: Isabella Street
Attachments: ISABELLA STREET ACTION PLAN SEPTEMBER 2014 DRAFT.docx

From: Prickett, Mark
Sent: Wednesday, April 15, 2015 12:36 PM

Cc: Taylor, Craig; Newman, Sarah; Parkins, Richard; Franklin, David
Subject: RE: Isabella Street

Dear all,

On the back on Ian Law's email below I wish to add further comment with regards the Environmental Protection Team's (EPT) stance regarding noise from the licensed premises on Isabella Street;

Firstly, thank you all again for your time on Friday 6th March to discuss matters.

It was suggested during the meeting that EPT would arrange a visit to agree and set maximum noise levels at the premises. To clarify EPT will not be providing this service, it is for each premises DPS/Management team to set their own amplified music & bass levels to ensure that any noise emitted from their premises does not cause noise disturbance at the closest noise sensitive receptor and/or residential property, so as to comply with the 'prevention of public nuisance' licensing objective detailed under the Licensing Act 2003. EPT are happy to offer advice on how to accomplish this, but we will not agreeing a set level per se.

I attach the noise management action plan put in place in September 2014. The terms and control measures within this action plan were agreed to by all 3 premises' management at the meeting on Friday 6th March. If this is not the case for your premises please advise us at your earliest convenience.

It is noted that all 3 premises licences for EV; Jacks & Thai Silk have differing conditions, specifically with regards to the time at which the external areas to the front of the arches must close and patrons brought inside. However all 3 premises have agreed to a 10pm closure of external areas, as per the noise management plan mentioned above. This is the cut off time that is expected to continue for all 3 premises into the foreseeable future, again if this is not found agreeable please advise.

Visits to Isabella Street were undertaken over the winter months by myself and the licensing department's Night Time Economy Team and concerns were still held over noise emissions from all premises. The following list of advice is offered to you (on top of the noise management plan) to assist you in managing your premises in compliance with the 'prevention of public nuisance' licensing objective;

- Close all external areas to patron use at 10pm, only smokers are permitted to use the external area after this time. Limit the number of smokers allowed outside to a sensible number to prevent large groups forming (e.g. 5-10 people).
- No drinks allowed outside after 10pm – signage erected and security to enforce when present. This prevents smokers from loitering outside for extended periods. Encourage all smokers to stay within your premises frontage.
- When concertina doors/premises frontages are open during the day (up to 10pm), the noise level of any amplified music, sound or speech should not be audible at the façade of Styles House, both at the base and at the top residential properties of the tower block. This is for management to assess and in so doing we would strongly welcome premises management correspondence with residents to build up a working relationship. It is recommended that when premises' frontages are open internal noise levels should revert to background level with internal speakers facing into the arch, not towards the Isabella Street frontage.
- Premises management to be aware of the 'Lombard effect' – for instance when music noise levels are at 70-75dB, the conversational volume of patrons inevitably rises in attempt to be above the music level. This

~~increases the background level by approx 15dB. This is to be avoided before 10pm and when premises frontage is open.~~

- After 10pm, close all front doors. Noise leakage from premises still occurs when doors are opened for access/egress. It is strongly recommended that premises management look to install acoustically valid lobbied entrances with enough residence time to allow one door to be shut before another one opens to prevent noise leakage from access/egress.

As mentioned to you all during our meeting, all 3 premises licences are favourable to the licensee as they were granted without too many restrictive conditions imposed. It is for management to adequately control noise & patrons over the coming warmer months when al fresco drinking/dining is likely to be of high demand on a regular basis. Should substantiated complaints continue over the coming months then EPT will have no other option than to review the premises licences which could result in amended opening hours being imposed, restrictive conditions being placed upon the licence or possibly even revocation.

Kind regards,

Mark Prickett

Principal Enforcement Officer
Environmental Protection Team
Southwark Council

Tel: 0207 525 0023

Environmental Protection Team | EH&TS | Community Safety & Enforcement
3rd floor | Hub 2 | 160 Tooley Street | London | SE1 2QH

WINDMILL
ESTD 1998
Taverns
GROUP

Friday 07th August 2015

Re: Noise Control Isabella Street

To Whom It May Concern

After being visited by a member of Southwark Council on Friday 31st July 2015 due to noise complaints we have invoked the action plan first drafted last year to help alleviate this problem. We take this issue very seriously at Jacks Bar and Windmill Taverns respectively. Please look over the attached plan and let us know if there is anything you feel we should add or evaluate. This plan proved successful last year so we feel confident it will work again this year. We had a sound limiter installed at Jacks over the winter and hoped that might help keep the noise levels down. Although I am sure this has contributed to a better level at Jacks overall, we clearly could be doing more on our very busy nights. We also have not applied for any late night licenses this year in respect of the neighbouring residents. Hopefully this means overall our sound complaints have been reduced?

We are keen to work together with EV, Thai Silk, the residents and the council to make sure we keep our noise down whilst still promoting and increasing our business. Isabella Street is a fantastic area in Southwark and we want to keep it that way.

Please do not hesitate to get in touch and let me know any updates or amendments you might like to suggest.

Kind Regards



Victoria Mawson
Windmill Taverns Group
86 The Cut
London
SE1 6LW
02037723921
Victoria@windmilltaverns.com
www.windmilltaverns.com

ISABELLA STREET ACTION PLAN AUGUST 2015

Drafted by Jacks Bar and agreed to by Thai Silk and pending agreement from EV Thai Silk. The aim of this plan is to alleviate and abate the noise levels disrupting residents of Styles House during months where patrons of any business operating on Isabella Street may be outside of the premises. This Action plan has been developed in conjunction with advice from Southwark Council.

The points we wish to address are:

1. Decrease levels of noise coming from Isabella Street from 6pm to Midnight.
2. Decrease levels of noise as patrons leave the premises at any point during opening hours and up to an hour after premises are closed.
3. Decrease noise pollution caused by music levels from all premises.
4. Decrease noise from any patron who may be smoking outside the premises after 10pm.

Below is an outline of the steps all premises on Isabella Street have agreed to take in order to achieve the above four aims.

Action Points:

- 1.1 Introduced two Stewards to patrol Isabella Street on Thursday and Friday nights. These stewards are trained doormen but are there in an informal capacity to help move customers standing outside all venues inside or within the boundary outside. They are fully briefed to urge customers standing in the open to be aware of the residents surrounding them. They will take action if they feel that any group or individual are creating noise levels that are unacceptable.
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 - 1.3 Encouraging door staff where possible to prompt patrons to stay inside the premises and enjoy their evening to try and discourage large groups forming outside and around the venues.
 - 1.4 Ensure that music levels are kept at an appropriate level so that patrons are not shouting upon leaving due to affected acclimatised hearing. The stewards are briefed to make sure that all music is not audible from Isabella Street at all times of the evening.
 - 1.5 Ensure that on Monday, Tuesday, Wednesday and Saturday nights that all members of staff are aware of the importance of making sure patrons of all venues on Isabella Street are leaving quietly, not blocking the street and enjoying the outside areas without causing disturbance to residents surrounding.
 - 1.6 Put up signs on Isabella Street, surrounding the back of the Underground shaft and in the attractive leafy areas telling patrons politely to return to the place that they acquired their beverage and be respectful to the surrounding residents.
-
- 2.1 Stewards are hired to stay up to an hour after closing time to ensure that all patrons leave the premises and Isabella Street quietly and respectfully.
 - 2.2 Stewards are working throughout the evening to ensure that patrons leave all premises and Isabella Street quietly.
 - 2.3 Discourage smokers to stand outside the premises in groups.
 - 2.4 Bring the music levels down in stages from 1hr before closing so that patron's ears can re-acclimatise to an appropriate level of talking when leaving.
 - 2.5 Ensure on Monday, Tuesday, Wednesday and Saturday nights there are enough members of staff on duty to monitor patrons leaving in a quiet and respectful manor.
- 3.1 Stewards are briefed to patrol outside all premises during the evening on Isabella Street to make sure no music is audible from the road and advise where appropriate each manager to turn the music down.
 - 3.2 Make sure that on Monday, Tuesday, Wednesday and Saturday staff in all bars are responsible for exiting the premises at various points throughout the night and checking that the music levels are low enough and not audible from Isabella Street.

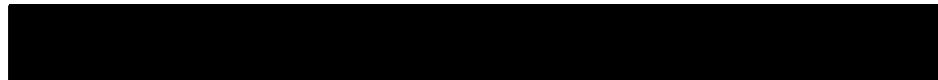
3.3 Mutual patrolling on Monday, Tuesday, Wednesday and Saturday nights between managers and staff of all premises on Isabella Street encouraging each other to keep the music at an appropriate level.

4.1 Discourage any smokers from exiting the main venue to smoke outside for extended periods of time by prompting their return inside as quickly as possible after they have extinguished their cigarette.

4.2 Briefing all doormen and staff on appropriate levels of audible noise from the premises if patrons are outside after 10pm smoking. Re-iterate no tolerance of unacceptable noise levels to patrons if they are persistently noisy.

We expect and hope that if all premises comply and co-operate with these guidelines the noise radiating from Isabella Street of an evening will be reduced significantly. Stewards are in place as of 07th August and will remain in place throughout the month.

APPENDIX 5

Prickett, Mark**From:****Sent:**

05 November 2015 16:19

To:

Newman, Sarah; Prickett, Mark; Franklin, David; Ashenden, Kristie

Subject:

Isabella Street Action and Feedback

Good Afternoon

Apologies if this email is not relevant to some of you but I had numerous contacts in both the environmental and licensing teams at Southwark and wasn't sure who to address this to.

I am emailing today to provide some feedback about the last year at Jacks. After a tumultuous summer in 2014; it was a huge priority for us to address the noise complaints and crowd control at Jacks and we subsequently spent a lot of time and effort putting systems and plans into place to try and alleviate the problem. We believe our contact with Southwark council regarding these issues should not just be defensive reactionary occasional emails but rather proactive conscientious conversations. Sadly the last two emails I sent with information to the council were not replied to.

Let me first update you on all we have done at Jacks specifically.

1. We have upgraded our sound limiters to a more sensitive system as the acoustics in the arch made it difficult to hear the quality and volume at busy periods.
2. We moved our speakers around within the interior of the site with the help of an acoustic technician to make sure the sound waves were heading inward rather than outward.
3. Our staff training now involves a written question about how each individual can help to keep an eye on the noise levels with reference to the residents across the road thus making sure all staff members at all times are aware of the issue.
4. We initiated and implemented the Action plan from 2014, with some slight changes and tweaks to reflect what we learned last year (e.g. timings of stewards, smoking crowd control). We then presented this to EV and Thai Silk and suggested the same guidelines should be followed over the warmer months of 2015 when our problems seemed to be exacerbated. This was invoked for all three sites after a member of Southwark Council visited the street on 31st July 2015 and was also outlined in an email response to you on 7th August 2015.
5. We have refrained from applying for any TEN applications this year at Jacks to instead focus on our current opening hours and controlling the noise adequately within those parameters.

Whilst our results have not been perfect they have demonstrated a significant decrease in noise complaints being communicated to us from your offices, council staff having to attend Isabella Street and consequently, I would hope, a degree of satisfaction from residents that we are doing our best to keep them in mind.

Last year in both the meetings we had with representatives from Southwark on Isabella Street and the TEN application meeting that was attended by myself in the Southwark offices it was made clear to us that it was our (Jacks, EV and Thai Silk) responsibility to work together to maintain and solve the issue of noise complaints in the area. We were told that we would be collectively punished if one of us was not adhering to these rules and were subsequently threatened with license changes, sanctions etc... should this be the case. As you can see from the paragraph above Jacks has taken these meetings on board and taken them very seriously. It is important that you are aware however that we have faced considerable difficulties in uniting with EV and Thai Silk in the same aims.

It is fair to say that we have spear-headed, organised and implemented the initiatives and to a certain extent policed them even though we only occupy half the space that both EV and Thai Silk do on the street. We have communicated by email, face to face and tried to organise meetings but these have been ignored or only responded to with one line emails either agreeing or disagreeing with the proposals. With these responses in mind; it certainly seems like neither EV nor Thai Silk care too much about this or are simply happy to let us take the reins. We are by no means trying to place blame on anybody else; the results of our work negate this but we do feel it is important that these issues are pointed out to you. As the only "bar" on the street it is easy for the finger to be pointed at us and historically it has been. However there have been numerous incidents this year where our management have attempted to enforce the rules of the action plan and suggestions of Southwark Council to be ignored or even ridiculed by both businesses. Only last Friday our manager had to attend Thai Silk to ask them to turn their base and music down; he was greeted by a member of staff who did nothing about it even after the second visit. We are now in a situation where EV are refusing to pay for the stewards in full even though the noise was clearly significantly reduced by their presence.

I point these things out not for pity's sake but to highlight the ongoing challenges we are facing trying to handle both ourselves, EV and Thai Silk for fear of collective repercussions from the council that could irrevocably damage our business or even close it all together. Sadly we do not receive the same concern or collective responsibility from EV and Thai Silk; we are met with reluctance, aggression or ignorance.

Whilst we are trying our best to cope with the strain of this responsibility it would be great if we could have help from the council regarding this. Replies to emails (especially the action plan) so that we can back up the things we are proposing with council approval would be very helpful, occasional meetings to discuss how things are going (once or twice a year) or communication via email/letters to at least back up our work. Without this presence, next year I fear both EV and Thai Silk will not agree to the action plan and we will all be back where we started.

Aside from this, we are struggling to control late night drinkers with cans (presumably purchased from Tesco or Sainsbury's) who are loitering around the back of the underground shaft opposite our site. This was mentioned in our meetings last year but as far as we can see nothing has been done about it. Last week we had an incident where we had to call the police to remove a drunk man from our premises who had entered and was verbally abusing our customers. He had been drinking for several hours and lying on the back benches of the shaft. We feel it is important to highlight that this is a real problem for us.

Finally, in a meeting last year we were made aware of a residents meeting in March. I had some communication with Sarah Newman about this as we were keen to attend obviously, but was consequently told that it had been cancelled. During the TEN meeting last year the residents had claimed that we never replied to emails/letters about attending these meetings. Let me say with absolute clarity that we have never been invited by email or by letter (our address is clearly visible on the website and they know our situation) and I have had to chase up rumours of meetings over the past 12 months only to be constantly faced with changes or cancellations. What's more when I asked the council for a contact from the residents so that I could pursue this myself, my email was ignored. I find it difficult to believe there hasn't been a residents meeting since last year but worry our absence only extends these strained lines of communication further. If you do have a contact for the residents nearby could I have it so that I can take the opportunity to reach out for feedback from them directly?

As I have said before Isabella Street is a fantastic part of Southwark; a gem and hopefully we can continue to work together to keep it a pleasant place to live and a thriving area of business.

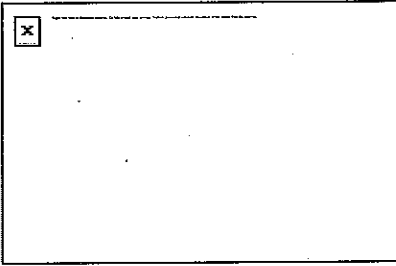
Kind Regards

Victoria

Victoria Mawson
Windmill Taverns Group
25 Roupell Street
London
SE1 8TB

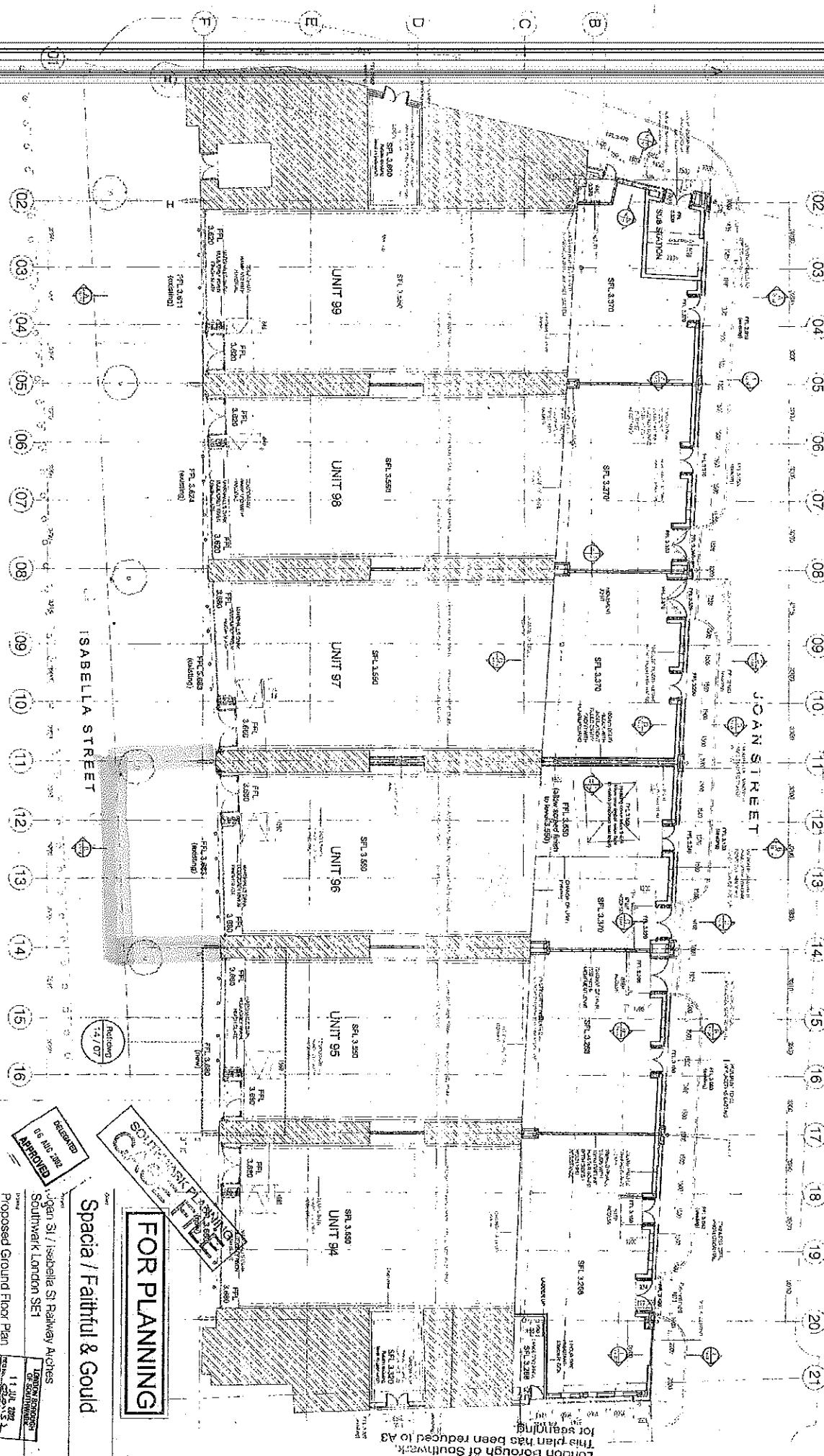
02037723921

www.windmiltaverns.com



TACKS-INDICATIVE PLAN

EXTERNAL FRONTAGE AREA /
DESIGNATED SMOKING AREA



London Borough of Southwark
This plan has been reduced to A3 for printing.

- 1 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 2 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 3 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 4 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 5 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 6 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 7 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 8 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 9 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 10 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 11 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 12 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 13 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 14 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 15 02/02/2016 Sub Station, tanks, pipes & service enclosure
- 16 02/02/2016 Sub Station, tanks, pipes & service enclosure

FOR PLANNING

Spacia / Faithful & Gould

SOUTHWARK PLANNING
CITY OF SOUTHWARK

Approved
By A/C 512
APPROVED

London Borough of Southwark
11th Floor, 100 Borough Road, London SE1 1JF
Tel: 020 7534 3000
Fax: 020 7534 3001
Email: planning@london.gov.uk

Project: Joan St / Isabella St Railway Archway
Southwark London SE1
Proposed Ground Floor Plan
11th Floor, 100 Borough Road, London SE1 1JF
Tel: 020 7534 3000
Fax: 020 7534 3001
Email: planning@london.gov.uk

Architects: Spacia / Faithful & Gould
Date: 07/10/01
Scale: 1:200
Drawing No: 4953_12-1_6-1

Licensing Act 2003 Premises Licence

128

APPENDIX B



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

843349

Part 1 - Premises details

| | |
|---|-----------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| JACKS Railway Arch 96 Joan Street | |
| Ordnance survey map reference (if applicable), 180070531615 | |
| Post town London | Post code SE1 8DA |
| Telephone number | |

| |
|--|
| Where the licence is time limited the dates |
|--|

| |
|--|
| Licensable activities authorised by the licence |
| Live Music - Indoors Recorded Music - Indoors Sale by retail of alcohol to be consumed on premises |

| |
|---|
| The opening hours of the premises |
| For any non standard timings see Annex 2 |
| Monday 07:00 - 23:30 |
| Tuesday 07:00 - 23:30 |
| Wednesday 07:00 - 23:30 |
| Thursday 07:00 - 00:30 |
| Friday 07:00 - 00:30 |
| Saturday 07:00 - 00:30 |
| Sunday 07:00 - 22:30 |

| |
|---|
| Where the licence authorises supplies of alcohol whether these are on and/ or off supplies |
| Sale by retail of alcohol to be consumed on premises |

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Live Music - Indoors

| | |
|-----------|---------------|
| Monday | 19:00 - 23:30 |
| Tuesday | 19:00 - 23:30 |
| Wednesday | 19:00 - 23:30 |
| Thursday | 19:00 - 00:30 |
| Friday | 19:00 - 00:30 |
| Saturday | 19:00 - 00:30 |
| Sunday | 19:00 - 22:30 |

Recorded Music - Indoors

| | |
|-----------|---------------|
| Monday | 11:00 - 23:30 |
| Tuesday | 11:00 - 23:30 |
| Wednesday | 11:00 - 23:30 |
| Thursday | 11:00 - 00:30 |
| Friday | 11:00 - 00:30 |
| Saturday | 11:00 - 00:30 |
| Sunday | 11:00 - 22:30 |

Sale by retail of alcohol to be consumed on premises

| | |
|-----------|---------------|
| Monday | 11:00 - 23:00 |
| Tuesday | 11:00 - 23:00 |
| Wednesday | 11:00 - 23:00 |
| Thursday | 11:00 - 00:00 |
| Friday | 11:00 - 00:00 |
| Saturday | 11:00 - 00:00 |
| Sunday | 11:00 - 22:30 |

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Windmill Taverns Limited
86 The Cut
Waterloo
London
SE1 8LW

Registered number of holder, for example company number, charity number (where applicable)

02984185

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

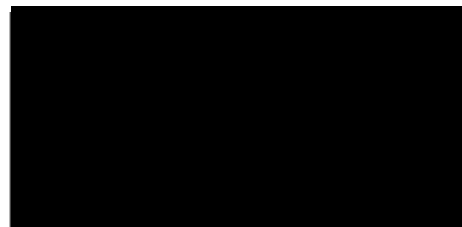
Mr John McElhinney

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. 00176
Authority L.B. Lambeth

Licence Issue date 18/11/2013



Community Safety Enforcement
Business Unit Manger
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

485 (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children

(a) games or other activities which require or encourage, or are designed to require, encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

(i) the outcome of a race, competition or other event or process; or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

486 The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).

487 The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

488 (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

489 The responsible person shall ensure that -

(a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) Beer or cider: 1/2 pint;

(ii) Gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) Still wine in a glass: 125 ml; and

(b) Customers are made aware of the availability of these measures

Annex 2 - Conditions consistent with the operating Schedule

288 That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

289 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

325 That access to children under 18 years of age is restricted

326 That all appropriate staff shall be trained in the age identification scheme required at the premises and records of training shall be kept and made available for inspection by authorised officers of the Council

334 That an age identification scheme shall be established and maintained. The scheme shall Require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol

340 That all escape routes and emergency exits will be immediately available for use and kept free from any obstruction at all times the premises is in use under the licence

341 That adequate illumination for fire safety signage shall be maintained at all times

342 That Crime Prevention notices will be displayed where they can be clearly seen

343 That open containers are not to be taken away from the premises

344 That reasonable steps shall be taken to prevent noise and vibration escaping from the premises including music, noise from ventilation and human voices.

Annex 3 - Conditions attached after a hearing by the licensing authority

812 Sale of alcohol may take place in the outside areas utilising waiter/waitress service

845 No movement of / collection of bottles outside the premises shall take place between the hours of 23:00 and 09:00 the following day

846 There shall be no public entertainment outside the premises

847 No patrons shall sit outside the premises between the hours off 2300 hours and 0900 hrs.

Annex 4 - Plans - Attached

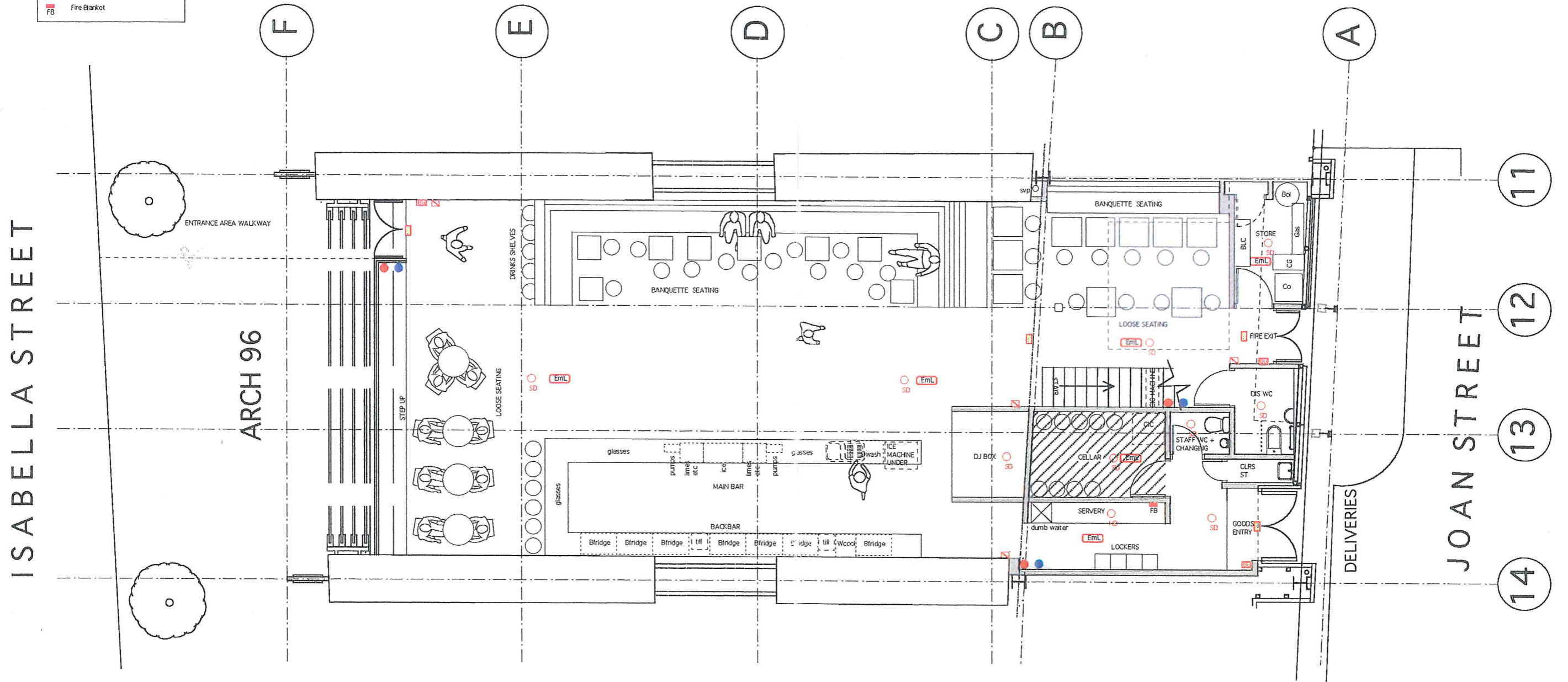
Licence No. 843349

Plan No. GA.04

Plan Date February 2005

KEY - FIRE

| | |
|--|---------------------------------------|
| | Break Glass |
| | Running Man |
| | Emergency Light |
| | Heat Detector |
| | Smoke Detector |
| | Fire Sounder |
| | Fire Extinguisher point, water & foam |
| | Fire Extinguisher point, Co2 |
| | Fire Blanket |



PROPOSED GROUND FLOOR PLAN - FIRE

| VERIFY ALL DIMENSIONS ON SITE DO NOT SCALE | REVISION | DATE | NOTES |
|---|----------|------|-------|
| | | | |
| | | | |
| | | | |



CLARIDGE DESIGN, 124A BRONDESBURY ROAD, LONDON, N1W 6SB
T +44 (0)7970 299 335 F +44 (0)20 7624 2115

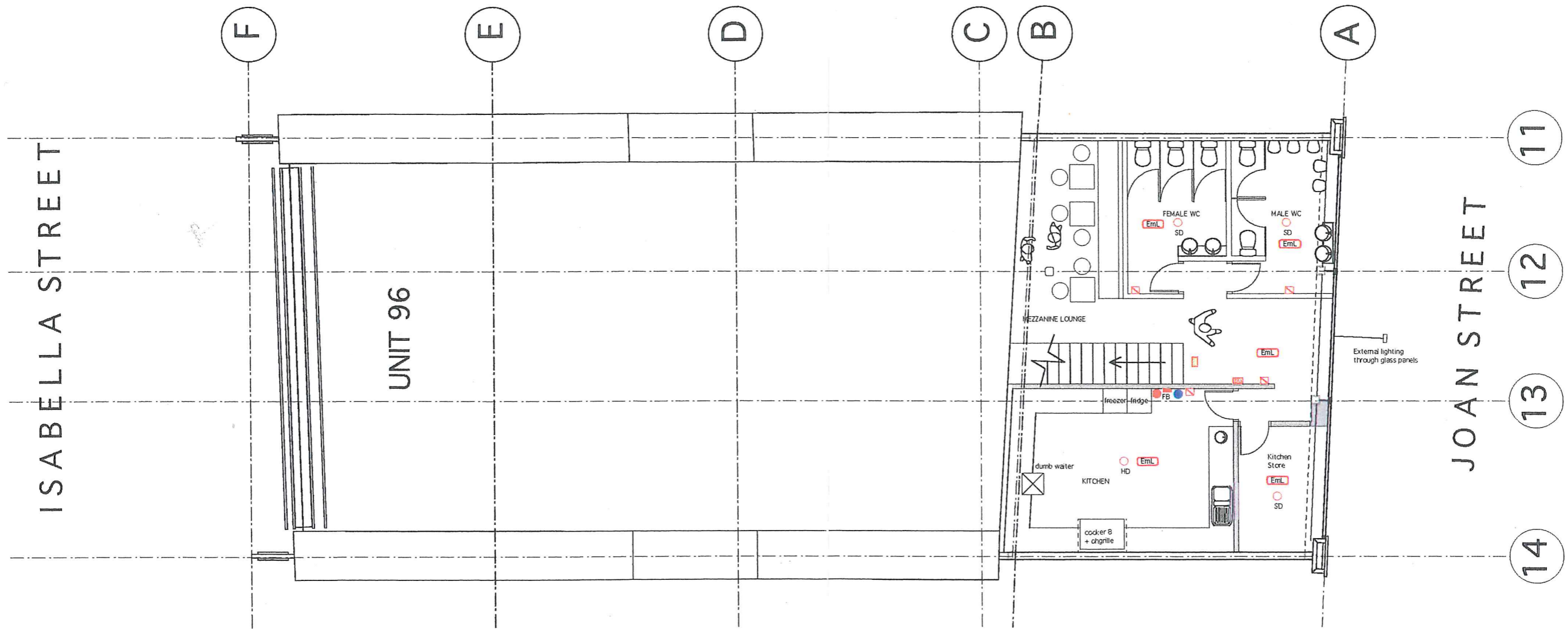
| | |
|-------------|------------------------------|
| PROJECT | Arch 96, SE1 |
| TITLE | Proposed Grd Fir Plan - FIRE |
| STATUS | INFORMATION |
| DATE | 08.05 |
| SCALE | 1:100@AS |
| PROJECT NO. | 0415 |
| DRAWING NO. | M&E.00 |
| REVISION | - |

FOR R/J McElhinney

CLARIDGE DESIGN

KEY - FIRE

| | |
|--|---------------------------------------|
| | Break Glass |
| | Running Man |
| | Emergency Light |
| | Heat Detector |
| | Smoke Detector |
| | Fire Sounder |
| | Fire Extinguisher point, water & foam |
| | Fire Extinguisher point, CO2 |
| | Fire Blanket |



PROPOSED FIRST FLOOR PLAN - FIRE

| REVISION | DATE | NOTES |
|----------|--------|--|
| A | 050707 | Bar set out amended |
| B | 050812 | Updated in line with client discussion |
| | | |
| | | |
| | | |



CLARIDGE DESIGN, 125A BRONDESBURY ROAD, LONDON, NW6 6SE
 T +44 (0)7970 299 335 F +44 (0)20 7624 2115

| | |
|---------|--------------------------------|
| PROJECT | Arch 96, SE1 |
| TITLE | Proposed First Flr Plan - FIRE |
| STATUS | INFORMATION |

FOR: R/J McElhinney

CLARIDGE DESIGN

| DATE | SCALE | PROJECT NO. | DRAWING NO. | REVISION |
|-------|----------|-------------|-------------|----------|
| 08.05 | 1:100@AS | 0415 | M&E.01 | - |

From: Franklin, David

Sent: Monday, January 04, 2016 4:25 PM

To: Regen, Licensing

Subject: Reviews JACKS, Railway Arch 96, Joan Street, SE1 8DA. EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA. THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA

I write this representation as the responsible authority for the Licensing Authority in support of the 3 review applications submitted by the responsible authority for public nuisance (EPT) for the premises JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA. The grounds for this representation is under the licensing objectives for the prevention of public nuisance, the prevention of crime and disorder and public safety.

I have read the review applications and attached list of the visits made by the Council's Night Time Economy Team to the area and to all three premises, licensing officers are frequently one of the officers making up the NTE team and officers have concerns that the popularity of the venues have given rise to issues of public nuisance and public safety. Licensing Officers have been involved with meeting with the management of the three premises with the EPT officer and have encourage the premises operators to take control of the outside areas of their premises and to work collectively to reduce the potential for public nuisance associated with the operation of the venues.

Firstly the problem of noise from patrons in the street is not only a problem that relates to each of the individual premises by is also a cumulative problem when patrons from each of the premises are outside at the same time as each other. The noise from these patrons collectively and noise escape from each of the premises in the playing of loud music again collectively leads to a greater potential of nuisance than one premises.

I therefore submit that the premises reviews should be considered both individually and collectively, and would suggest that the conditions proposed by the Environmental Protection Team should be imposed on each of the premises with a view of, not only reducing the potential for each individual premises to be responsible for a public nuisance, but to reduce the potential from all three premises collectively.

I support the conditions that are being recommended by the EPT that both deal with individual circumstances for each premises and offers a number of conditions that, if placed on all the premises, would deal with the collective effect on the licensing objectivities of the premises operations, however would suggest the following in additions:

Restrictions on the use of the outside area needs to be constantly monitored and patrons challenged when a potential for nuisance arises, for instance when patrons outside they are outside and have become excited an noisy, or patrons drinking outside the designated area or are outside after the time the designated area is closed. Additionally a dispersal policy for each of the premises needs to be enforced. For this I would recommend that adequately trained staff in dealing with individuals and crowd control employed specifically for these tasks to ensure crime and disorder, as well as public nuisance, is prevented as the new conditions could create the potential for conflict between the patrons and the staff enforcing the premises licence terms and conditions. I Therefore I would recommend that each premises has a condition along the lines of:

That two SIA registered door supervisors will be engaged when the premises are in operation Thursday, Friday and Saturday and will be employed at all times after 17:00 until the

end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.

While some of the noise is related to people noise outside the premises, there has also been noise from musical entertainment provided at the premises witnessed before 23:00 hours that had the potential to give rise to a public nuisance in the area, therefore it is recommended that the Licensing Sub-Committee considers the removal of the allowance for live and recorded music under section 177(6) of the licensing Act 2003 and a statement of this placed on the licence in line with section 15.55 of the S182 Statutory Guidance to Local Authorities similar to the following;

Following this review of the premises licence the suspension of the conditions relating to the provision of live or recorded music is lifted under section 177A(3) of the Licensing Act 2003, all the conditions imposed shall apply under section 177A(4).

I would also advised that should members impose the conditions recommended by the EPT that **references to the Live Music Act 2012 are removed** as this Act has now been superseded with regards to live music and this Act only now relates to performances of dance.

Additionally, there have been concerns from visiting officers with regards to the number of patrons outside the premises and the potential for overcrowding in the restricted space allowed outside each premises for the consumption of alcohol. I therefore recommend that a finite number of patrons is defined for the outside area and that there is a clear passage maintained through the outside area to allow the safe passage of other patrons arriving or leaving the venue. In order to facilitate this I would suggest that:

That all patrons drinking outside the premises shall be seated and the seating arranged to give adequate passage to patrons leaving and arriving at the premises.

I also wish to comment on one condition recommended by the EPT, "There shall be no drinks permitted to be taken outside after 22:00 hours" is not enforceable as it allows patrons who purchase drinks before 22:00 hours to remain outside to finish their drinks. Officers visiting the premises at a later time will not be able to differentiate between patron who may have brought drinks outside before or after 22:00 hours. I would recommend that the condition should be amended to read as follows:

There shall be no drinks permitted to be taken outside after 21:40 hours and consumption of drinks in the outside area of the premises shall cease at 22:00 hours.

Similarly the condition that relates to signage "Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00hrs" is modified to read:

Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 21:40hrs and informing patrons that drinking outside shall cease at 22:00hrs.

Regards

David Franklin
Responsible Authority for the Licensing Authority



Dr Ruth Wallis FFPH
 Director of Public Health
 Lambeth and Southwark Public Health
 1st Floor, Hub 2 160 Tooley Street
 LONDON SE1 2QH

Licensing Unit
 Hub 2, Floor 3,
 160 Tooley Street,
 LONDON SE1 2QH

24 December 2015

To whom it may concern:

Re: Application for the review of Jacks, Railway Arch 96 Joan Street, London SE1 8DA

As Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to offer my support for the Southwark Council's Environmental Protection Team review of the above premises.

The representation is made in respect of the following licensing objectives:

- Prevention of public nuisance

General Comments

Jacks has been the subject of a number of complaints from the public regarding audible music and patron noise. Following numerous visits from Southwark Council's Night-time Economy Team and Environmental Protection Team, and following substantial communication between the Council and Jacks' management, public nuisance continues to be attributed to the apparent noise emanating from Jacks'.

Noise pollution has been associated with a range of significant negative effects on health and wellbeing, including changes in mood, hypertension, and various heart troubles. In addition, it is probable that the noise pollution is leading to sleep deprivation for local residents, as the records of both the Council teams' visits and the noise complaints reported loud noise at various times of night. Sleep deprivation has also been associated with a range of significant negative effects on health and wellbeing, including reduced cognitive ability, depression, obesity, heart disease, hypertension and diabetes.

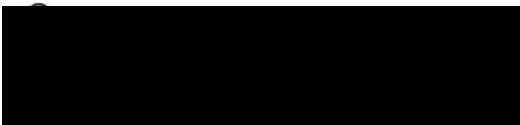


Recommendation

Based on the evidence supplied by the Environmental Protection Team suggesting Jacks' repeated breaches of their alcohol license, leading to continued noise pollution, I support the application to review Jacks' premises license.

If you have any further questions, please do not hesitate to contact me.

Yours faithfully,



Dr Ruth Wallis BM FFPH
Director of Public Health - Lambeth and Southwark

PLEASE RETURN ANY CORRESPONDENCE TO richard.pinder@southwark.gov.uk.

MEMO: Licensing Unit

To Licensing Team **Date** 15 December 2015
Copies Mark Prickett EPT
From Farhad Chowdhury **Telephone** 020 7525 0398 **Fax**
Email Farhad.chowdhury@southwark.gov.uk

Subject **Jacks, Railway arche 96 Joan Street SE1 8DA**

I write in reference to an application made by Mark Prickett from the Environmental Protection Team to review the Premises Licence in respect of Jacks railway arch 96 Joan Street London SE1 8DA.

Made under Section 51 of the Licensing Act 2003.

I would make the following comments in support of the review:-

- 1) There is no noise risk assessments carried out under “**The Noise at Work Regulations 2005**”. There is no arrangements in place to protect employees from noise induced hearing loss from exposure to amplified loud music.

The Control of Noise at Work Regulations 2005 require employers to:

- assess the risks to employees from noise at work.
- take action to reduce the noise exposure that produces those risks.
- provide employees with hearing protection if the noise exposure cannot be reduced enough by using other means.
- make sure the legal limits on noise exposure are not exceeded.
- provide information, instruction and training, and carry out health surveillance where there is a risk to health.

Please provide details of your noise at work risk assessments.

- 2) The licensee needs to explain the maximum accommodation limit for inside the premises and the external areas. Also explain how the crowds will be managed and how they will limit the capacity.

Submit a full scale drawing of the premises to explain the maximum capacity figure for each of the areas.

I therefore fully support the Environmental Protection Team's review under Public Safety.

Kind regards,

Farhad Chowdhury
Principal Enforcement Officer

From: Morris, Adele
Sent: Tuesday, December 29, 2015 8:17 PM
To: Jerrom, Charlie; Linforth-Hall, Maria; Noakes, David
Subject: RE: Review for Jacks Joan Street

Dear Charlie

I would like to add my support to the review of the licence for Jacks on Joan St. All of the restaurants and bars in Isabella St have been causing problems for residents for several years, and there have been numerous complaints made to the Council both by residents and by myself about this. This includes me writing to the Chief Executive on more than one occasion.

The issues are largely related to noise and antisocial behaviour, and are caused by a lack of adherence to the licensing conditions. This includes allowing patrons to crowd and block the highway, drink outside beyond the permitted hours, drink in areas which are not covered by their licence, play music with the doors open, and attach lights to a wall not owned by them without permission. This list is not exhaustive.

Best wishes

Councillor Adele Morris
Cathedrals Ward Liberal Democrat Councillor
Opposition Spokesperson for Regeneration
Vice Chair of Licensing Committee
Member of LGA Environment, Economy, Housing and Transport Board

Tel: [REDACTED]

twitter.com/AdeleCathedrals

<http://adelemorris.mycouncillor.org.uk/>

From: Noakes, David
Sent: Sunday, January 03, 2016 9:41 PM
To: Jerron, Charlie; Linforth-Hall, Maria; Morris, Adele; Regen, Licensing
Subject: Re: Review for Jacks Joan Street

Charlie,

I would like to add my support for the license review of Jacks in Joan Street.

I have been a ward councillor for Cathedrals Ward for almost 10 years and although I cannot give you specific details about dates, times and particular breaches, I am aware as a result of correspondence from constituents in Styles House of the long standing issues and complaints they have suffered from and made about the licenced establishments in Joan Street and Isabella Street.

These include noise nuisance from patrons drinking outside into the early hours, music and the use of Isabella Street and Joan Street as an extension of their premises.

I believe that breaches of the licenses have been observed by the noise team and licensing officers and that it is time that the unacceptable impact on residents' amenity is addressed by more effective and robust conditions.

Councillor David Noakes
Liberal Democrat Councillor for Cathedrals Ward
Deputy Leader of Southwark Liberal Democrat Council Group
Opposition Spokesperson for Health
Vice Chair of Healthy Communities Scrutiny Sub Committee

Tel. no. 020 7525 1326

E-mail david.noakes@southwark.gov.uk

From: Linforth-Hall, Maria
Sent: Monday, January 04, 2016 11:43 AM
To: Jerrom, Charlie
Subject: RE: Jacks Review Joan Street

Dear Charlie,

All of the restaurants and bars in Isabella St have been causing problems for residents for several years, and there have been numerous complaints made to the Council both by residents and by myself about this. This includes me writing to the Chief Executive on more than one occasion.

The issues are largely related to noise and antisocial behaviour, and are caused by a lack of adherence to the licensing conditions. This includes allowing patrons to crowd and block the highway, drink outside beyond the permitted hours, drink in areas which are not covered by their licence and playing music with the doors open. This list is not exhaustive.

Regards

Maria

Cllr Maria Linforth-Hall
Liberal Democrat Councillor
Cathedrals Ward
Opposition Spokesperson for Adult Social Care
Vice Chair of Planning Sub Committee B
Southwark Council
The Members' Room
160 Tooley Street
London SE1 2QH
Tel: 020 7525 0332
Mobile: [REDACTED]
E-mail: maria.linforthhall@southwark.gov.uk

From: [REDACTED]
Sent: Wednesday, December 23, 2015 3:46 PM
To: Regen, Licensing
Subject: Review of Licenses - EV, Jack's Bar, Thai Silk; all on Isabella Street SE1 8DA

EV at 97-99, SE1 8DA, License number: 845614
Jacks at 96, SE1 8DA, License number: 843349
Thai Silk at 94-95, SE1 8DA, License number: 849435

I would like to support the review of these premises on Isabella Street SE1 8DA, and make the following comments:

- The sound limiting device on the speakers is useless as Jacks has supposedly used one for the last year and that doesn't seem to work. I propose that we ask for the bars to remove their very loud speakers and have new speakers installed under 100 watts power, that way the music won't be able to be played too loud.
- I also think that the furniture put outside the boundary area should be disposed off (for EV and Thai Silk, although the benches opposite Thai Silk came from Jacks). It encourages drinkers to stay on late into the night and early morning.
- The bar should be responsible to clean up around the full area early in the morning, they should not wait for the council cleaner to spend hours cleaning their broken glasses
- None of the bars should be allowed to empty their bottles bin late at night; this noise is extremely loud.
- I think that the very late license that Thai Silk has for its 'private club' needs monitoring. How can you be sure that only smokers will be allowed back in after 1am?

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Sunday, January 03, 2016 10:59 AM
To: Regen, Licensing
Subject: Reviews of licenses 843349, 845614 and 849435 on Isabella St

To whom it may concern,

Regarding the following license reviews:

843349, Jacks, 96 Joan Street, SE1 8DA
845614, EV, 97-99 Joan Street, SE1 8DA
849435, Thai Silk, 94-95 Joan Street, SE1 8DA

I am writing in strong support of the review of all three licenses and am in full agreement with all of the Licensing Team's proposals.

All three establishments have caused me and my neighbours issues for some five years now in the areas of disorder, public safety and public nuisance. Countless times I have witnessed or heard at street level or from my residence 10 floors up from street level:

- large numbers of heavily intoxicated patrons leaving the venue at closing time and remaining on Isabella St shouting and singing at a volume high enough to wake me. In warmer months this occurs at least twice every week
- excessively loud music during business hours. In warmer months this occurs at least three times a week
- excessively loud music after business hours on occasion (as recently as after midnight on 29 December 2015)
- dozens of non-smoking patrons outside the venue after the permitted hours. This was the absolute norm until 2014 but still occurs on a regular basis
- doors and windows of the venues left open to Isabella St after the permitted hours, again this was the absolute norm until 2014
- physical fights between patrons of the venues on Isabella St, many extremely violent, often attended by police
- The public thoroughfare being used by patrons all year around, to the extent in warmer months where it is difficult to pass through. I have been verbally abused on two occasions by patrons for requesting that they let me pass while carrying shopping or luggage
- patrons consuming drugs in the greenery on Isabella St
- rubbish and broken glass left in Hatfields and Isabella St as well as glasses and bottles being thrown over the fence between Isabella St and the allotments of Styles House
- patrons urinating in Isabella St, Hatfields and Styles House grounds

At times the three venues have brought some of these issues under control for short periods of time but this has never been long-lasting. I would also note that on many occasions, specific complaints about breaches of license made by both residents and the Council have been ignored by the venues as rapidly as the following day.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Sunday, December 27, 2015 11:51 PM
To: Regen, Licensing
Subject: Review of Licenses - EV, Jack's Bar, Thai Silk; all on Isabella Street

I would like to make a representation regarding the review of the following licenses:

EV, 97-99 Joan Street, SE1 8DA, License number: 845614
Jacks, 96 Joan Street, SE1 8DA, License number: 843349
Thai Silk, 94-95 Joan Street, SE1 8DA, License number: 849435

I would like to support the review of these premises, and thank the enforcement teams for all their observations over the last year. I particularly want to support the 'New Conditions' they would like to impose on the businesses and give the following account to justify my support of these conditions. **I would also like to request two other conditions.** One is related to the position of any speakers inside the premises, I think they should be placed well inside the premises and not on the external walls right near the entrance; this would help retain the noise inside the premises and stop leakage as people leave. The second condition is related to the location of the premises in a Saturation Zone; they should be asked observe this 'legislation'.

The first complaint I made regarding the noise from these bars was in 2011; the complaint can be seen on the SE1 Forum. Since then I have been in constant communication with the council about the noise and crowding; particularly over the last two years as the bars have become very popular. I have also gone downstairs to the bars in the evening and asked for the music to be turned down. Each of the bar has a deep 'terrace' of about four metres, EV has three arches, Jacks one and Thai Silk has two so this gives an idea of the width of the terraces; they are all much larger than the average outside space enjoyed by most bars in London. Over the years the 'spill over' from the terrace has increased dramatically, to the point that it is not possible to walk down the middle of the road. I once went down and did a quick head count and counted 356 people standing beyond the terraced areas, there must have been about the same number out on the terraces. The noise created by such a large number of people out in the open is so loud, that I cannot have any windows open in the summer, and can't use my kitchen window at all during the evenings. Add to this the bass from loud music and it has become impossible to rest in my own home.

Picture: Dozens of people sitting out on the terraces, and hundreds of people out on the road and opposite pavement



On 15 August 2014, the Environment Protection Team visited my flat as a direct response to my complaints and found the following:

Please find below a summary of the Environmental Protection Team's inspection of area in the vicinity of the licensed premises in the arches on Isabella Street (EV, Jacks and Thai Silk) and the result of the noise impact assessment at [REDACTED] - 23.00hr on Friday 15th August 2014.

Mark Prickett and Sarah Newman of the Environmental Protection Team were in attendance.

21:15 - Arrived on site.

Music and bass noise audible on corner of Isabella Street and Joan Street.

21:20 - 21:25 - We walked the length of Isabella St.

Thai Silk - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 40 patrons beyond the external (plant potted lined) boundary on Isabella St .

Jacks - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 65 patrons beyond the external front terrace, mostly stood on Isabella St. and around high tables and chairs.

EV - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 20 patrons on Isabella St and 20 patrons in the section of chairs and tables on the opposite side of Isabella St. related to EV.

Jacks had largest number of patrons on Isabella Street.

All 3 premises were playing music at a volume that emanated beyond their premises boundary.

There were approximately 200 persons in the open either on the terraces of the premises, on Isabella St or on the landscaped area at the other side of the street.

11th floor communal/staircase balcony which faces north (towards Isabella St)

Patron and music noise from Isabella St were the dominant noise sources. The bass beat from the music being played in the bars was clearly audible above passing trains on the viaduct above the licensed premises.

Within the kitchen/lounge. (Window by kitchen sink facing north overlooking Isabella St. Lounge windows x 2 facing east towards Southwark Tube Station. Balcony on south facade.)

Music and patron noise from Isabella St were clearly audible when the windows were open in kitchen/lounge. The TV was on when we arrived, this could be heard above the external noise, but an increase in TV volume would have been required if anyone wanted to watch it with the windows open. With both the kitchen/lounge windows and window vents closed the music and patron noise were audible with all other electrical equipment turned off. The ticking of a decorative clock was the predominant noise source and was louder than the external noise.

A reduction in external noise levels was noticed at around 22:00. On viewing from the window it could be seen that the majority of patrons had left the area or were now within the premises' external boundaries and under the canopies. There were approximately 5 persons left on Isabella Street.

The internal noise levels were not sufficiently intrusive to be considered a statutory nuisance due to noise. However, the external noise levels at the facade constituted a substantial public nuisance due to noise.

Indicative noise monitoring;

Short term noise readings of approximately 5 minutes each were taken in the habitable rooms of [REDACTED]

NB: Readings taken after 22:00 when activity on Isabella St had reduced. Could expect up to 10dB increase in levels when Isabella St at peak usage.

22:02 - In the bedroom with windows and vents shut (facing north towards Isabella St) 29/30dB(A).

When train passed this rose to 33-35dB(A).

Bedroom with window partially open - 50-53dB(A). Other noise sources were also prevalent during the assessment including road traffic, helicopters & trains.

22:15 - On the communal balcony facing north towards Isabella St - 66-68dB(A).

22:30 - In the kitchen/lounge with windows and vents shut - 36-38dB(A).

In the kitchen/lounge with one east facing lounge window partially open - 50/51dB.

Summary of the discussion with the complainant

The resident advised that she suffers from mild tinnitus.

The resident reported they are predominantly disturbed by both music and patron noise during busy weekends (Thurs - Sat) between the hours of 18.00 - 00.00hrs.

The resident does not want the licensed premises closed but would appreciate a more considerate operating approach and improved control over the number of patrons beyond the boundaries of the premises, in Isabella St and on the land on the other side of the street.

22:45-23:00 - Walked back along Isabella Street.

EV - Full frontage open. Music from premises clearly audible on Isabella St. Concertina doors were closed at 23:00 with some tables and chairs being put away.

Jacks - 22:45 - Concertina doors closed with approximately 45 patrons remaining in the external area. Noise from both patrons and music was clearly audible on Isabella St. The main doors were open with no acoustic lobby installed. At 23:00 the outdoor area was closed, tables and chairs were put away and the front door closed.

Thai Silk - Premises still trading but all front doors were closed and the external area vacated. There was occasional noise bleed out when the front door was opened to permit patrons and smokers to leave and enter.

Besides the noise nuisance, I have always had public safety concerns about crowding on the street as it is impossible to walk down there with ease during summer months, particularly on Thursday and Friday evenings. All three premises have put seats and/or tables beyond the terraces and on the opposite pavement and have made it almost impossible for wheelchair users and people with pushchairs to get past. The bars' Waiters and Waitresses serve people at these tables.

Picture: early evening, and this is the pavement on the opposite side of the road, some customers are sitting on stools put there by EV



Picture: The terraces are full, most premises are keeping the road clear as instructed by the council, however, they are sending their customers across the road onto the pavement





In April 2015 they were asked to move the furniture they have put out beyond their property/terraces and it is still there. The furniture that has been put on the opposite side of the road on the pavement is left out all the time and encourages street drinkers to sit on them late at night. What this has done, is to move the patrons even close to my block of flats and so the noise is even louder. At one time, EV even had signs on the tables saying they were reserved for their patrons. Other tables they have put on the pavement have created a barrier that could prevent an escape if a lone person was being pursued. It encourages the bars' clients to hang around long after the bars are closed, this means that patrons then end up using the street, or our estate as a toilet. Clearly this is just a nuisance for anyone who lives in the area.

Picture: furniture on the opposite pavement creating a barrier

Picture;

table on the pavement on the opposite side of the road with a reserved sign



In addition to this public safety concern, I have witnessed numerous fights outside the bars and on occasions the police have been called and attended. This can be verified with the police (occasionally Lambeth attend as the street is on the boundary between Lambeth and Southwark).

Finally, I think it is absolutely essential that these new conditions are imposed because the bars have shown very little willingness to abide by their current conditions despite the many visits by officers who have discussed these issues with them. They have ignored advice from the Environment Team regarding furniture and done other things without permission eg chopping (very badly) huge branches off the trees on the street, installing strip lighting without permission on walls owned by London Underground and attaching advertising notices on public lampposts etc. I think this shows a total lack of regard for the area and shows that they cannot compromise or comply with officers from Southwark Council.

Picture: badly pruned tree
installed on our allotment wall

Picture: strip lights
installed across the width of
the street





I have no wish for these bars to close down, but they are very large premises with large terraces and should be able to run very profitable businesses without taking over the street and causing a nuisance.

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I would like to make a representation regarding the review of the following licenses:

- EV, 97-99 Joan Street, SE1 8DA, License number: 845614
- Jacks, 96 Joan Street, SE1 8DA, License number: 843349
- Thai Silk, 94-95 Joan Street, SE1 8DA, License number: 849435

I write to support the review of these premises.

I believe the conditions being suggested are sensible, particularly given that many of the problems are caused by the noise outside the premises.

I think it should be emphasised that all of the premises concerned are in Southwark's saturation zone, which was introduced because of the anti-social behaviour and alcohol related crime arising from licensed premises.

I support all of the conditions suggested, but have made some additional ones which I would like the licensing committee to consider:

Consider introducing licensed door people for Thursday, Friday and Saturday nights.

One of the biggest problems is that people are leaving the premises extremely drunk and causing problems and disturbance as they leave. Whenever I have had to ring the police due to fighting it has been as customers are leaving at the end of the night. It is common for drunken customers to be noisy from Isabella Street all the way to Waterloo Station (and we can still hear them), which means that residents are disturbed over a wide area. One of our biggest frustrations is that when trouble occurs on Isabella Street the staff from the bars take no steps to stop this (and can themselves add to it, as is shown by the investigation undertaken by officers).

Properly trained door people will be able to deal with the aggression arising from large groups of drunken people.

Closure of the terrace at 10pm.

I personally think this is still too late and should be 9pm, as the level of noise experienced is very high and creates a considerable nuisance for local residents. We have to keep our windows closed most of the year and the noise is constant from around 5pm on several days of the week. We are hopeful that the other measures proposed such as limiting the leakage of music will assist with the noise, but ultimately, having three hundred people stood in the street in summer is going to be incredibly noisy and is creating a nuisance. Only the closure of the terrace at an earlier time will limit this (as well as considering the introduction of a limit on the numbers allowed outside).

Closure of doors and windows at 11.30pm.

This is far too late and means we will still suffer noise from music turned up too loud and people talking, eating and drinking. It is somewhat ludicrous that a bar can have the whole front of its building open, so all of the noise inside leaks out to affect those

living nearby. What bar, pub or nightclub is allowed to do this until 11.30pm at night anywhere else.

I would also like to raise the positioning of the music speakers. They should be inside the premises and not on the external walls, as allowing the opening of the front of the building, coupled with allowing speakers by the entrance will clearly mean a nuisance is likely to be caused.

External waste handling, collections, deliveries of external areas shall only occur between the hours of 9:00 and 23:00

Currently, bottles are being recycled in batches, which is very loud and in fact loud enough to wake up local residents. A specific condition should be included to limit this to the hours of 9:00 and 22:00.

Ev particularly, put away their fold up chairs by loudly banging them closed. They generally do this at 1am on a Thursday, Friday and Saturday after patrons have left. Again, this should limited to be carried out shortly after the terrace closes. Ev also leaves out a large number of chairs and tables, which encourages large groups to sit outside. Part of closing the terrace needs to include them putting away their chairs and tables. Jacks bar has fixed seating, which also needs to be considered.

There shall be no drinks permitted to be taken beyond the boundary of external frontage area at any time.

I would like this to be extended (if it is within the power of licensing legislation to do so) to include eating outside being limited to the external frontage area. Currently people sit at tables right up to the wall of Styles House and people sat eating, even if they are not drinking can be very loud and causes a nuisance.

Signage that “patrons are not permitted to take drinks off the premises and into Isabella Street”

I believe patrons will be unclear about what area is meant by Isabella Street. Given that all three premises have signage boards in the street and seating out there, it will seem to customers that the whole of the street is part of the premises (which I believe is part of why we have such problems now). Could this condition be made clearer?

The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary

We currently try calling the premises involved and the phone is unanswered. I feel it would be useful to detail how this telephone number will be answered.

Dispersal policy

I strongly support the introduction of this, but it is unclear what will be included. Given that this is major concern for residents and a big part of why the premises are

causing such a public nuisance, affecting public safety and are a risk to crime and disorder, more specifics about this would be better.

Alcohol for consumption off the premises is not sold for immediate consumption in the area

As people leaving the bars drunk and then standing in the street drinking is such a major problem, a much better condition would be not to allow any sale of alcohol for consumption off the premises.

Capacity limit

There is a serious public nuisance caused by the large number of drinkers on Isabella Street and a capacity limit should be introduced. There can literally be hundreds of people in the street in summer and it has defacto become a pedestrianized drinking area, which has happened without any agreement from the Council as it is not part of the current licensing conditions. Without a limit the situation will just continue. Currently in summer it is impossible to walk down this street as it is so busy, which really isn't an acceptable situation in a residential street. The large number of people also means we have a great deal of broken bottles, urination and general anti social behaviour that the presence of large numbers of drunken people bring. This is unacceptable in a town centre, but we aren't a town centre we are just a residential street.

Licence review

Local residents had thought that the licence review would mean the bars were more careful during this period, but this has not been the case. It appears that the premises are unaware of the nuisance they cause and unclear what needs to be done to stop it, which is why I believe the conditions need to be more specific. The attempt at an action plan by Council officers also demonstrates that the bars are unwilling to really try to improve the situation and the Council needs to impose conditions upon them.

Recent examples

The period in the week before Christmas was terrible and the noise was incredibly intrusive, but one of the big problems with the bars is that it is continuous, not just a one off. We live in a noisy area and are used to it, but the level of noise from the bars goes beyond what is reasonable. We have just had the fireworks on the Southbank and it was interesting to note that the noise from the speakers and crowd of 500,000 people was still not as noisy as the bars are, week in and week out.

Over the last week Ev have had live music on two nights, which was in itself incredibly loud, but wasn't the only problem as we also had to suffer drunken people outside making a great deal of noise.

On the most recent Saturday - 2nd January I was woken at midnight with people leaving Ev, who were literally shouting at the top of their voices.

A group of around 25-30 people then stood in the street in Hatfields, who were so drunk they didn't move when cars came, who then beeped them to move. At one point 6 cars were in a queue, most of who were beeping repeatedly.

The patrons were so drunk they could not stand up and were falling down onto the parked cars. At one point around ten people were laying against the cars and across the bonnets. I could hear glass repeatedly breaking and there was a great deal of shouting and noise. As is probably clear, I could not sleep while this went on and it could be heard through my closed window. I eventually called the police because of the damage they were causing to the parked cars. They dispersed at about 1am, but I was still kept awake by Ev banging loudly as they put the chairs and tables away and recycled bottles.

This sort of incident is normal on a Saturday even in winter and is amplified in summer, as it's a much bigger group who are sat outside. It is normal to be kept up to 2am or 3am on a Friday and Saturday night in summer. This isn't a normal level of disturbance from bars.

Crime and disorder

I am unclear if there is a normal level of violence and fights to be expected from pubs, but I have witnessed numerous fights outside the bars and on occasions have called the police. This means that not only are we disturbed by the bars, we then have to get out of bed and ring the police, who often then ring back and want to discuss the matter. The same is true of the noise team, which is why we don't bother ringing anymore and only ring the police if there is a particularly bad fight, as it all takes up time and energy.

After about 11pm Isabella Street and the streets around can become very unpleasant and tense. The customers coming out of Ev are generally very drunk but the customers from Jacks and particularly Thai Silk are much more likely to get involved in fights. I am unclear why this is the case, but Thai Silk (and to a lesser extend Jacks) appears to be set up like a night club and is possibly why the customers are very different. There are often groups of young men, rather than mixed groups and I have witnessed some unpleasant fights where a group of men have attacked an individual for example. I have also had the impression that it has got worse over the last couple of years and there has been more incidents involving the police.

Finally, I would like to thank Southwark Council officers for the work they have carried out over the last year in relation to this matter. It is clear that they have tried to work with the businesses involved to improve the situation and when this didn't work they have carried out a detailed investigation, leading to the licence review. We are very appreciative of their hard work.

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Sent: Monday, January 04, 2016 10:08 PM
To: Regen, Licensing
Subject: Objection to license applications: 850625; 850629; 850630

To whom it may concern,

Our names are Dave and Marion Weed and we reside at 76 Hatfields, Waterloo, London SE1 8DH. Please confirm the date of this email as the date of our letter to you with the deadline for objections being 4 January 2015 (no time). We are emailing to object against the following licenses which are currently being reviewed:

Licence number: 850625
Application: JACKS
Address: Railway Arch [96 Joan Street SE1 8DA](#)

Licence number: 850629
Application: EV RESTAURANT BAR AND DELICATESSEN
Address: [97-99 Isabella Street SE1 8DA](#)

Licence number: 850630
Application: Thai Silk Restaurant & Bar
Address: Railway Arches 94 To [95 Joan Street SE1 8DD](#)

We would like to register our objection to the application of these licences on the basis that the premises above have become a public nuisance. We live across the road from these premises and we can confirm we have experienced the following:

- High levels of noise by people leaving the premises during the early hours of the morning which has increased in the time since the bars / restaurants opened.
- High levels of noise by workers in the early hours of the morning, roughly [1am](#)/2am and sometimes [5am](#) in the morning on numerous occasions. The noise I refer to is the emptying of hundreds of empty bottles into bins in the closing hours and by the waste collectors. The noise has woken me up on more than one occasion and again seems to have got worse as the years have progressed.
- High volumes of rubbish which left outside of the restaurants. The rubbish is literally left outside the premises opposite my house and I can confirm that as a result of the rubbish being left, vermin has been seen by me and neighbours of mine by the bins (although I do not have hard evidence of this). Given the huge amount of rubbish generated I would expect this would be collected on a daily basis at a reasonable hour during the day but it isn't.
- As recent as Saturday 2 Jan 2016, I was kept awake by loud music, screaming and shouting outside EV that went on well past midnight which as I understand is in breach of their licence. Cars were hooting their horns too. Following that was the smashing of the bottles into the bins that again took place into the early hours of Sunday without any regard to the residents.

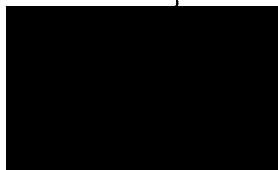
We have lived in the same street since 1987 so I am in a good position to demonstrate how the area was before and after the above premises were granted their licences.

It doesn't give us pleasure to complain about this as we have used the bars on a number of occasions (without the staff knowing us/ our address) and we have always enjoyed ourselves at the bars. Sadly however, no thought or consideration is given to local residents, the majority of whom have lived there for more than 20 years (if not longer).

Best regards,

████████████████████

Review of licensing of Thai Silk
Jack's Bar and EV situate at 95, 96 & 97-99
Isabella Street respectively.
London



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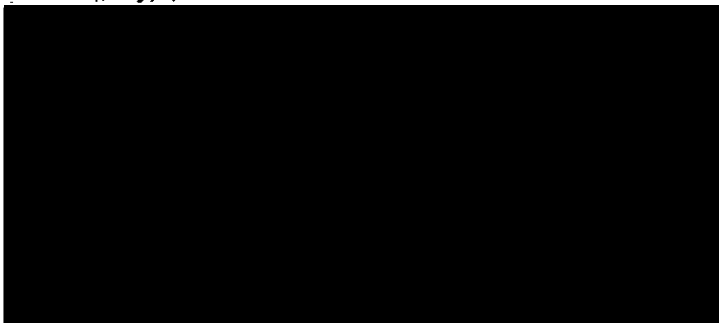
Dear Sir/Madam

I would like to add my voice to the proposed alterations to the licensing of the above premises. Which as I understand it seek to control the noise and nuisance to local residents and other properties nearby. I have lived with the very nuisances that I forecast would be a result of Southwark applying such long and lax licensing in the first place and they were the basis of my original objections . The noise from loud music, crowds of drunks and merry-makers is beyond belief at times, especially the shrieking and screaming of high pitched female voices, throw in foul language of loose tongues and we have Isabella Street . This continues under my bedroom window whilst the customers wait for their minicabs to arrive until 1-1.30 am. I then suffer all the noise and disturbance from minicabs revving their engines, pumping out poisonous fumes and the slamming of their doors by patrons of Isabella Street who care not one jot that there are bedrooms overlooking the street. Some of the men urinate in the closest semi-concealed point they can which is oftentimes our block entrance.. I have had repair bills for my car for a total of £750 over three incidences and foolishly remonstrated with a group of young drunks running over my car from front to back. I said "foolishly" because one of the drunks turned nasty and five against one old man was not good odds. Fortunately there was a peacemaker amongst the group.. My neighbour has just had her car repaired after damage caused by a drunk who got drunk in one of the bars in Isabella Street and decided it would be a good thing to jump up and down on her roof causing over £3000 worth of damage, she got her car back from the repairers just before Christmas. The culprit was caught by good neighbours and has had to pay that bill. So wanton damage to cars is still current. The bars have been allowed to take over the street completely, turning what was an Emergency Access Road with locked gates at either end into their private gardens and dining areas making it difficult for pedestrians to traverse the street. I dread to think what will happen if a serious fire breaks out there.

I now have bright strip lights shining across the street into my bedroom.

If all this was happening in the third world one would blame corrupt officials for allowing it to happen but this is Southwark and Southwark maintains the highest standards in there officials so why has nothing been done about these encroachments by the above businesses. I support any measures that brings an end to these abuses.

Yours sincerely,



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**The Manager**

Jacks
Railway Arch 96
Joan Street
London
SE1 8DA

Licensing Unit

Direct Line: 020 7525 5779
Direct Fax: 020 7525 5705
Our ref: CMU 776530

19 March 2014

Dear Sir / madam,

Re: Jacks, Railway Arch 96, Joan Street, London, SE1 8DA

It has been alleged that significant noise nuisance in the local vicinity is emanating from the above premises relating to amplified sound and the raised voices of customers / customer's shouting.

You are reminded that the premises are in a partially residential area, and as such management controls should be in place to ensure that customers at the premises and / or activities taking place at the premises do not cause nuisance to your neighbours.

Please be aware that should the council's Noise and Nuisance Team (NaNT) witness 'statutory' nuisance emanating from a premises, or caused by the operation of a premises, they have the power to serve noise abatement notices (which exist in perpetuity) in regards to that premises.

Breaching a noise abatement notice can lead to prosecution and / or seizure of equipment such as P.A. equipment (if applicable). The NaNT also have the power to take enforcement action in regards to 'people noise' emanating from and / or caused by licensed premises, and so it is important that sufficient management controls are in place to ensure that noise generated by customers arriving at, queuing at and leaving the premises is kept to a minimum.

Local residents and also the council itself can seek the review of a premises licence issued in respect of premises if they feel that the premises' operation is detrimental to one or more of the four licensing objectives, one of which is the prevention of public nuisance.

The premises fall within Borough and Bankside Saturation Zone. It is likely that if a review was submitted requesting a curtailment of the scope of licensable activities permitted by the licence, then the Licensing Sub-Committee would be minded to support the review (should sufficient supporting evidence be available).

You are reminded of the following conditions of the premises licence issued in respect of the premises:

344 *That reasonable steps shall be taken to prevent noise and vibration escaping from the premises including music, noise from ventilation and human voices.*

Southwark Licensing - Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH

Switchboard - 020 7525 5000 **Website** - www.Southwark.gov.uk

Division - Environment & Leisure

845 *No movement of / collection of bottles outside the premises shall take place between the hours of 23:00 and 09:00 the following day*

846 *There shall be no public entertainment outside the premises*

847 *No patrons shall sit outside the premises between the hours off 2300 hours and 0900 hrs.*

Please ensure that all of the licence conditions (including those above) are adhered to at all times that the premises are in operation under the licence.

I advise you that Section 136 (1) (a) of the Licensing Act 2003 states that:

“A person commits an offence if -

(a) He carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or

(b) knowingly allows a licensable activity to be so carried on.

A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.”

Breaching the conditions of a premises licence would constitute carrying on a licensable activity otherwise than under and in accordance with an authorisation.

Be aware that it is the practice of the Licensing Unit's officers to visit premises to ascertain if licensable activities are being provided in accordance with a suitable authorisation. Licensing officers will gain admission to the premises in the same way as ordinary members of the public, and may not necessarily make themselves known to the staff at the time of the visit.

If you require any clarification of the above please contact me.

Yours sincerely,



Wesley McArthur
Licensing Enforcement Officer
wesley.mcarthur@southwark.gov.uk

cc Mr. John McElhinney, DPS, Jacks
Windmill Taverns Limited, licensee, Jacks

From: McArthur, Wesley
Sent: 21 March 2014 15:32
To: 'info@jackslounge.co.uk'
Subject: F/A/O Michael Whitfield, Jacks, Railway Arch 96, Joan Street, SE1 8DA our ref: CMU 778807

Dear Michael,

Further to my visit to the above premises yesterday (20 March 2014 at 16:45) I can confirm that the following matters were discussed:

I provided you with a copy of the premises licence issued in respect of the premises and discussed it with you. I explained the requirement to comply with all licence conditions and pointed out in particular those conditions relating to the prevention of nuisance.

I advised you of the council's Noise and Nuisance Team (NaNT) and the possibility of a noise abatement notice being served in regards to the premises should it be substantiated that noise nuisance is emanating from the premises. I explained the possible consequences of breaching a noise abatement notice.

I advised you that all staff should be conversant with all of the licence conditions and that staff should be trained to keep noise caused by customers to a minimum.

I advised displaying signage where it can easily be seen and read advising customers to leave the premises in a quiet and orderly manner, and also advised that the doors to the premises should never be left propped open.

I explained that should non-compliance of the licence conditions be witnessed it could lead to enforcement action being taken.

I advised that if additional speakers are ever used at the premises that you should ensure that they are directed into the premises.

I hand delivered an advisory letter in regards to recent complaint of noise nuisance emanating from the premises and explained the letter to you

Regards,

Wesley McArthur
Licensing Enforcement Officer
London Borough of Southwark
E-mail: wesley.mcarthur@southwark.gov.uk
General: licensing@southwark.gov.uk
Phone: 020 7525 5779
Fax: 020 7525 5705
Address: Licensing, Health & Safety, Hub 2, 3rd Floor, 160 Tooley

From: [REDACTED] **On Behalf Of**
[REDACTED]@windmilltaverns.com
Sent: Thursday, November 05, 2015 4:19 PM
To: Newman, Sarah; Prickett, Mark; Franklin, David; Ashenden, Kristie
Subject: Isabella Street Action and Feedback

Good Afternoon

Apologies if this email is not relevant to some of you but I had numerous contacts in both the environmental and licensing teams at Southwark and wasn't sure who to address this to.

I am emailing today to provide some feedback about the last year at Jacks. After a tumultuous summer in 2014; it was a huge priority for us to address the noise complaints and crowd control at Jacks and we subsequently spent a lot of time and effort putting systems and plans into place to try and alleviate the problem. We believe our contact with Southwark council regarding these issues should not just be defensive reactionary occasional emails but rather proactive conscientious conversations. Sadly the last two emails I sent with information to the council were not replied to.

Let me first update you on all we have done at Jacks specifically.

1. We have upgraded our sound limiters to a more sensitive system as the acoustics in the arch made it difficult to hear the quality and volume at busy periods.
2. We moved our speakers around within the interior of the site with the help of an acoustic technician to make sure the sound waves were heading inward rather than outward.
3. Our staff training now involves a written question about how each individual can help to keep an eye on the noise levels with reference to the residents across the road thus making sure all staff members at all times are aware of the issue.
4. We initiated and implemented the Action plan from 2014, with some slight changes and tweaks to reflect what we learned last year (e.g. timings of stewards, smoking crowd control). We then presented this to EV and Thai Silk and suggested the same guidelines should be followed over the warmer months of 2015 when our problems seemed to be exacerbated. This was invoked for all three sites after a member of Southwark Council visited the street on 31st July 2015 and was also outlined in an email response to you on 7th August 2015.
5. We have refrained from applying for any TEN applications this year at Jacks to instead focus on our current opening hours and controlling the noise adequately within those parameters.

Whilst our results have not been perfect they have demonstrated a significant decrease in noise complaints being communicated to us from your offices, council staff having to attend Isabella Street and consequently, I would hope, a degree of satisfaction from residents that we are doing our best to keep them in mind.

Last year in both the meetings we had with representatives from Southwark on Isabella Street and the TEN application meeting that was attended by myself in the Southwark offices it was made clear to us that it was our (Jacks, EV and Thai Silk) responsibility to work together to maintain and solve the issue of noise complaints in the area. We were told that

we would be collectively punished if one of us was not adhering to these rules and were subsequently threatened with license changes, sanctions etc... should this be the case. As you can see from the paragraph above Jacks has taken these meetings on board and taken them very seriously. It is important that you are aware however that we have faced considerable difficulties in uniting with EV and Thai Silk in the same aims.

It is fair to say that we have spear headed, organised and implemented the initiatives and to a certain extent policed them even though we only occupy half the space that both EV and Thai Silk do on the street. We have communicated by email, face to face and tried to organise meetings but these have been ignored or only responded to with one line emails either agreeing or disagreeing with the proposals. With these responses in mind; it certainly seems like neither EV nor Thai Silk care too much about this or are simply happy to let us take the reins. We are by no means trying to place blame on anybody else; the results of our work negate this but we do feel it is important that these issues are pointed out to you. As the only "bar" on the street it is easy for the finger to be pointed at us and historically it has been. However there have been numerous incidents this year where our management have attempted to enforce the rules of the action plan and suggestions of Southwark Council to be ignored or even ridiculed by both businesses. Only last Friday our manager had to attend Thai Silk to ask them to turn their base and music down; he was greeted by a member of staff who did nothing about it even after the second visit. We are now in a situation where EV are refusing to pay for the stewards in full even though the noise was clearly significantly reduced by their presence.

I point these things out not for pity's sake but to highlight the ongoing challenges we are facing trying to handle both ourselves, EV and Thai Silk for fear of collective repercussions from the council that could irrevocably damage our business or even close it all together. Sadly we do not receive the same concern or collective responsibility from EV and Thai Silk; we are met with reluctance, aggression or ignorance.

Whilst we are trying our best to cope with the strain of this responsibility it would be great if we could have help from the council regarding this. Replies to emails (especially the action plan) so that we can back up the things we are proposing with council approval would be very helpful, occasional meetings to discuss how things are going (once or twice a year) or communication via email/letters to at least back up our work. Without this presence, next year I fear both EV and Thai Silk will not agree to the action plan and we will all be back where we started.

Aside from this, we are struggling to control late night drinkers with cans (presumably purchased from Tesco or Sainsbury's) who are loitering around the back of the underground shaft opposite our site. This was mentioned in our meetings last year but as far as we can see nothing has been done about it. Last week we had an incident where we had to call the police to remove a drunk man from our premises who had entered and was verbally abusing our customers. He had been drinking for several hours and lying on the back benches of the shaft. We feel it is important to highlight that this is a real problem for us.

Finally, in a meeting last year we were made aware of a residents meeting in March. I had some communication with Sarah Newman about this as we were keen to attend obviously, but was consequently told that it had been cancelled. During the TEN meeting last year the

residents had claimed that we never replied to emails/letters about attending these meetings. Let me say with absolute clarity that we have never been invited by email or by letter (our address is clearly visible on the website and they know our situation) and I have had to chase up rumours of meetings over the past 12 months only to be constantly faced with changes or cancellations. What's more when I asked the council for a contact from the residents so that I could pursue this myself, my email was ignored. I find it difficult to believe there hasn't been a residents meeting since last year but worry our absence only extends these strained lines of communication further. If you do have a contact for the residents nearby could I have it so that I can take the opportunity to reach out for feedback from them directly?

As I have said before Isabella Street is a fantastic part of Southwark; a gem and hopefully we can continue to work together to keep it a pleasant place to live and a thriving area of business.

Kind Regards

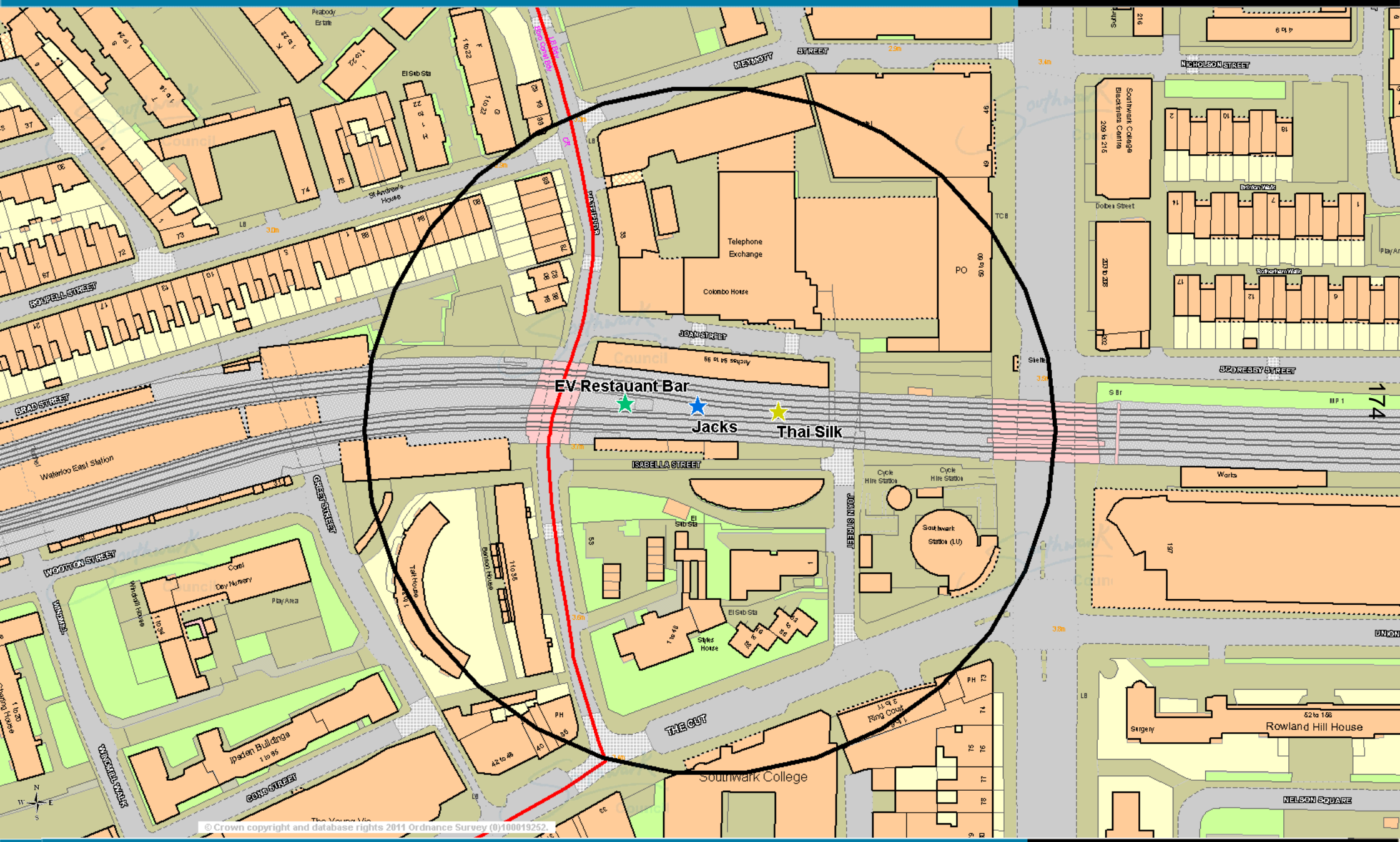
Victoria

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Victoria Mawson
Windmill Taverns Group
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SE1 8TB


www.windmiltaverns.com

Date 6/1/2016



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| | | | |
|------------------------------------|--------------------------------|---|---|
| Item No. 7. | Classification: Open | Date: 27 January 2016 | Meeting Name: Licensing Sub-Committee |
| Report title: | | Licensing Act 2003: Thai Silk, Railway Arches 94 To 95, Joan Street, London SE1 8DD | |
| Ward(s) or groups affected: | | Cathedral | |
| From: | | Strategic Director of Environment and Leisure | |

RECOMMENDATION

1. That the licensing sub-committee considers an application made under Section 51 of the Licensing Act 2003 by Southwark Council's environmental protection team (EPT) for a review of the premises licence issued in respect of the premises known as Thai Silk, Railway Arches 94 To 95, Joan Street, London SE1 8DD.
2. Notes:
 - a) The grounds for the review are stated in paragraph 12 to 15 of this report. A copy of the full application is provided as Appendix A.
 - b) A copy of the current premises licence issued in respect of the premises is attached to this report as Appendix B.
 - c) Paragraphs 16 – 24 of this report deals with the representations submitted in regards to the review application. Copies of the representations are attached as Appendices C & D.
 - d) A copy of the council's approved procedure for hearings of the sub-committee in relation to an application made under the Licensing Act 2003, along with a copy of the hearing regulations, has been circulated to all parties to the meeting.

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 provides a licensing regime for:
 - The sale of and supply of alcohol
 - The provision of regulated entertainment
 - The provision of late night refreshment.
4. Within Southwark, the licensing responsibility is wholly administered by this council.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are:
 - The prevention of crime and disorder
 - The promotion of public safety
 - The prevention of nuisance
 - The protection of children from harm.

6. In carrying out its licensing functions, a licensing authority must also have regard to:
- The Act itself
 - The guidance to the Act issued under Section 182 of the Act
 - Secondary regulations issued under the Act
 - The licensing authority's own statement of licensing policy
 - The application, including the operating schedule submitted as part of the application
 - Relevant representations.
7. The applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies. The application must also be advertised at the premises and in the local press. The responsible authorities and other persons within the local community may make representations on any part of the application where relevant to the four licensing objectives.
8. The premises licence once issued remains valid for the life of the business unless surrendered or revoked. However, under section 51(1) of the Act it remains open to any responsible authority or interested party to apply to the local licensing authority for a review of the premises licence where there are concerns regarding one or more of the four stated licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence

9. The current licence issued in respect of the premises known as Thai Silk, Railway Arches 94 to 95, Joan Street, London SE1 8DD was transferred to Soho Palace Limited on 11 August 2015. The licence permits the following licensable activities during the hours shown:
- Films
Monday to Sunday 09:00 - 00:00
 - Live music
Monday to Sunday 11:00 - 03:00
 - Recorded music
Monday to Sunday 09:00 - 03:00
 - Entertainment similar to live/recorded music
Monday to Sunday 09:00 - 03:00
 - Performances of dance
Monday to Sunday 11:00 - 23:00
 - Late Night Refreshment
Monday to Sunday 23:00 - 03:00
 - Sale of alcohol (on & off premises)
Monday to Sunday 09:00 - 03:00

- Operating hours of the premises
Monday to Sunday 09:00 – 03:00

10. A copy of the current premises licence is attached to the report as Appendix B.

Designated premises supervisor

11. The designated premises supervisor (DPS) is Kah Kit Yap who holds a personal licence issued by London Borough of Haringey and has been the DPS since 11 August 2015.

The application for a review of the premises licence

12. On 07 December 2015 an application for the review of the premises licence was submitted by Southwark Council's Environmental Protection service. The grounds for the review relate to the following licensing objective:

- The prevention of public nuisance

13. The grounds for the review are stated as to address the premises licence after numerous complaints have been made to Southwark Council regarding public nuisance and along with numerous visits by Council officers who have witnessed public nuisance occurring.

14. The purpose of the review of the premises licence is to seek to address the existing conditions on the premises licence and to apply further conditions to prevent future public nuisances being created by this premises.

15. The review outlines the current conditions relating to the prevention of public nuisance, gives details of the visits made by Council officers over the previous 18 months, the complaints received and engagement undertaken by the council with the premises management. Recommendations for new conditions are included in the review application, a copy of which is attached as Appendix A.

Representations from responsible authorities

16. There have been three representations made by responsible authorities as follows:

17. The council's health and safety team made representations under the public safety objective and supports the review. It states that there are no risk assessments made at the premises under the Noise at Work Regulations 2005. Secondly that management need to explain and set capacity figures for the each area of the premises.

18. The council's licensing team submitted a representation in support of the review under the prevention of public nuisance and also under the prevention of crime and disorder and public safety. It asks that this review is looked not only on an individual basis, but collectively in conjunction with the reviews submitted for the adjacent premises Jack's Bar and EV Restaurant as each is contributing to a cumulative public nuisance. The representation asks for the suspension of conditions relating to live and recorded music be lifted under section 177A(4) proposes a further condition to be imposed and adjustments to the conditions proposed by the EPT review.

19. The public health representation supports the review application under the prevention of public nuisance and explains the health affects caused by noise pollution stating that noise pollution has been associated with a range of significant negative effects on

health and wellbeing, including changes in mood, hypertension, and various heart troubles. In addition, it is probable that the noise pollution is leading to sleep deprivation for local residents, as the records of both the council teams' visits and the noise complaints reported loud noise at various times of night. Sleep deprivation has also been associated with a range of significant negative effects on health and wellbeing, including reduced cognitive ability, depression, obesity, heart disease, hypertension and diabetes.

20. The responsible authorities representations are attached as Appendix C.

Representations from other persons in support of review application

21. There are nine representations submitted by other persons, three from the ward councillors and six from local residents.
22. The ward councillors support the review and state that the premises has given rise to noise nuisance and anti-social behaviour from not adhering to licence conditions, allowing patrons to drink outside beyond the hour allowed and in areas outside the licensable area using the street as an extension of their premises. Also citing music noise escape from the premises by leaving the premises doors open.
23. The residents' representations cite public nuisance from the noise from crowds outside the premises with some patrons becoming intoxicated, over spilling into the public areas including the street from loud voices, shouting and screeching. Patrons are also blocking the safe passage for pedestrians who wish to walk down the street. Other issues include loud music from the premises with speakers placed near the entrances and the doors kept open; the noisy collection of refuse, including bottles in the early hours of the morning; litter, including broken glassware, left in the street for the council to clear up; vehicle noise from patrons leaving the premises including slamming car doors; patrons urinating in the street and patrons causing damage to residents vehicles.
24. The other persons' representations are attached as Appendix D.

Response to the review application

25. At the time of writing the premises licence holder has not submitted a response to the review application and representation, any submissions received prior to the hearing will be circulated.

Further information – deregulation of entertainment

26. Entertainment deregulation came into force on 6 April 2015.
27. Live unamplified music is deregulated between 08:00 and 23:00 on any premises.
28. Live amplified music is deregulated between 08:00 and 23:00 provided the audience does not exceed 500 people.
29. However, live music can become licensable in on-licensed premises if the licensing authority removes the effect of the deregulation following a licence review ('licence review mechanism').

Licensing operating history

30. The initial premises licence was issued in respect of the premises on 29 March 2006. The licence granted was for the sale of alcohol on and off the premises and late night refreshment, the opening hours of the premises was 09:00 to 00:30 on Monday to Saturday and Sunday from 09:00 to 00:00.
31. On 7 September 2006 an application was submitted to vary the premises licence to add entertainment and extend the hours of operation to hours on the current licence. The application was opposed by the police, planning, the ward councillor and a resident. The licence to vary was granted by the licensing sub-committee.
32. The licensing authority was contacted by a member of staff that the designated premises supervisor (DPS) and joint premises licence holder of the premises, had left the premises. A warning letter was sent to on 20 July 2015 advising that it was an offence to serve alcohol at the premises while there was no DPS in place.
33. The premises licence holder informed the officer that they had sold the business and had been assured by the new owners that they would transfer the premises licence and vary the DPS.
34. On 31 July 2015 at 21:05 a visit was made to the premises by a licensing officer working on the night time economy team. On approach they could hear loud music consisting of a heavy bass, from The Cut. They observed dozens of people drinking outside on the Styles House side of the Tfl ventilation shaft. There were people outside Thai Silk blocking Isabella Street. Pint glasses were everywhere and not being collected. They observed that Thai Silk was blasting music, and the other two premises were equally loud, trying to compete. All premises had their doors and windows open.
35. At 21:15 the officers visited Thai Silk and found all the concertina doors wide open, loud music being played with a heavy bass beat, a DJ shouting over the music, their voice amplified by the use of a microphone. In the officer's opinion the music and DJ noise would be audible in residents' homes.
36. Mr Kah Kit Yap advised that he had taken over ownership of the premises from 27 May 2015. There was a sign in the window which stated that "Thai Silk is now under new management owned by The Royal China Group". Mr Yap was advised to close the doors, which he did do, customers became confused over the closed doors giving the impression to the officers that the doors were normally kept open.
37. The officers entered the premises and found the music to be very loud with patrons whooping and shouting to the music, on reaching the rear of the premises they found the fire exit wide open, Mr Yap was advised to close this door. The following issues were also found:
 - Breach of condition 8002 - door to nightclub did not have sign asking people to leave quietly.
 - Breach of condition 9502 - no evacuation procedure available with staff records.
 - Breach of condition 9503 - no noise checks
 - Premises licence not available.
38. A warning letter was sent to Mr Kah Kit Yap for the breaches on 5 August 2015, copies of the warning letters are attached as Appendix E.

39. On 7 August 2015 at 20:30 a follow up visit was made to Thai Silk. The premises was still operating without a DPS. However Mr Yip showed the licensing officer a completed application form for transfer that he intended to submit. Mr Yip stated that if DJ style entertainment is being provided then the exterior doors would be closed at 20:30 but if the music was background only then doors will be closed by 22:00. The outside area was being managed well, staff were being sent out to clear empties. The music level was not excessive on this occasion. The premises was not as busy as in recent weeks with little noise from patrons outside. At the rear of the TFL vent the officers observed empty drink bottles and cans with Tesco carrier bags.
40. On 11 August 2015 the premise licence was transferred to Soho Palace Limited and the DPS was varied to Kah Kit Yap with immediate effect.
41. On 28 August 2015 at 20:15 council officers visited the area and on arrival noticed crowds of people standing on the walkway outside Ev's bar, Jacks Bar and Thai Silk drinking and chatting. Thai Silk had their front doors open and music was playing very loudly. All three venues were playing loud music and had their entire frontage open and people sitting opposite side of walkway and passageway in the gardens. Security SIA staff were observed in the outside area. There were approximately 100 plus people outside at the time of the visit. Music was being played at entertainment level, amplified to a volume that would cause significant local public nuisance.
42. Further visits were made during September and on 25 September 2015 at 21:00 officers who were monitoring outside Styles house on the Hatfield side and heard that noise was evident, especially at bass volume. The officers made their way to Isabella Street which was busy with patrons and observed that the front doors of all premises were open and that loud music was being played. The DPS from Thai Silk seemed to recognise the officers and shortly after music levels from Thai Silk were reduced and the front doors closed.

The local area

43. A map of the area is attached to this report as Appendix F. The premises is identified by a diamond at the centre of the map. For purposes of scale only, the circle on the map has a 100 metre radius. The following licensed premises including terminal hours are also shown on the map:
- EV Restaurant Bar, 97-99 Isabella Street, London SE1 (Monday to Sun till 01:00)
 - Jack's Bar Railway Arch 96, Joan Street, SE1 (Sunday till 22:30, Monday to Wednesday till 23:30 and Thursday to Saturday till 00:30)

Southwark council statement of licensing policy

44. This application was received prior to 01 January 2015, therefore the licensing policy in force at the time of application should be used for the purpose of assisting with the determination of this review application.
45. Council assembly approved Southwark's statement of licensing policy 2011-14 on 12 October 2011. Sections of the statement that are considered to be of particular relevance to this application are:
- Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives.

- Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence.
 - Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998.
 - Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours.
 - Section 8 provides general guidance on ensuring public safety including safe capacities.
 - Section 9 provides general guidance on the prevention of nuisance.
 - Section 10 provides general guidance on the protection of children from harm.
46. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

47. No fee is payable in respect of an application for licence review.

Consultation

48. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was exhibited outside the premises for a period of 28 days.

Community impact statement

49. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

50. The sub-committee is asked to determine, under Section 52 of the Licensing Act 2003, an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or any other person may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
51. The principles which sub-committee members must apply are set out below.

Principles for making the determination

52. The licensing authority must hold a hearing to consider an application for review of a premises licence where:

- The application is properly made in accordance with Section 51 of the Act
- The applicant has given notice in accordance with Section 51(3) of the Act
- The advertising requirements provided for under Section 51(3) of the Act are satisfied
- The licensing authority has considered the ground(s) of review not to be frivolous, vexatious or repetitious
- The licensing authority has considered the ground(s) of review to be relevant to one or more of the licensing objectives.

53. The four licensing objectives are:

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

54. Each objective must be considered to be of equal importance. The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are to:

- Modify the conditions of the licence by altering, omitting or adding any condition
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence.

55. For the purpose of determining a relevant representation under section 52 of the Act a “relevant representation” means representations which:

- Are relevant to one or more of the licensing objectives
- Are made by the holder of the premises licence, a responsible authority or an other person within the prescribed period
- Have not been withdrawn
- If made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.

56. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.

57. The authority may decide that no action is necessary if it finds that the review does not require it to take any steps appropriate to promote the licensing objectives.

58. In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

59. It is of particular importance that any detrimental financial impact that may result from a licensing authority’s decision is appropriate and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

Reasons

60. Where the authority determines an application for review it must notify the determination and reasons why for making it to:
- The holder of the licence
 - The applicant
 - Any person who made relevant representations
 - The chief officer of police for the area (or each police area) in which the premises are situated.

Hearing procedures

61. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.
 - Members of the authority are free to ask any question of any party or other person appearing at the hearing.
 - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - The committee shall disregard any information given by a party which is not relevant:
 - To the particular application before the committee, and
 - The licensing objectives.
 - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
 - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
62. This matter relates to the review of the premises licence under section 51 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

63. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively

for environmental health, trading standards, health and safety, public health, childrens' services and the planning authority.

64. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
65. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
66. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
67. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
68. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
69. Under the Human Rights Act 1998, the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
70. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the magistrates' court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

71. Members are required to have regard to the Department for Culture, Media and Sport guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and

carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Strategic Director of Finance and Corporate Services

72. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

BACKGROUND DOCUMENTS

| Background papers | Held At | Contact |
|--|---|--|
| Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file | Southwark Licensing, C/o Community Safety & Enforcement, 160 Tooley Street, London, SE1 2QH | Kirty Read Phone number: 020 7525 5748 |

APPENDICES

| No. | Title |
|------------|--|
| Appendix A | Review application |
| Appendix B | Premises licence |
| Appendix C | Representations from responsible authorities |
| Appendix D | Representations from other persons |
| Appendix E | warning letters |
| Appendix F | Map of local area |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Deborah Collins, Strategic Director of Environment and Leisure | |
| Report Author | Dorcas Mills, Principal Licensing Officer | |
| Version | Final | |
| Dated | 13 January 2016 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments sought | Comments included |
| Director of Law and Democracy | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Cabinet Member | No | No |
| Date final report sent to Constitutional Team | 13 January 2016 | |

Southwark Licensing Team

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E-mail: licensing@southwark.gov.uk

**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Mark Prickett, on behalf of Southwark Council's Environmental Protection Team

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Thai Silk
Railway Arches 94 To 95 Joan Street

Post town London

Post code (if known) SE1 8DA

Name of premises licence holder or club holding club premises certificate (if known)

Soho Palace Limited

Number of premises licence or club premises certificate (if known)

849435

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address Mark Prickett (Principal Enforcement Officer) Environmental Protection Team Regulatory Services Southwark Council 3rd floor, Hub 2 160 Tooley Street London SE1 2QH |
| Telephone number (if any) Direct line: 0207 525 0023 EPT: 0207 525 4261 |
| E-mail address (optional) mark.prickett@southwark.gov.uk |

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

Please state the ground(s) for review (please read guidance note 2)

The review application is submitted to address the premises licence at Thai Silk, Railway Arch 94 & 95 Joan Street, SE1 8DA after numerous complaints have been made to Southwark Council regarding public nuisance along with numerous visits by council officers to the premises who have witnessed public nuisance occurring.

Please provide as much information as possible to support the application (please read guidance note 3)

Southwark Council's Environmental Protection Team (EPT) submit a review application for Thai Silk, Railway Arch 94 & 95 Joan Street, SE1 8DA to address the existing premises licence no: 849435, granted 11th August 2015.

EPT seek to review existing conditions and apply further conditions to prevent future public nuisance being created from this premises.

PREMISES SITE CONTEXT

There are 6 railway arches located between Joan Street (to the north and east), Hatfields (to the west) and Isabella Street (to the south), SE1 8DA. The arches are numbered from 94 to 99.

Thai Silk premises covers 2 arches, numbered 94 & 95, with arch 94 dedicated to being the restaurant and arch 95 the bar.

Thai Silk is believed to have been in operation since 2006, with a recent change in management in 2015. EPT met with the new management for the first time in March 2015 (details of visit below) and as such information relating to this review application will commence from March 2015.

The 7 relevant conditions placed on the licence to address the 'prevention of public nuisance' licensing objective are as follows;

311 - That notices shall be displayed at all doors to the premises requesting that customers leave the premises in a quiet and orderly manner

342 - That regular parameter checks around the premises for noise escape or noisy patrons, and measures to be taken when there is noise escape, or noisy patron.

343 - That restriction shall be put on the use of the outside area after 23:00 hours.

344 - That the attendees of private parties and functions are directed by a competent member of staff to the rear entrance of the premises when leaving the event beyond the hour of (00.00) 12 midnight

345 - That customers are asked or encouraged by competent staff not to drink on the external parts of the restaurant beyond 11pm on Thursday, Friday and Saturday evenings.

346 - That the licensee or agent prevent localised nuisance that originated from the Thai Restaurant premises.

347 - The volume of music after 23:00 hours will be reduced to a level that does not go beyond the premises.

INVESTIGATION & COMPLAINT HISTORY

The council has undertaken a long investigation process with Thai Silk, prior to and since the new management has taken over. Relative correspondence and details of site meetings between both parties are detailed below.

All relevant information is presented in time order for the following separate sections;

- NTE visits
- Noise & Nuisance Team complaints
- Council correspondence with the premises.

- **NTE VISITS**

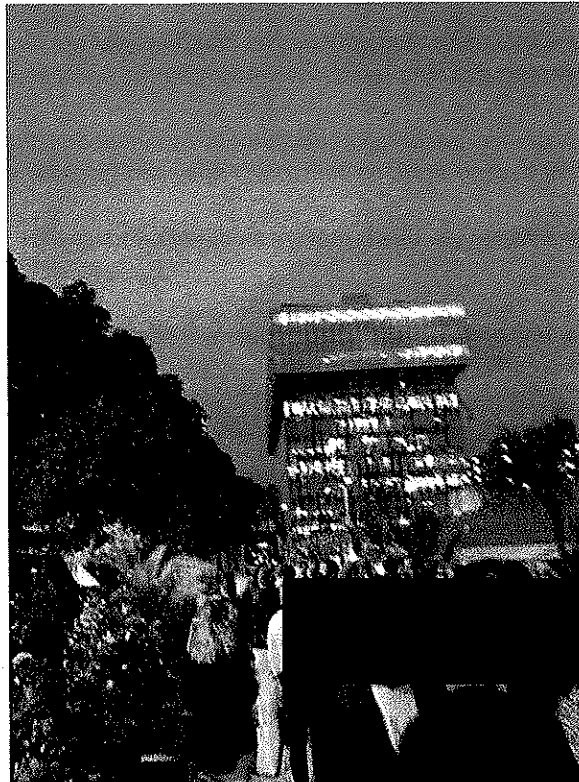
Southwark's Licensing department run a Night Time Economy Team (NTE) that operates on both Friday & Saturday nights. All NTE visits to Thai Silk are detailed in Appendix 1 however highlights of relevant visits and officer actions are summarised below;

May 2015 16/5/15 - NTE visit at 00:19 - "Had the 'Please leave Quietly signs displayed' it was very quiet we visited at 00:19hrs.". To note that no issues caused from premises when all patrons inside. **Demonstrating that when patrons inside and doors closed then no public nuisance being caused.**

29/5/15 - NTE visit at 22:31 - "RnB style music was being played in the premises...the installation of lobby doors would aid in reducing sound escape". **Loud amplified music leakage from the premises.**

July 2015 31/7/15 - NTE visit at 21:03 - "Visited area and on approach can hear LAM (Loud Audible Music), esp heavy bass, from The Cut. Nice evening, dozens of people drinking outside on the Styles House side of the Tfl ventilation shaft. Pint glasses everywhere, not being collected. Thai Silk is blasting music, and the others are equally loud trying to compete. All premises have doors and windows open."

21:15 "All doors and windows open on nightclub side. Bass heavy LAM with DJ with amplified shouting over the mic. ID'd myself to doorman and asked to speak to manager. Spoke to Mr Kah Kit Yap who said he was the manager. People inside are whooping loudly and shouting to the music and in my opinion it would be audible in nearby residents homes. Advised Mr Yap to close his windows and doors and reduce the noise levels. He said he took over the restaurant on 27th May 2015. Mr Yap closed the doors and windows and as he was talking time I noticed a male hurt himself on the glass front door as he was expecting it to be open. It appeared as though the doors are normally always open, as a number of customers seemed surprised to have to open the door. There is a sign at the front of the premises: "Friendly notice: Thai Silk is now under new management owned by The Royal China Group". Facing the premises, the left side is a nightclub and the right side is the restaurant. We went inside to look around and it was extremely loud with the DJ shouting over the bass heavy music and people continually whooping and shouting to the music. Found the rear fire exit wide open, advised Mr Yap to close immediately as it should be available for emergency use. Private party upstairs. Went into staff office. Saw FRA (Fire Risk Assessment) - it raises a number of issues that require action. Dated June 2015. CCTV recordings viewed. Breach of condition 311 - door to nightclub did not have sign asking people to leave quietly. Breach of condition 341 - no evacuation procedure available with staff records. Breach of condition 342 - no noise checks. Mr Yap said he asks people to come inside after 22:00hrs. Summary at bar but licence not available. Premises requires an acoustic lobby for the entertainment it provides." **NTE officer noted loud amplified music leakage out of premises with door open, drinks and patrons permitted beyond the premises boundary and witnessed breaches of existing premises licence conditions.**



Aug 2015 7/8/15 - NTE visit at 20:30 - "Spoke with Andy Yap DPS of Thai Silk. Fire Risk assessment and staff training documents provided. Was shown copy of transfer paperwork. He stated that if DJ

style entertainment is being provided then the exterior doors will be closed at 20:30hrs but if background only the doors will be closed by 22:00hrs. Outside area being managed well, staff being sent out to clear empties. Music level not excessive in my opinion. Not as busy as in recent weeks, not much noise from patrons outside."

28/8/15 – NTE visit at 20:15 - "Arrived noticed crowds of people standing on the walkway outside Ev's bar, Jacks Bar and Thai Silk drinking and chatting. Thai silk had their front doors open music was very loud. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway. There were approximately 100+ people outside at the time of our visit. Music was entertainment level amplified significant local public nuisance." **All 3 premises witnessed causing a local public nuisance from patrons creating noise whilst beyond the premises boundary and from loud amplified music leaking from the premises with front doors open.** Pic above from NTE officer.

Sept 2015 25/9/15 - NTE visit at 21:00 "Stood outside Styles house at the Hatfields side and music noise was evident, especially bass. Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music. DPS from Thai Silk recognised me but didn't approach, shortly after music levels from Thai Silk were reduced and the front doors closed. " Patrons permitted beyond premises boundary, loud amplified music leaking from premises. Officer suggests management knew they were operating in breach of public nuisance licensing objective and only acted responsibly when saw NTE officer.

- **NOISE & NUISANCE TEAM COMPLAINTS**

30/4/15 – Complaint to Noise Team at 22:05. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate.

1/5/15 - Complaint to Noise Team made on 8th re 1st May. Alleged public nuisance from people/patrons leaving premises on Isabella Street.

23/7/15 – Complaint to Noise Team at 21:50. Loud Audible Music from licensed premises on Isabella Street. No visit made by Noise Team to substantiate. Picture opposite sent through as evidence;



To note that all but one complaint is logged at 22:05 or earlier.

Important to note that residents refused visits from Noise Team officers and were utilising the Noise Team service to record when disturbance was occurring so it could be logged on council complaint database. This list does not include the numerous direct email complaints received by the Licensing Team.

- **COUNCIL CORRESPONDANCE WITH THAI SILK**

(Sept 2014 A draft 'Isabella Street Action Plan' is drawn up by Jacks which outlined measures to prevent continued public nuisance from occurring from Jacks and other 2 premises on Isabella Street. For the full content of the action plan please see Appendix 2.

Dec 2014 Emails with Jacks confirming all 3 premises had agreed to adopt measures in action plan. Thai Silk management had verbally agreed to comply with this Action Plan.)

March/April 2015 Site visit on 6th March with EPT, Licensing, Highways & representatives from Thai

Silk, Jacks & EV. To note that Thai Silk new management team in charge at present was in attendance at this meeting.

EPT follow up email dated 15th April outlining current stance with public nuisance, recommended measures to adopt to prevent public nuisance occurring and following warning of review;
"It is for management to adequately control noise & patrons over the coming warmer months when al fresco drinking/dining is likely to be of high demand on a regular basis. Should substantiated complaints continue over the coming months then EPT will have no other option than to review the premises licences which could result in amended opening hours being imposed, restrictive conditions being placed upon the licence or possibly even revocation."

A copy of the full email can be found in Appendix 3.

No correspondence was received back to EPT from this email.

Sept/Oct 2015 After NTE visits on 31st July & 28th August 2015 whereby NTE officers witnessed substantial public nuisance from Thai Silk, EPT decision to review Thai Silk's premises licence on prevention of public nuisance grounds.

CONCLUSION

Southwark Council has carried out investigation against this premises for over 1.5 years, dating from February 2014 to present. Due to the recent change in management at Thai Silk in spring of 2015, details of visits and correspondence with the new premises management since this date is only considered for this review application.

The investigation has totalled numerous officer hours in the office responding to repeated complaints against the premises, corresponding with and meeting with the premises as well as a numerous investigative hours spent by officers on the NTE service.

Whilst there are some visits made by the NTE team, as detailed in Appendix 1, that state that Thai Silk has been compliant with premises licence conditions and Action Plan measures, there has more importantly however been instances since spring of 2015 of Thai Silk management not adequately addressing the following;

- Control the amplified music level within the premises and noise leakage from the premises.
- Management of patrons whilst in the external front terrace to prevent patrons spilling out in Isabella Street and beyond.
- Management of patrons whilst in the external front terrace from causing a public noise disturbance.
- Responded to advice from EPT which outlined site specific measures to prevent public nuisance from occurring.

Repeated witnessed instances of loud amplified music noise and patron noise from Thai Silk has led EPT to determine that this premises has caused a long standing public nuisance to neighbouring residents and as such premises management have not proven to operate the business with adequate regard to the prevention of public nuisance licensing objective.

On the first meeting of EPT and current Thai Silk management in March 2015 it was made clear of the nature of on-going public nuisance complaints Southwark had received and verbally warned of possible review action should the complaints not be remedied through this new management structure. This warning was followed up in via email to the previous Thai Silk manager on 15/4/15. Despite this verbal and written warning, substantial public nuisance was witnessed from the premises on 31/7/15 along with numerous premises licence breaches. The new management had advised the NTE officer on this date that they had been in full operation for 2 months.

A month later on 28/8/15 substantial public noise nuisance was witnessed again by NTE officers from

loud audible music leaking from the premises while the concertina and front doors were all open. Patrons were also permitted to take drinks beyond the premises boundary into Isabella Street.

On the 25/9/15 during another NTE visit, a licensing officer noted that *"Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music. DPS from Thai Silk recognised me but didn't approach, shortly after music levels from Thai Silk were reduced and the front doors closed"*. This event demonstrating that the new management structure in place was conscious of the sensitivity of the area with regards to noise, of the need to lower music levels and of the recommended guidance to control public nuisance, however remedial action was only taken once a Southwark officer was present. This incident therefore provides EPT with little confidence that the new management structure will effectively control public nuisance from the Thai Silk premises with the existing suite of premises licence conditions.

EPT now consider that a review of the premises licence is the only option to appropriately address the public nuisance issues at Thai Silk.

EPT therefore seek to review existing conditions on Thai Silk premises licence and apply further conditions to prevent neighbouring residents from future public nuisance being created from this premises.

RECOMMENDATION

EPT consider the main issues creating public nuisance are from loud amplified music from within the premises and patron noise whilst the external frontage area is in use prior to 10pm.

The level of music noise within the premises when concertina doors are open and the external frontage area is in use is, through numerous officer visits, considered too loud. This is believed to also raise the volume of speech from patrons to able to speak to one another, with a cumulative impact of increased noise.

The vast majority of complaints from residents occur prior to the 10pm after which the external area closes. As such relevant conditions are required to address this.

From review of the complaints and NTE visits, once all patrons are inside post 10pm the other public nuisance issues are from noise leakage from premises when the front door is opening for access/egress and noise from patrons leaving the area.

To follow is a list of existing conditions to be removed and new conditions to be attached to premises licence 849435, which EPT consider relevant in order for Thai Silk to effectively control public nuisance. For the Licensing Sub-Committee's consideration;

REMOVAL OF CONDITIONS;

Removal of 311 *"That notices shall be displayed at all doors to the premises requesting that customers leave the premises in a quiet and orderly manner"*. Spirit of condition to be kept be reworded below.

Removal of 342 - *That regular parameter checks around the premises for noise escape or noisy patrons, and measures to be taken when there is noise escape, or noisy patron.* Spirit of condition to be kept be reworded below.

Removal of 343 - *That restriction shall be put on the use of the outside area after 23:00 hours.* Spirit of condition to be kept be reworded below and outdoor area to cease use at 22:00hrs.

Removal of 344 - *That the attendees of private parties and functions are directed by a competent member of staff to the rear entrance of the premises when leaving the event beyond the hour of (00.00) 12 midnight.*

Removal of 345 - *That customers are asked or encouraged by competent staff not to drink on the external parts of the restaurant beyond 11pm on Thursday, Friday and Saturday evenings.*

Removal of 346 - *That the licensee or agent prevent localised nuisance that originated from the Thai Restaurant premises.*

Removal of 347 - *The volume of music after 23:00 hours will be reduced to a level that does not go beyond the premises.*

NEW CONDITIONS;

Please note that for all reference to 'external frontage area', please refer to Appendix 4 for an indicative plan.

- A sound limiting device shall be installed, set and maintained, to ensure the maximum levels of volume and bass of music, song or speech from licensed entertainment permitted by the amplification system, does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.
- All audio and musical equipment used in the premises, or brought into the premises by third parties which is permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be played through the installed sound limiting device.
- During any licensed entertainment on the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012, all doors, concertina doors and windows shall remain closed (except for access or egress).
- Any background music played (for when concertina doors are open) shall remain at a volume that permits normal conversation and that the volume control of any music is behind the bar/counter and is in the full control of staff at all times.
- There will be no patron access to and from the premises via the use of the rear door, except for use in case of emergency.
- Acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) shall be installed to all doors so as to minimise sound escape from the premises.
- An acoustic lobby of adequate dimensions and providing sufficient residence time shall be installed to the front door entrance to minimise sound escape from the premises, ensuring that all doors open in the direction of escape in case of emergency.
- Sound insulation shall be installed to baffle any intake and extract vents or air extraction systems to prevent sound escape from the premises.
- The premises shall be adequately ventilated to allow doors and windows to remain closed during licensed entertainment.
- All external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
- Amplified music, song or speech shall not be broadcast in external areas at any time.

- No external areas of the premises, including the external frontage area, shall be used for the purposes of licensed entertainment.
- External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 09.00hrs and 23.00hrs.
- There shall be no movement of musical or amplification equipment to and from the premises between the hours of 23.00hrs and 09.00hrs.
- The use of the external frontage area, except for smoking, shall cease at 22:00hrs at which point all patrons will be instructed to move indoors.
- At 22:00, if not already done so, the external terrace canopy shall be deployed to cover the designated smoking area.
- There shall be no drinks permitted to be taken outside after 22:00hrs.
- There shall be no drinks permitted to be taken beyond the boundary of external frontage area at any time.
- After 22:00hrs, customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to the external frontage area. No more than 5 customers will be permitted to remain in this designated smoking area at any one time.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00hrs.
- Clearly legible signage will be prominently displayed in the external frontage area, where it can easily be seen and read, requesting to the effect that patrons are not permitted to take drinks off the premises and into Isabella Street.
- When licensed entertainment is being provided the premises management shall carry out regular checks to monitor the sound level at the closest noise sensitive location(s) to the premises and shall ensure that the sound level of the entertainment does not cause a public nuisance in the vicinity of the premises at the/those location(s). A written record of sound level checks shall be kept and shall contain details of: the time, date and location of each check, the person who undertook the check and any actions taken as a result of the check. Each check shall be signed in the record by the person who made the check. The monitoring record shall be kept at the premises and made available to officers of the police or council on request.
- The premises licence holder shall display telephone numbers for local taxi companies and permit patrons to wait inside the premises until the arrival of the taxi.
- The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary.
- A comprehensive Dispersal Policy shall be produced and implemented at the premises, with all staff trained on the most up to date policy. A record of staff training on the Dispersal Policy shall be kept at the premises and a copy of the policy and training records be made available to the

council or police on request.

- Alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.
- There shall be no new entry or re-entry of patrons to the premises after 01:00hrs, other than those who temporarily leave to smoke a cigarette.
- That all licensable activity will cease 30 minutes before closing times

Additional comments for committee / responsible authorities to consider;

- Capacity limit for external area
- SIA security condition for Thursday, Friday and Saturday evenings.

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓

yes

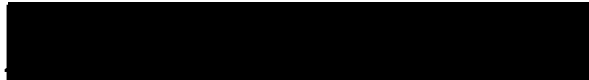
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

7/12/2015

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Mark Prickett (Principal Enforcement Officer)
Environmental Protection Team
Regulatory Services
Southwark Council
3rd floor, Hub 2
160 Tooley Street

Post town

London

Post Code

SE1 2QH

Telephone number (if any) 0207 525 0023

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) mark.prickett@southwark.gov.uk

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

THAI SILK NTE VISITS (28/2/2014 – 7/11/2015) - To note: All visits which have been recorded against Isabella Street ('The Street') have been kept as generally these notes refer to all 3 licensed premises. Some NTE visits have comments relating to Thai Silk but have been recorded against a different premises on Isabella Street, in these instances relative Thai Silk comments have been highlighted.

| date | desc | officer | name | address | Adtext |
|------------|-----------------------|------------------------|-----------------------------------|---|--|
| 28/02/2014 | 23:30 NTE Visit | Wesley McArth ur | THAI SILK RESTAURA NT & BAR | Railway Arches 94-95, Joan Street | <p>Visit to premises with KVD re' noise complaints: We observed the premises from Isabella Street opposite the premises entrance for a few minutes. At that time there was minimal soundscape from the premises while the entrance door was closed. The soundscape when the door is shut is not, IMO, likely to give rise to SN: There were not seats placed outside of the premises and there were no people congregating outside of the premises. 5 females and 1 male left the premises. They were speaking to each other at a 'normal' level, and did not loiter outside of the premises; they remained in Isabella Street for a few moments talking amongst themselves, and continued to talk at a normal level that would not, IMO, give rise to SN. It was noted, however, that when the entrance door is opened temporarily to let people in or out the sound escape from the premises rises significantly. When the entrance door was opened a dance music track ('Break of Dawn' by Rhythm on the Loose) could clearly be heard outside of the premises. If the doors are ever kept propped open the level of sound escape could possibly give rise to SN IMO. We went to the premises entrance. An IC1 female door supervisor was controlling access and egress to / from the front entrance. I, D'D myself and asked to speak to the manager. The door supervisor left and then returned with an IC4 male who identified himself as Khalifa Rashid (KR) and who stated that he was the manager of the premises. I, D'D myself to KR and apprised him of recent noise complaints in regards to the premises. I advised him to ensure that customers entering / leaving the premises must be managed in such a way so that their actions do not give rise to noise nuisance. I advised him that staff should monitor customer behaviour and ensure that their behaviour does not give rise to nuisance. I told KR that sound escape rises significantly when the entrance doors are open to allow access / egress and that KR should regularly monitor the level; of sound escape from the premises. I advised that he should consider installing a lobby entrance to minimise sound escape from the premises and that he should ensure that the entrance door is not kept propped open at any time. I conducted a full inspection and also undertook an induction with KR. The premises were compliant but the following issues were noted: 1. I recommended that the perimeter checks required by condition 9503 are kept in a written log. 2. Some emergency escape routes were partially obstructed by goods / objects. 3. The emergency escape routes were not clearly delineated by sufficient signage. 4. All staff should be trained in the use of the fire extinguishers at the premises and be aware of the extinguishers locations. 5. The rear fire exit is also used as an exit / entrance to the premises, to minimise sound escape it should not be kept propped open. Compliance letter to follow.</p> |

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|------------|---|---------------------|-----------------------------------|--|--|
| 18/04/2014 | 23:15 NTE Visit premises closed ATOV | Farhad Chowdhury | THAI SILK RESTAURA NT & BAR | Railway Arches 94-95, Joan Street | 18/4/2014 23:20 FRC premises was closed at the time of visitshutters were down. |
| 03/05/2014 | 21:45 NTE Visit | Mark Orton | THE STREET | Street Bipy, Joan Street, London | Visited area to assess noise from licensed premises. Some musicbreakout from Jacks when premises door opens to admit patrons, somenoise from patrons outside speaking whilst smoking and drinking butnot excessive. |
| 12/07/2014 | 21:17 NTE Visit | Jayne Tear | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | 21:17 - 12/7/16 - JMT & SUE HUNTER THAI SILK RESTAURANT & BAR, 94-95 JOAN STREET, LONDON, SE1 8DAPremises very quiet no customers inside or outside no music emanatingfrom the premises |
| 12/07/2014 | 21:45 NTE Visit | Jayne Tear | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | 21:45 - 12/7/14 - JMT & SUE HUNTERTHAI SILK RESTAURANT & BAR, 94-95 JOAN STREET, LONDON, SE1 8DA -Saw a few more people in premises and decided to go in a speak to theManager. Mr Po Lee the owner came to speak to me. I explained that thecouncil had been recieving complaints about noise along the walkwayand outside the premises along there. I said that the complaint wasnot about his premises but that he should be mindful that when he hasmusic on that his doors should be closed to prevent noise escape. Iasked what time he brings people in from outside and he said 22:00hrs.Mr Po Lee has been very proactive and has installed a sound limitingdevice at his premises (although not a condition). He said that DaveSwaby had visited him appx 1 month ago and given advice re pointingthe speaker away from the door and in towards the premises and that hehad done that, although he said that his sound limitewr had broken atthe time but he now has it repaired and it is working. ATOV no peoplenoise or noise from music. |


| | | | | | |
|------------|-----------------------|---------------------|-----------|--|--|
| 19/07/2014 | 00:15 NTE Visit | Jayne Tear | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | 39/7/2014 00:15 JMT & COTTAI SILK RESTAURANT & BAR, 94-95 JOAN STREET, LONDON, SE1 8DA(00:15) Premises shutters down could see staff through shutters closing up. No noise emanating from premises. Looked like premises just closed as a few patrons hanging about outside getting ready to leave. All quiet outside though. Walked back to the car and whilst writing my notes 4 males came from the walkway shouting and joking about (3 black males and one white male, they got into an audi parked directly in front of us). They put the music from the vehicle loud and then turned it down when it went up again. One of them went back to the walkway and then came back to the car. Although I did not see these males come out of Jack's that is where I think they came from as all the other premises were closed. We left at 00:30. |
| 01/08/2014 | 18:24 NTE Visit | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Visited Isabella St area and took some photos. Huge numbers of people outside EV and Jacks (and to a much lesser extent, a few people on Sthai Silk) and we had trouble getting through the crowds. Went inside Jacks and spoke to Michael. Advised we could hear bass from quite a distance and asked for it to be lowered. He said it is the busiest they've ever been. Explained that problems need to be addressed. |
| 01/08/2014 | 22:13 NTE Visit | Kristie Ashenden | JACKS | Railway Arch 96, Joan Street | Still a large number of people outside and music can be heard as doors are open. |

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|------------|-----------------------|-------------------------|-----------------------------------|---|--|
| 08/08/2014 | 20:00 NTE Visit | Wesley McArth ur | JACKS | Railway Arch 96, Joan Street | 8/8/2014 20:00 WJM/Visit to Isabella Street with Sarah Newman (SN) to observe customer behaviour in regards to Jacks, EV & Thai Silk. On approach to Isabella Street from Hatfield (walking past StyleHouse) crowd noise could be heard and increased significantly by the time we reached the junction of Isabella Street and Hatfields. There were approximately 65 people drinking, smoking, and socialising across the length of Isabella Street. The external (terrace) areas of EV, Jacks and Thai Silk were all being used to capacity. Isabella Street, whilst busy, was easily traversable and IMO a wheelchair or pushchair would have been able to navigate the street without any problems. On discussing this issue with SN she agreed with me. RnB style music was being played at Jacks and could clearly be heard all along Isabella Street and at the junction of Isabella Street and Hatfields. The bass content of the music was very prominent, although the high and mid range frequencies of the music being played were not excessive. Crowd noise from Isabella Street could be heard at the entry to Stylehouse, but was unlikely, IMO, to be the cause of SNN. There were SIA door supervisors at each premises and what appeared to be an SIA marshal positioned on Isabella Street directly outside of Jacks. SN took various photos of the locale. We noted that there were also people drinking, smoking, and socialising in the passage way between Isabella Street and the r/o the tube station. |
| 08/11/2014 | 01:22 NTE Visit | Kristie Ashend en | THAI SILK RESTAURA NT & BAR | Railway Arches 94-95, Joan Street | all isabella st premises closed |
| 14/12/2014 | 01:10 NTE Visit | Mark Orton | CONSTRUC TION STREET | Isabella Street | MAD & MBALL premises closed and area quiet, no sign of ASB or persons loitering in the area, no music noise from premises or vehicles. |

| | | | | | |
|------------|-----------------------|---------------------|-------------------------------|---|---|
| 19/12/2014 | 21:40 NTE Visit | Farhad Chowdhury | JACKS | Railway Arch 96, Joan Street | 19/12/2014 19:40 FRC2) Isabella Street SE1 - Visited at 21:50hrs, approximately 8-10 people outside Jacks bar, they were drinking in the passagethoroughfare which was not part of their premises. I went to speak to the manager Michael Whitfield, by then the SIA staff were getting people inside the premises. The manager apologised and said that the SIA staff know that they are not allowed outside after 10pm and they should have been inside their space. I have warned the manager to ensure this does not happen again. There were no customers outside EV restaurant, we also visited Thai Silk and noticed lots of people in the outside smoking area. |
| 06/02/2015 | 22:29 NTE Visit | Kristie Ashenden | THAI SILK RESTAURANT & BAR | Railway Arches 94-95, Joan Street | Visit with JCM. Can hear bass heavy music from Thai Silk, spoke to Mr Lee who reduced volume immediately. |
| 07/02/2015 | 23:11 NTE Visit | Kristie Ashenden | THAI SILK RESTAURANT & BAR | Railway Arches 94-95, Joan Street | With Sue Hunter. Visited Isabella St, Thai Silk bar closed, no issues. |

INVESTIGATION INTO REVIEW COMMENCES FROM MARCH 2014 - NEW PREMISES MANAGEMENT ON SITE

| | | | | | |
|------------|-----------------------|---------------------|---|--|--|
| 14/03/2015 | 01:31 NTE Visit | Kristie Ashenden | THAI SILK RESTAURANT & BAR | Railway Arches 94-95, Joan Street | Visited Isabella St with FRC - all premises closed and quiet |
| 16/05/2015 | 00:19 NTE Visit | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESS EN | 97-99 Isabella Street, Off Joan Street/Hatfields | 17/5/2015 00:19 FRC1 visited on Saturday night and checked all three premises EV's Bar, Jacks and Thai Silk all three premises had the "Please leave Quietly signs displayed" it was very quiet we visited at 00:19hrs. |
| 29/05/2015 | 22:31 NTE Visit | Wesley McCarthy | EV RESTAURANT BAR AND DELICATESS EN | 97-99 Isabella Street, Off Joan Street/Hatfields | 29/5/2015 22:31 WJM Observation with Adam Burchett (AB) of the area re' on going noise complaint. We stood on Hatfields between Styles House and 1-10 Tait & Benson House. The weather was dry and cool, with little to no breeze. Traffic on The Cut and Hatfields was light but regular. From where we were stood we could hear the voices of people walking along The Cut, traffic noise was louder than the peoples voices. We couldn't hear any voices or music from the direction of Isabella Street. We then went and stood at the entrance to Styles house (facing Isabella Street) and could only hear traffic noise (no music or raised voices). We then walked to the junction of Isabella Street and Hatfields and looked down Isabella Street. There was no one drinking whilst on the public |

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|------------|-------|------------------|-------------------------------------|---|---|
| | | | | | <p>footpath / public areas on Isabella Street. As we walked past EV we noted that there were 12 people using EV's terrace area. They were talking at normal conversational levels and not engaging in ASB. RnB style music could be heard emanating from EV. The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when EV's entrance door was opened for access and egress. We then stood outside Jacks and noted 6 people talking and smoking in Jacks' terrace area. They were talking at a normal conversational level. RnB style music was being played in the premises (a different song to the one being played at EV). The sound escape caused by the music wasn't very loud with the entrance door shut but the sound level increased significantly when Jack's entrance door was opened for access and egress. We then stood outside Thai Silk. Nobody was using Thai Silk's terrace area. RnB style music was being played in the premises (a different song to the one being played at Jacks). Nobody entered or exited Thai Silk whilst we were outside of Thai Silk. All 3 premises had SIA D/S controlling entrances / exits to and from each premises. We didn't witness any ASB, customers with raised voices or customers congregating to drink in the public areas in / near Isabella Street. When we walked back to the junction of Hatfields and Isabella Street it was noted that the level of sound escape heard from this point was significantly lower than when in Isabella Street itself. We then stood on Hatfields between Styles House and 1-10 Tait & Benson House again, and the premises / customers on Isabella Street couldn't be heard. At ground level the sound escape from the premises is unlikely to constitute S/N/N IMO, however the installation of lobby doors would aid in reducing sound escape from each premises. We drove away from the area via Hatfields towards The Cut with the front car windows fully turned down and couldn't hear any sound escape from the premises on Isabella Street as we left. Photo's of area taken as attached</p> |
| 30/05/2015 | 22:43 | Farhad Chowdhury | EV RESTAURANT BAR AND DELICATESS EN |  <p>97-99 Isabella Street, Off Joan Street/Hatfields</p> | <p>30/5/2015 22:43 FRC No Music audible, nobody outside very quiet no noise witnessed, also visited outside Jacks bar and Thai silk the area was all quiet premises were all open but no music audible. We also visited Styles house and did not witness any noise all peaceful at the time of our visit at 22:43hrs.</p> |
| 05/06/2015 | 22:02 | Kristie Ashenden | THE STREET | <p>Street Bipu, Isabella Street, London</p> | <p>With Sue Hunter. Very cold evening, no one standing on Network Rail land, a few people walking through Isabella st, however no nuisance witnessed from any of the premises.</p> |

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| 25/07/2015 | 21:09 NTE Visit | Richard Kalu | THE STREET | Street Blpu, Isabella Street, London | <p>Visited Isabella Street with Farhad Chowdhury. No patrons located on the road all patrons by in large were contained in the external frontsmoking/ dining area of the various premises on the street. Spoke to management of all premises about complaints received of anti social behavior along Isabella Street. We had an interesting conversation with a Ugar Ezgi of Ev, 98 Isabella Street. Advised that the ASB issues was not actually as a result of the operation of the business along Isabella Street. Advised that what is happening is that 2 - 3 Rickshaw drivers are parking up and playing music to draw crowds around them and they are getting paid to entertain a crowd. He advised us that he has personally gone over to the Rickshaw drivers in an attempt to move them on as he said it was affecting his business with member so the public crowding the road which left his customers feeling intimidated. We have been advised that he has CCTV footage which details the issue on the road which supported his report to us that the Rickshaw drivers are responsible for whipping members of the public into a frenzy and playing loud music. Action - Can we report this to Police to see if we can get a visible police presence on Isabella Street to deter the Rickshaw drivers. NTE to monitor Isabella Street next weekend.</p> |
| 31/07/2015 | 21:03 NTE Visit | Kristie Ashenden | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | <p>With Matt Bourne. Visited area and on approach can hear LAW, esp heavy bass, from The Cut. Nice evening, dozens of people drinking outside on the Styles House side of the TfL ventilation shaft. Took a photo of Thai Silk to show how many people are blocking Isabella St. Pint glasses everywhere, not being collected. Thai Silk is blasting music, and the others are equally loud trying to compete. All premises have doors and windows open.</p> |

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|------------|--------------------------------------|---------------------|-----------|--|---|
| 31/07/2015 | 21:15 NTE Visit | Kristie Ashenden | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | With Matt Bourne. All doors and windows open on nightclub side. Bassheavy LAM with DJ with amplified shouting over the mic. I'd myself to doorman and asked to speak to manager. Spoke to Mr Kah Kit Yap who said he was the manager. People inside are whooping loudly and shouting to the music and in my opinion it would be audible in nearby residents homes. Advised Mr Yap to close his windows and doors and reduce the noise levels. He said he took over the restaurant on 27th May 2015. Mr Yap closed the doors and windows and as he was talking to me I noticed a male hurt himself on the glass front door as he was expecting it to be open. It appeared as though the doors are normally always open, as a number of customers seemed surprised to have to open the door. There is a sign at the front of the premises: "Friendly notice: Thai Silk is now under new management owned by The Royal China Group". Facing the premises, the left side is a nightclub and the right side is the restaurant. We went inside to look around and it was extremely loud with the DJ shouting over the bass heavy music and people continually whooping and shouting to the music. Found the rear fire exit wide open, advised Mr Yap to close immediately as it should be available for emergency use. Private party upstairs. Went into staff office. Saw FRA - it raises a number of issues that require reaction. Dated June 2015. CCTV recordings viewed. Breach of condition 8002 - door to nightclub did not have sign asking people to leave quietly. Breach of condition 9502 - no evacuation procedure available with staff records. Breach of condition 9503 - no noise checks. Mr Yap said he asks people to come inside after 22:00hrs. Summary at bar but licence not available. Premises requires an acoustic lobby for the entertainment it provides. Will report back to MPI. |
| 07/08/2015 | 20:30 NTE Visit MAD & RF | Mark Orton | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DA | Spoke with Andy Yap DPS of Thai Silk. Fire Risk assessment and staff training documents provided. Was shown copy of transfer paperwork. He stated that if DJ style entertainment is being provided then the exterior doors will be closed at 20:30hrs but if background only then doors will be closed by 22:00hrs. Outside area being managed well, staff being sent out to clear empties. Music level not excessive in my opinion. Not as busy as in recent weeks, not much noise from patrons outside. At rear of TFL vent there were empty drink bottles and cans with tesco carrier bags (photos attached). |
| 08/08/2015 | 22:15 NTE Visit MAD & RF | Mark Orton | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DA | Very quiet, all o/s areas closing or already closed. Bottles and cans in tesco bags at rear of TFL vent. Alcohol in tesco bags probably brought from store on the Cut. |

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|------------|-----------------------|---------------------|------------|--|---|
| 28/08/2015 | 20:15 NTE Visit | Farhad Chowdhury | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DA | 28/8/2015 20:15 FRCAs we arrived noticed crowds of people standing on the walkway outside EV's bar, Jacks Bar and Thai Silk drinking and chatting. Thai silk had their front doors open music was very loud. All three venues were playing loud music and have their entire frontage open and people sitting opposite side of walkway and passageway in the gardens. Security SIA staff seen us and followed us, there were approximately 100+ people outside at the time of our visit. Music was entertaining level amplified significant local public nuisance. Sarah Newman and Imade notes and took photos with our phones and we left at 20:23hrs. |
| 14/09/2015 | 22:40 NTE Visit | Jayne Tear | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | 22:40 on 11/9/2015 JMT & COT at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All very quiet – hardly any customers inside either premises – no one outside on public walkway. Will visit again later in the evening. |
| 12/09/2015 | 01:20 NTE Visit | Jayne Tear | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | 01:20 on 12/9/2015 JMT & COT back at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All very quiet – nothing to report |
| 12/09/2015 | 22:45 NTE Visit | Jayne Tear | Thai Silk | Railway Arches 94 To 95, Joan Street, London, SE1 8DD | 22:45 on 12/9/2015 JMT & COT back at JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA All around premises – all very quiet – no patrons outside in any of the three premises. |
| 18/09/2015 | 21:20 NTE Visit | Richard Kalu | THE STREET | Street Bipu, Isabella Street, London | No members of public located on road. Sound escape from premises was minimal. SIA staff presence in all premises. Majority of patrons watching the Rugby on TV no issues of concern noted. |

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|------------|--------------------------------------|---------------------|---|--|--|
| 25/09/2015 | 21:00 NTE Visit MAD & AB | Mark Orton | EV RESTAURA NT BAR AND DELICATESS EN | 97-99 Isabella Street, Off Joan Street/Hatfields | Monitoring visit to Isabella St SE1. Stood outside Styles house at the Hatfields side and music noise was evident, especially bass. Isabella Street itself was busy with patrons, front doors of all premises were open and playing loud music. AB and I walked the length of the street and paused outside each premises. DPS from Thai Silk recognised me but didn't approach, shortly after music levels from Thai Silk were reduced and the front doors closed. I spoke with the manager of Jaks Bar, Will, who stated he would reduce the volume. We entered EV Bar and spoke with Ugur who immediately reduced the volume and came outside to check the volume. He stated he would shortly be closing the front doors. As we left Isabella St, Jacks Bar had not reduced music volume. At the back of the TFL vent there were people drinking alcohol that appeared to have been bought from Tesco as there were Tesco carrier bags with empty bottles and cans in the vicinity. People drinking in this area are not disposing of their empty bottles and cans responsibly, leaving them strewn near the vent and in nearby planters and on the ground. |
| 02/10/2015 | 20:40 NTE Visit | Richard Kalu | THE STREET | Street Blpu, Isabella Street, London | Visited Isabella Street at request of David Franklin. Visit carried out with John. At time of visit no patrons were located along the stretch of road. I noted that some patrons wandered out into the road to smoke or talk and SIA staff were very quick in asking patrons to come back within the front courtyard smoking areas of their premises. In regards to noise breakout from the premises no significant concerns were noted and noise appeared to be more in relation to people noises as opposed to amplified music. |
| 17/10/2015 | 20:55 NTE Visit | Farhad Chowdhury | EV RESTAURA NT BAR AND DELICATESS EN | 97-99 Isabella Street, Off Joan Street/Hatfields | 17/10/2015 20:55 FRC Nobody in the walkway empty all quiet, some people sitting outside Jacks and music audible, also some people sitting outside Thai silk but walkway clear and peaceful. |
| 07/11/2015 | 19:55 NTE Visit | Farhad Chowdhury | THE STREET | Street Blpu, Isabella Street, London | 7/11/2015 19:55 FRC Observations all quiet, nobody in the walkway or garden area, all quiet, there were some people sitting outside Jacks and Thai Silk some background music but not loud. No crowds outside. |

ISABELLA STREET ACTION PLAN SEPTEMBER 2014

Drafted and agreed to by members of EV, Thai Silk and Jacks Bar respectively. The aim of this plan is to alleviate and abate the noise levels disrupting residents of Styles House during months where patrons of any business operating on Isabella Street may be outside of the premises. This Action plan has been developed in conjunction with advice from Southwark Council.

The points we wish to address are:

1. Decrease levels of noise coming from Isabella Street from 6pm to Midnight.
2. Decrease levels of noise as patrons leave the premises at any point during opening hours and up to an hour after premises are closed.
3. Decrease noise pollution caused by music levels from all premises.
4. Decrease noise from any patron who may be smoking outside the premises after 10pm.

Below is an outline of the steps all premises on Isabella Street have agreed to take in order to achieve the above four aims.

Action Points:

- 1.1 Introduced two Stewards to patrol Isabella Street on Thursday and Friday nights. These stewards are trained doormen but are there in an informal capacity to help move customers standing outside all venues inside or within the boundary outside. They are fully briefed to urge customers standing in the open to be aware of the residents surrounding them. They will take action if they feel that any group or individual are creating noise levels that are unacceptable.
 - 1.2 All patrons are inside the premises and the doors are closed no later than 10pm. Closing the doors and concertina windows will help prevent any extra noise exiting the building after that time.
 - 1.3 Encouraging door staff where possible to prompt patrons to stay inside the premises and enjoy their evening to try and discourage large groups forming outside and around the venues.
 - 1.4 Ensure that music levels are kept at an appropriate level so that patrons are not shouting upon leaving due to affected acclimatised hearing. The stewards are briefed to make sure that all music is not audible from Isabella Street at all times of the evening.
 - 1.5 Ensure that on Monday, Tuesday, Wednesday and Saturday nights that all members of staff are aware of the importance of making sure patrons of all venues on Isabella Street are leaving quietly, not blocking the street and enjoying the outside areas without causing disturbance to residents surrounding.
 - 1.6 Put up signs on Isabella Street, surrounding the back of the Underground shaft and in the attractive leafy areas telling patrons politely to return to the place that they acquired their beverage and be respectful to the surrounding residents.
-
- 2.1 Stewards are hired to stay up to an hour after closing time to ensure that all patrons leave the premises and Isabella Street quietly and respectfully.
 - 2.2 Stewards are working throughout the evening to ensure that patrons leave all premises and Isabella Street quietly.
 - 2.3 Discourage smokers to stand outside the premises in groups.

2.4 Bring the music levels down in stages from 1hr before closing so that patron's ears can re-acclimatise to an appropriate level of talking when leaving.

2.5 Ensure on Monday, Tuesday, Wednesday and Saturday nights there are enough members of staff on duty to monitor patrons leaving in a quiet and respectful manor.

3.1 Stewards are briefed to patrol outside all premises during the evening on Isabella Street to make sure no music is audible from the road and advise where appropriate each manager to turn the music down.

3.2 Make sure that on Monday, Tuesday, Wednesday and Saturday staff in all bars are responsible for exiting the premises at various points throughout the night and checking that the music levels are low enough and not audible from Isabella Street.

3.3 Mutual patrolling on Monday, Tuesday, Wednesday and Saturday nights between managers and staff of all premises on Isabella Street encouraging each other to keep the music at an appropriate level.

4.1 Discourage any smokers from exiting the main venue to smoke outside for extended periods of time by prompting their return inside as quickly as possible after they have extinguished their cigarette.

4.2 Briefing all doormen and staff on appropriate levels of audible noise from the premises if patrons are outside after 10pm smoking. Re-iterate no tolerance of unacceptable noise levels to patrons if they are persistently noisy.

We expect and hope that if all premises comply and co-operate with these guidelines the noise radiating from Isabella Street of an evening will be reduced significantly. Stewards are in place as of 29th August and will be trialled throughout the month of September.

Prickett, Mark

Subject: FW: Isabella Street
Attachments: ISABELLA STREET ACTION PLAN SEPTEMBER 2014 DRAFT.docx

From: Prickett, Mark
Sent: Wednesday, April 15, 2015 12:36 PM

To: [REDACTED]
 'ev'

Cc: Taylor, Craig; Newman, Sarah; Parkins, Richard; Franklin, David
Subject: RE: Isabella Street

Dear all,

On the back on Ian Law's email below I wish to add further comment with regards the Environmental Protection Team's (EPT) stance regarding noise from the licensed premises on Isabella Street;

Firstly, thank you all again for your time on Friday 6th March to discuss matters.

It was suggested during the meeting that EPT would arrange a visit to agree and set maximum noise levels at the premises. To clarify EPT will not be providing this service, it is for each premises DPS/Management team to set their own amplified music & bass levels to ensure that any noise emitted from their premises does not cause noise disturbance at the closest noise sensitive receptor and/or residential property, so as to comply with the 'prevention of public nuisance' licensing objective detailed under the Licensing Act 2003. EPT are happy to offer advice on how to accomplish this, but we will not agreeing a set level per se.

I attach the noise management action plan put in place in September 2014. The terms and control measures within this action plan were agreed to by all 3 premises' management at the meeting on Friday 6th March. If this is not the case for your premises please advise us at your earliest convenience.

It is noted that all 3 premises licences for EV, Jacks & Thai Silk have differing conditions, specifically with regards to the time at which the external areas to the front of the arches must close and patrons brought inside. However all 3 premises have agreed to a 10pm closure of external areas, as per the noise management plan mentioned above. This is the cut off time that is expected to continue for all 3 premises into the foreseeable future, again if this is not found agreeable please advise.

Visits to Isabella Street were undertaken over the winter months by myself and the licensing department's Night Time Economy Team and concerns were still held over noise emissions from all premises. The following list of advice is offered to you (on top of the noise management plan) to assist you in managing your premises in compliance with the 'prevention of public nuisance' licensing objective;

- Close all external areas to patron use at 10pm, only smokers are permitted to use the external area after this time. Limit the number of smokers allowed outside to a sensible number to prevent large groups forming (e.g. 5-10 people).
- No drinks allowed outside after 10pm – signage erected and security to enforce when present. This prevents smokers from loitering outside for extended periods. Encourage all smokers to stay within your premises frontage.
- When concertina doors/premises frontages are open during the day (up to 10pm), the noise level of any amplified music, sound or speech should not be audible at the façade of Styles House, both at the base and at the top residential properties of the tower block. This is for management to assess and in so doing we would strongly welcome premises management correspondence with residents to build up a working relationship. It is recommended that when premises' frontages are open internal noise levels should revert to background level with internal speakers facing into the arch, not towards the Isabella Street frontage.
- Premises management to be aware of the 'Lombard effect' – for instance when music noise levels are at 70-75dB, the conversational volume of patrons inevitably rises in attempt to be above the music level. This

~~increases the background level by approx 15dB. This is to be avoided before 10pm and when premises frontage is open.~~

- After 10pm, close all front doors. Noise leakage from premises still occurs when doors are opened for access/egress. It is strongly recommended that premises management look to install acoustically valid lobbied entrances with enough residence time to allow one door to be shut before another one opens to prevent noise leakage from access/egress.

As mentioned to you all during our meeting, all 3 premises licences are favourable to the licensee as they were granted without too many restrictive conditions imposed. It is for management to adequately control noise & patrons over the coming warmer months when al fresco drinking/dining is likely to be of high demand on a regular basis. Should substantiated complaints continue over the coming months then EPT will have no other option than to review the premises licences which could result in amended opening hours being imposed, restrictive conditions being placed upon the licence or possibly even revocation.

Kind regards,

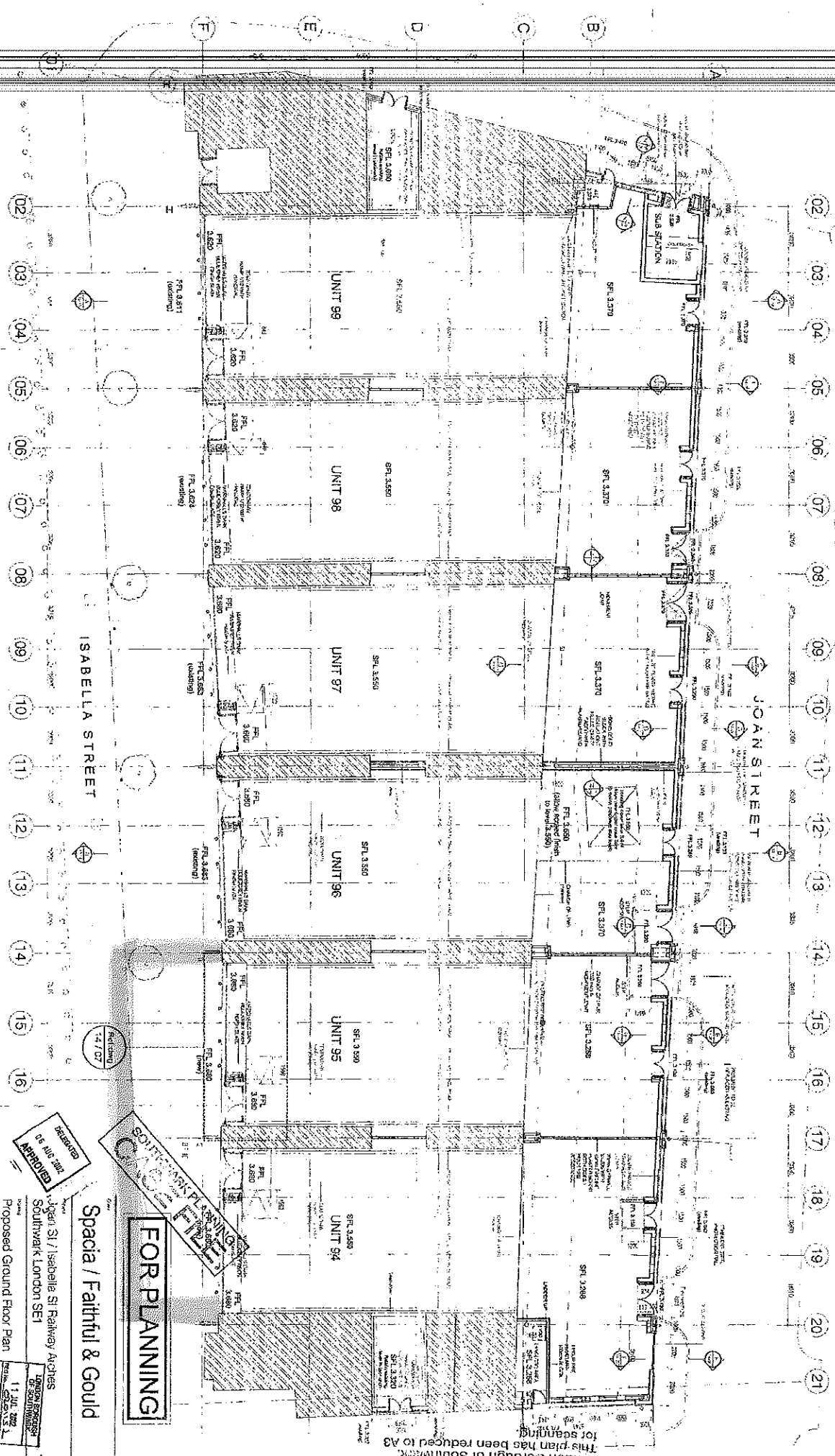
Mark Prickett

Principal Enforcement Officer
Environmental Protection Team
Southwark Council

Tel: 0207 525 0023

Environmental Protection Team | EH&TS | Community Safety & Enforcement
3rd floor | Hub 2 | 160 Tooley Street | London | SE1 2QH

TRAI SICK-INDICATIVE PLAN



EXTERNAL FRONTPAGE AREA /
DESIGNATED SMOKING AREA

ISABELLA STREET

JOAN STREET

FOR PLANNING

SOULHWARK PARTNERSHIP

Spacia / Faithful & Gould

Approved
14/07

SOULHWARK PARTNERSHIP

Spacia / Faithful & Gould

11 Jun 2002

Proposed Ground Floor Plan

PLANNING DIVISION

| | | | | | | |
|----|----------|---------------------------|-------|----------|----|----|
| 1 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
| 2 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
| 3 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
| 4 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
| 5 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
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| 7 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
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| 20 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |
| 21 | 10/07/01 | TRAI SICK INDICATIVE PLAN | 1:100 | 02/10/01 | SC | TH |

London Borough of Southwark
This plan has been reduced to A3 for scanning

Licensing Act 2003 Premises Licence



Environmental Health & Trading Standards
Licensing Unit
Hub 2, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

849435

Part 1 - Premises details

| | |
|--|-----------------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| Thai Silk Railway Arches 94 To 95 Joan Street London SE1 8DA Ordnance survey map reference (if applicable), 180062531570 | |
| Post town London | Post code SE1 8DA |
| Telephone number 020 7928 5111 | |

Where the licence is time limited the dates

Licensable activities authorised by the licence

Films - Indoors
 Live Music - Indoors
 Recorded Music - Indoors
 Performance of Dance - Indoors
 Entertainment Similar to live/recorded music - Indoors
 Late Night Refreshment - Indoors
 Sale by retail of alcohol to be consumed on premises
 Sale by retail of alcohol to be consumed off premises

The opening hours of the premises

For any non standard timings see **Annex 2**

| | |
|-----------|---------------|
| Monday | 09:00 - 03:00 |
| Tuesday | 09:00 - 03:00 |
| Wednesday | 09:00 - 03:00 |
| Thursday | 09:00 - 03:00 |
| Friday | 09:00 - 03:00 |
| Saturday | 09:00 - 03:00 |
| Sunday | 09:00 - 03:00 |

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Sale by retail of alcohol to be consumed on premises

Sale by retail of alcohol to be consumed off premises

The times the licence authorises the carrying out of licensable activities

For any non standard timings see Annex 2 of the full premises licence

Films - Indoors

| | |
|-----------|---------------|
| Monday | 09:00 - 00:00 |
| Tuesday | 09:00 - 00:00 |
| Wednesday | 09:00 - 00:00 |
| Thursday | 09:00 - 00:00 |
| Friday | 09:00 - 00:00 |
| Saturday | 09:00 - 00:00 |
| Sunday | 09:00 - 00:00 |

Live Music - Indoors

| | |
|-----------|---------------|
| Monday | 11:00 - 03:00 |
| Tuesday | 11:00 - 03:00 |
| Wednesday | 11:00 - 03:00 |
| Thursday | 11:00 - 03:00 |
| Friday | 11:00 - 03:00 |
| Saturday | 11:00 - 03:00 |
| Sunday | 11:00 - 03:00 |

Recorded Music - Indoors

| | |
|-----------|---------------|
| Monday | 09:00 - 03:00 |
| Tuesday | 09:00 - 03:00 |
| Wednesday | 09:00 - 03:00 |
| Thursday | 09:00 - 03:00 |
| Friday | 09:00 - 03:00 |
| Saturday | 09:00 - 03:00 |
| Sunday | 09:00 - 03:00 |

Performance of Dance - Indoors

| | |
|-----------|---------------|
| Monday | 11:00 - 23:00 |
| Tuesday | 11:00 - 23:00 |
| Wednesday | 11:00 - 23:00 |
| Thursday | 11:00 - 23:00 |
| Friday | 11:00 - 23:00 |
| Saturday | 11:00 - 23:00 |
| Sunday | 11:00 - 23:00 |

Entertainment Similar to live/recorded music - Indoors

| | |
|-----------|---------------|
| Monday | 09:00 - 03:00 |
| Tuesday | 09:00 - 03:00 |
| Wednesday | 09:00 - 03:00 |
| Thursday | 09:00 - 03:00 |
| Friday | 09:00 - 03:00 |
| Saturday | 09:00 - 03:00 |
| Sunday | 09:00 - 03:00 |

Late Night Refreshment - Indoors

| | |
|-----------|---------------|
| Monday | 23:00 - 03:00 |
| Tuesday | 23:00 - 03:00 |
| Wednesday | 23:00 - 03:00 |
| Thursday | 23:00 - 03:00 |
| Friday | 23:00 - 03:00 |
| Saturday | 23:00 - 03:00 |
| Sunday | 23:00 - 03:00 |

Sale by retail of alcohol to be consumed on premises

| | |
|-----------|---------------|
| Monday | 09:00 - 03:00 |
| Tuesday | 09:00 - 03:00 |
| Wednesday | 09:00 - 03:00 |
| Thursday | 09:00 - 03:00 |
| Friday | 09:00 - 03:00 |
| Saturday | 09:00 - 03:00 |
| Sunday | 09:00 - 03:00 |

Sale by retail of alcohol to be consumed off premises

| | |
|-----------|---------------|
| Monday | 09:00 - 00:00 |
| Tuesday | 09:00 - 00:00 |
| Wednesday | 09:00 - 00:00 |
| Thursday | 09:00 - 00:00 |
| Friday | 09:00 - 00:00 |
| Saturday | 09:00 - 00:00 |
| Sunday | 09:00 - 00:00 |

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Soho Palace Limited
 Alliance House
 2nd Floor
 29-30 High Holborn
 London
 WC1V 6AZ

Registered number of holder, for example company number, charity number (where applicable)

08295405

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Kah Kit Yap

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. LN/000007196
 Authority L.B Haringey

Licence Issue date 11/08/2015

[REDACTED]

Anti-Social Behaviour, Noise Nuisance &
 Licensing Manager
 Hub 2, 3rd Floor
 PO Box 64529
 London, SE1P 5LX
 020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.

107 Any individual carrying out security activities at the premises must be licensed by the Security Industry Authority. This does not apply where the premises are being used primarily as a Qualifying Club under a Club Premises Certificate, under a Temporary Event Notice, or primarily as a cinema, restaurant or theatre.

491 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purpose of the condition set out in paragraph (1):

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence:

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(iv) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(v) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax;

(2) the permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

136 Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as an ancillary to meals supplied in the premises.

288 That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times.

289 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days.

340 That SIA registered Door Supervisors will be employed on Saturday evenings after 2000 hours until the premises close and such registered Door Supervisors shall use all reasonable endeavours to prevent disorder within and outside the premises.

341 That the premises shall have an evacuation procedure the contents of which shall be made familiar to all staff and records kept of staff names and dates trained.

311 That notices shall be displayed at all doors to the premises requesting that customers leave the premises in a quiet and orderly manner.

342 That regular parameter checks around the premises for noise escape or noisy patrons, and measures to be taken when there is noise escape, or noisy patron.

343 That restriction shall be put on the use of the outside area after 23:00 hours.

344 That the attendees of private parties and functions are directed by a competent member of staff to the rear entrance of the premises when leaving the event beyond the hour of (00.00) 12 midnight.

345 That customers are asked or encouraged by competent staff not to drink on the external parts of the restaurant beyond 11pm on Thursday, Friday and Saturday evenings.

346 That the licensee or agent prevent localised nuisance that originated from the Thai Restaurant premises.

347 The volume of music after 23:00 hours will be reduced to a level that does not go beyond the premises.

348 Alcohol will not be served to persons under 21.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No. 849435
Plan No. (00) 118
Plan Date 14/03/06

LIGHTING KEY

- A ANTI CORROSIVE ENCLOSED FLUORESCENTS
- Aa STANDARD FLUORESCENTS (1500mm twin)
- B EMERGENCY BULKHEAD LIGHT
- Be EMERGENCY EXIT ILLUMINATED SIGN
- C 28 watt 2D light
- Ce 28 watt 2D light emergency
- D LV DOWNLIGHT Aurora DLL 317 (WC area in white)
80mm cut out
Vinto light to Disabled WC.
- De LV DOWNLIGHT Aurora DLL 317 (WC area white
emergency)
- H LV DOWNLIGHT - ADJUSTABLE TO 90 DEGREES
Aurora DLL314
113mm cut out
- J LV DOWNLIGHT Aurora DLL 317 (satin silver)
low voltage lights. 80mm cut out
- K Vinto wall lights 415mm (E=emergency)
- Sounder/strobe for Disabled WC alarm

FIRE REQUIREMENTS:

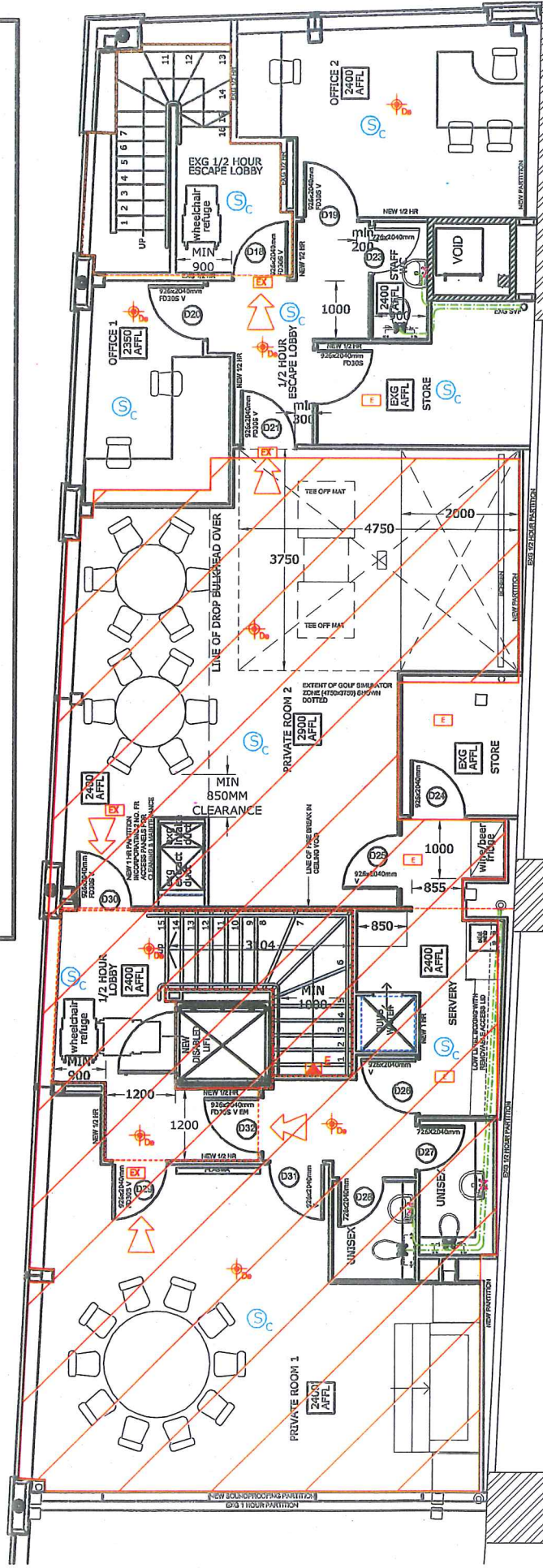
- CEILING MOUNTED SMOKE DETECTOR
- SMOKE DETECTOR IN VOID
- CEILING MOUNTED HEAT DETECTOR
(RATE OF RISE)
- CALL POINT
- SOUNDER

FIRE FIGHTING EQUIPMENT:

- FIRE BLANKET
- FIRE EXTINGUISHER: CD = CARBON DIOXIDE TYPE
D = DRY POWDER TYPE
W = WATER TYPE
F = FOAM TYPE
C = CHEMICAL TYPE

GENERAL:

- FIRE EXITS
- ENTRY (P=PUBLIC; S=STAFF)



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NOTES

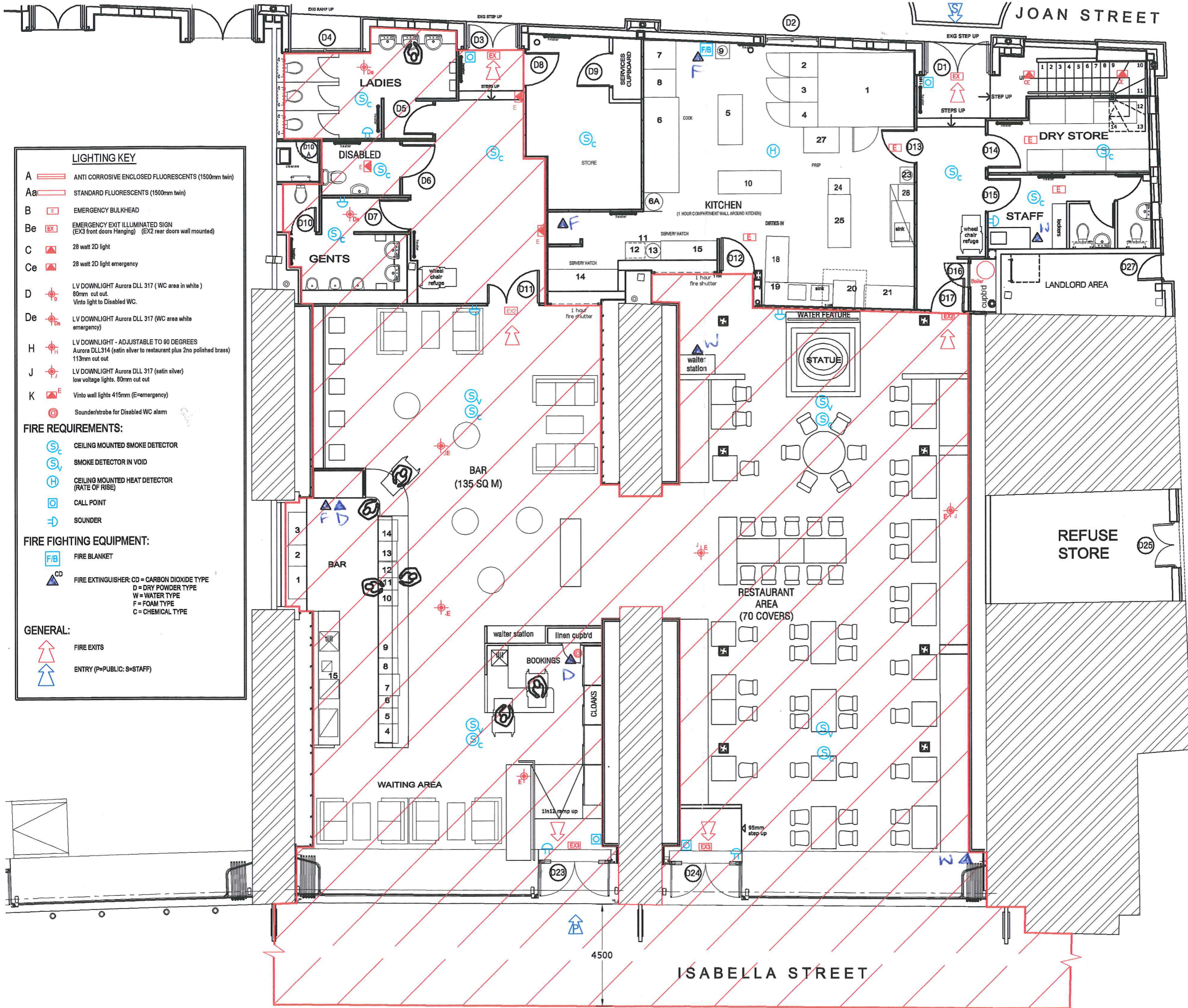
- 1 HOUR COMPARTMENT
- 1/2 HOUR COMPARTMENT

DOORS:
FD30S DENOTES 1/2 HOUR RATED DOORSET FITTED WITH COMBINED INTUMESCENT/SMOKE SEAL
'V' DENOTES DOOR FITTED WITH VISION PANEL, FIRE RATED AS REQUIRED
'EM' DENOTES DOOR FITTED WITH HOLD OPEN ELECTRO MAGNETIC DEVICE

| REVISION | DATE |
|----------|------|
| | |
| | |

wpa
whittakerprestidgearchitects
6 Basset Court, Newport Pagnell, Buckinghamshire MK16 0JN
T 01908 211033
F 01908 217373
E wpa@wparchitects.co.uk

| | | | | |
|---|---|-----------|-----------------|--------------|
| CLIENT MR N LEE | | | | |
| PROJECT THAI SILK RESTAURANT & BAR | | | | |
| TITLE PHASE 2 LICENSING ARRANGEMENT - MEZZANINE | | | | |
| SCALE 1:50@A2 1:100@A4 | DATE 20.06.06 DRAWN BY AJL CHECKED BY KP | | | |
| PROJECT 0616 | ZONE | LEVEL | DRG. NO. 105 | REVISION |



- LIGHTING KEY**
- A ANTI CORROSIVE ENCLOSED FLUORESCENTS (1500mm twin)
 - Aa STANDARD FLUORESCENTS (1500mm twin)
 - B EMERGENCY BULKHEAD
 - Be EMERGENCY EXIT ILLUMINATED SIGN (EX3 front doors Hanging) (EX2 rear doors wall mounted)
 - C 28 watt 2D light
 - Ce 28 watt 2D light emergency
 - D LV DOWNLIGHT Aurora DLL 317 (WC area in white) 80mm cut out. Vinto light to Disabled WC.
 - De LV DOWNLIGHT Aurora DLL 317 (WC area white emergency)
 - H LV DOWNLIGHT - ADJUSTABLE TO 90 DEGREES Aurora DLL314 (satin silver to restaurant plus 2no polished brass) 113mm cut out
 - J LV DOWNLIGHT Aurora DLL 317 (satin silver) low voltage lights. 80mm cut out
 - K Vinto wall lights 415mm (E-emergency)
 - Sounder/strobe for Disabled WC alarm
- FIRE REQUIREMENTS:**
- CEILING MOUNTED SMOKE DETECTOR
 - SMOKE DETECTOR IN VOID
 - CEILING MOUNTED HEAT DETECTOR (RATE OF RISE)
 - CALL POINT
 - SOUNDER
- FIRE FIGHTING EQUIPMENT:**
- FIRE BLANKET
 - FIRE EXTINGUISHER: CD = CARBON DIOXIDE TYPE
D = DRY POWDER TYPE
W = WATER TYPE
F = FOAM TYPE
C = CHEMICAL TYPE
- GENERAL:**
- FIRE EXITS
 - ENTRY (P=PUBLIC; S=STAFF)

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NOTES

| REVISION | DATE |
|----------|------|
| | |

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E wpa@wparchitects.co.uk

| | | |
|---|------------------|------------------|
| CLIENT MR N LEE | | |
| PROJECT THAI SILK RESTAURANT & BAR 94/95 JOAN/ISABELLA STREET SE1 8DA | | |
| TITLE PHASE 1 LICENSING ARRANGEMENT PLAN | | |
| SCALE 1:50@A1 1:100@A3 | DATE 14.03.06 | |
| PROJECT ZONE LEVEL DRG NO REVISION 0438 (00) 118 | DRAWN BY AJL | CHECKED BY KP |

From: Franklin, David

Sent: Monday, January 04, 2016 4:25 PM

To: Regen, Licensing

Subject: Reviews JACKS, Railway Arch 96, Joan Street, SE1 8DA. EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA. THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA

I write this representation as the responsible authority for the Licensing Authority in support of the 3 review applications submitted by the responsible authority for public nuisance (EPT) for the premises JACKS, Railway Arch 96, Joan Street, SE1 8DA, EV RESTAURANT BAR AND DELICATESSEN, 97-99 Isabella Street, Off Joan Street/Hatfields, London, SE1 8DA, THAI SILK, Railway Arches 94 To 95, Joan Street, London, SE1 8DA. The grounds for this representation is under the licensing objectives for the prevention of public nuisance, the prevention of crime and disorder and public safety.

I have read the review applications and attached list of the visits made by the Council's Night Time Economy Team to the area and to all three premises, licensing officers are frequently one of the officers making up the NTE team and officers have concerns that the popularity of the venues have given rise to issues of public nuisance and public safety. Licensing Officers have been involved with meeting with the management of the three premises with the EPT officer and have encourage the premises operators to take control of the outside areas of their premises and to work collectively to reduce the potential for public nuisance associated with the operation of the venues.

Firstly the problem of noise from patrons in the street is not only a problem that relates to each of the individual premises by is also a cumulative problem when patrons from each of the premises are outside at the same time as each other. The noise from these patrons collectively and noise escape from each of the premises in the playing of loud music again collectively leads to a greater potential of nuisance than one premises.

I therefore submit that the premises reviews should be considered both individually and collectively, and would suggest that the conditions proposed by the Environmental Protection Team should be imposed on each of the premises with a view of, not only reducing the potential for each individual premises to be responsible for a public nuisance, but to reduce the potential from all three premises collectively.

I support the conditions that are being recommended by the EPT that both deal with individual circumstances for each premises and offers a number of conditions that, if placed on all the premises, would deal with the collective effect on the licensing objectivities of the premises operations, however would suggest the following in additions:

Restrictions on the use of the outside area needs to be constantly monitored and patrons challenged when a potential for nuisance arises, for instance when patrons outside they are outside and have become excited an noisy, or patrons drinking outside the designated area or are outside after the time the designated area is closed. Additionally a dispersal policy for each of the premises needs to be enforced. For this I would recommend that adequately trained staff in dealing with individuals and crowd control employed specifically for these tasks to ensure crime and disorder, as well as public nuisance, is prevented as the new conditions could create the potential for conflict between the patrons and the staff enforcing the premises licence terms and conditions. I Therefore I would recommend that each premises has a condition along the lines of:

That two SIA registered door supervisors will be engaged when the premises are in operation Thursday, Friday and Saturday and will be employed at all times after 17:00 until the

end of business and all patrons have vacated the premises. They will be engaged to monitor admission and re-admissions to the premises, security, protection, screening, dealing with conflict and ensure that conditions related to the use of the outside area are adhered to and that the dispersal policy for the premises is implemented.

While some of the noise is related to people noise outside the premises, there has also been noise from musical entertainment provided at the premises witnessed before 23:00 hours that had the potential to give rise to a public nuisance in the area, therefore it is recommended that the Licensing Sub-Committee considers the removal of the allowance for live and recorded music under section 177(6) of the licensing Act 2003 and a statement of this placed on the licence in line with section 15.55 of the S182 Statutory Guidance to Local Authorities similar to the following;

Following this review of the premises licence the suspension of the conditions relating to the provision of live or recorded music is lifted under section 177A(3) of the Licensing Act 2003, all the conditions imposed shall apply under section 177A(4).

I would also advised that should members impose the conditions recommended by the EPT that **references to the Live Music Act 2012 are removed** as this Act has now been superseded with regards to live music and this Act only now relates to performances of dance.

Additionally, there have been concerns from visiting officers with regards to the number of patrons outside the premises and the potential for overcrowding in the restricted space allowed outside each premises for the consumption of alcohol. I therefore recommend that a finite number of patrons is defined for the outside area and that there is a clear passage maintained through the outside area to allow the safe passage of other patrons arriving or leaving the venue. In order to facilitate this I would suggest that:

That all patrons drinking outside the premises shall be seated and the seating arranged to give adequate passage to patrons leaving and arriving at the premises.

I also wish to comment on one condition recommended by the EPT, "There shall be no drinks permitted to be taken outside after 22:00 hours" is not enforceable as it allows patrons who purchase drinks before 22:00 hours to remain outside to finish their drinks. Officers visiting the premises at a later time will not be able to differentiate between patron who may have brought drinks outside before or after 22:00 hours. I would recommend that the condition should be amended to read as follows:

There shall be no drinks permitted to be taken outside after 21:40 hours and consumption of drinks in the outside area of the premises shall cease at 22:00 hours.

Similarly the condition that relates to signage "Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 22:00hrs" is modified to read:

Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting to the effect that patrons do not take drinks outside after 21:40hrs and informing patrons that drinking outside shall cease at 22:00hrs.

Regards

David Franklin
Responsible Authority for the Licensing Authority

MEMO: Licensing Unit

| | | | | |
|---------------|--|------------------|------------------|------------|
| To | Licensing Team | Date | 15 December 2015 | |
| Copies | Mark Prickett EPT | | | |
| From | Farhad Chowdhury | Telephone | 020 7525 0398 | Fax |
| Email | Farhad.chowdhury@southwark.gov.uk | | | |

Subject Thai Silk, Railway arches 94-95 Joan Street SE1 8DA

I write in reference to an application made by Mark Prickett from the Environmental Protection Team to review the Premises Licence in respect of Thai Silk, railway arches 94-95 Joan Street London SE1 8DA.

Made under Section 51 of the Licensing Act 2003.

I would make the following comments in support of the review:-

- 1) There is no noise risk assessments carried out under “**The Noise at Work Regulations 2005**”. There is no arrangements in place to protect employees from noise induced hearing loss from exposure to amplified loud music.

The Control of Noise at Work Regulations 2005 require employers to:

- assess the risks to employees from noise at work.
- take action to reduce the noise exposure that produces those risks.
- provide employees with hearing protection if the noise exposure cannot be reduced enough by using other means.
- make sure the legal limits on noise exposure are not exceeded.
- provide information, instruction and training, and carry out health surveillance where there is a risk to health.

Please provide details of your noise at work risk assessments.

- 2) The licensee needs to explain the maximum accommodation limit for inside the premises and the external areas. Also explain how the crowds will be managed and how they will limit the capacity.

Submit a full scale drawing of the premises to explain the maximum capacity figure for each of the areas.

I therefore fully support the Environmental Protection Team's review under Public Safety.

Kind regards,

Farhad Chowdhury
Principal Enforcement Officer



Dr Ruth Wallis FFPH
 Director of Public Health
 Lambeth and Southwark Public Health
 1st Floor, Hub 2 160 Tooley Street
 LONDON SE1 2QH

Licensing Unit
 Hub 2, Floor 3,
 160 Tooley Street,
 LONDON SE1 2QH

24 December 2015

To whom it may concern:

**Re: Application for the review of Thai Silk, Railway Arches 94-95 Joan Street,
 London SE1 8DA**

As Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to offer my support for the Southwark Council's Environmental Protection Team review of the above premises.

The representation is made in respect of the following licensing objectives:

- Prevention of public nuisance

General Comments

Thai Silk has been the subject of a number of complaints from the public regarding audible music and patron noise. Following numerous visits from Southwark Council's Night-time Economy Team and Environmental Protection Team, and following substantial communication between the Council and EV management, public nuisance continues to be attributed to the apparent noise emanating from Thai Silk.

Noise pollution has been associated with a range of significant negative effects on health and wellbeing, including changes in mood, hypertension, and various heart troubles. In addition, it is probable that the noise pollution is leading to sleep deprivation for local residents, as the records of both the Council teams' visits and the noise complaints reported loud noise at various times of night. Sleep deprivation has also been associated with a range of significant negative effects on health and wellbeing, including reduced cognitive ability, depression, obesity, heart disease, hypertension and diabetes.



Recommendation

Based on the evidence supplied by the Environmental Protection Team suggesting Thai Silk's repeated breaches of their alcohol license, leading to continued noise pollution, I support the application to review Thai Silk's premises license.

If you have any further questions, please do not hesitate to contact me.

Yours faithfully,



Dr Ruth Wallis BM FFPH
Director of Public Health - Lambeth and Southwark

PLEASE RETURN ANY CORRESPONDENCE TO richard.pinder@southwark.gov.uk.

From: Morris, Adele
Sent: Tuesday, December 29, 2015 8:16 PM
To: Jerrom, Charlie; Linforth-Hall, Maria; Noakes, David
Subject: RE: Thai Silk Review Joan Street

Dear Charlie

I would like to add my support to the review of the licence for Thai Silk restaurant on Joan St. All of the restaurants and bars in Isabella St have been causing problems for residents for several years, and there have been numerous complaints made to the Council both by residents and by myself about this. This includes me writing to the Chief Executive on more than one occasion.

The issues are largely related to noise and antisocial behaviour, and are caused by a lack of adherence to the licensing conditions. This includes allowing patrons to crowd and block the highway, drink outside beyond the permitted hours, drink in areas which are not covered by their licence and playing music with the doors open. This list is not exhaustive.

Best wishes

Councillor Adele Morris
Cathedrals Ward Liberal Democrat Councillor
Opposition Spokesperson for Regeneration
Vice Chair of Licensing Committee
Member of LGA Environment, Economy, Housing and Transport Board

Tel: [REDACTED]

twitter.com/AdeleCathedrals

<http://adelemorris.mycouncillor.org.uk/>

From: Noakes, David
Sent: Sunday, January 03, 2016 09:39 PM
To: Jerrom, Charlie; Linforth-Hall, Maria; Morris, Adele; 'licensing@southwark.gov.uk.'
<licensing@southwark.gov.uk.>
Subject: Re: Thai Silk Review Joan Street

Charlie,

I would like to add my support for the license review of Thai Silk in Joan Street.

I have been a ward councillor for Cathedrals Ward for almost 10 years and although I cannot give you specific details about dates, times and particular breaches, I am aware as a result of correspondence from constituents in Styles House of the long standing issues and complaints they have suffered from and made about the licenced establishments in Joan Street and Isabella Street.

These include noise nuisance from patrons drinking outside into the early hours, music and the use of Isabella Street and Joan Street as an extension of their premises.

I believe that breaches of the licenses have been observed by the noise team and licensing officers and that it is time that the unacceptable impact on residents' amenity is addressed by more effective and robust conditions.

Councillor David Noakes
Liberal Democrat Councillor for Cathedrals Ward
Deputy Leader of Southwark Liberal Democrat Council Group
Opposition Spokesperson for Health
Vice Chair of Healthy Communities Scrutiny Sub Committee

Tel. no. 020 7525 1326
E-mail david.noakes@southwark.gov.uk

From: Linforth-Hall, Maria
Sent: Monday, January 04, 2016 11:43 AM
To: Jerrom, Charlie
Subject: RE: Thai Silk Review Joan Street

Dear Charlie,

All of the restaurants and bars in Isabella St have been causing problems for residents for several years, and there have been numerous complaints made to the Council both by residents and by myself about this. This includes me writing to the Chief Executive on more than one occasion.

The issues are largely related to noise and antisocial behaviour, and are caused by a lack of adherence to the licensing conditions. This includes allowing patrons to crowd and block the highway, drink outside beyond the permitted hours, drink in areas which are not covered by their licence and playing music with the doors open. This list is not exhaustive.

Regards

Maria

Cllr Maria Linforth-Hall
Liberal Democrat Councillor
Cathedrals Ward
Opposition Spokesperson for Adult Social Care
Vice Chair of Planning Sub Committee B
Southwark Council
The Members' Room
160 Tooley Street
London SE1 2QH
Tel: 020 7525 0332
Mobile: [REDACTED]
E-mail: maria.linforthhall@southwark.gov.uk

From: [REDACTED]
Sent: Wednesday, December 23, 2015 3:46 PM
To: Regen, Licensing
Subject: Review of Licenses - EV, Jack's Bar, Thai Silk; all on Isabella Street SE1 8DA

EV at 97-99, SE1 8DA, License number: 845614
Jacks at 96, SE1 8DA, License number: 843349
Thai Silk at 94-95, SE1 8DA, License number: 849435

I would like to support the review of these premises on Isabella Street SE1 8DA, and make the following comments:

- The sound limiting device on the speakers is useless as Jacks has supposedly used one for the last year and that doesn't seem to work. I propose that we ask for the bars to remove their very loud speakers and have new speakers installed under 100 watts power, that way the music won't be able to be played too loud.
- I also think that the furniture put outside the boundary area should be disposed of (for EV and Thai Silk, although the benches opposite Thai Silk came from Jacks). It encourages drinkers to stay on late into the night and early morning.
- The bar should be responsible to clean up around the full area early in the morning, they should not wait for the council cleaner to spend hours cleaning their broken glasses
- None of the bars should be allowed to empty their bottles bin late at night; this noise is extremely loud.
- I think that the very late license that Thai Silk has for its 'private club' needs monitoring. How can you be sure that only smokers will be allowed back in after 1am?

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
Sent: Sunday, December 27, 2015 11:51 PM

To: Regen, Licensing

Subject: Review of Licenses - EV, Jack's Bar, Thai Silk; all on Isabella Street

I would like to make a representation regarding the review of the following licenses:

EV, 97-99 Joan Street, SE1 8DA, License number: 845614

Jacks, 96 Joan Street, SE1 8DA, License number: 843349

Thai Silk, 94-95 Joan Street, SE1 8DA, License number: 849435

I would like to support the review of these premises, and thank the enforcement teams for all their observations over the last year. I particularly want to support the 'New Conditions' they would like to impose on the businesses and give the following account to justify my support of these conditions. **I would also like to request two other conditions.** One is related to the position of any speakers inside the premises, I think they should be placed well inside the premises and not on the external walls right near the entrance; this would help retain the noise inside the premises and stop leakage as people leave. The second condition is related to the location of the premises in a Saturation Zone; they should be asked observe this 'legislation'.

The first complaint I made regarding the noise from these bars was in 2011; the complaint can be seen on the SE1 Forum. Since then I have been in constant communication with the council about the noise and crowding; particularly over the last two years as the bars have become very popular. I have also gone downstairs to the bars in the evening and asked for the music to be turned down. Each of the bar has a deep 'terrace' of about four metres, EV has three arches, Jacks one and Thai Silk has two so this gives an idea of the width of the terraces; they are all much larger than the average outside space enjoyed by most bars in London. Over the years the 'spill over' from the terrace has increased dramatically, to the point that it is not possible to walk down the middle of the road. I once went down and did a quick head count and counted 356 people standing beyond the terraced areas, there must have been about the same number out on the terraces. The noise created by such a large number of people out in the open is so loud, that I cannot have any windows open in the summer, and can't use my kitchen window at all during the evenings. Add to this the bass from loud music and it has become impossible to rest in my own home.

Picture: Dozens of people sitting out on the terraces, and hundreds of people out on the road and opposite pavement



On 15 August 2014, the Environment Protection Team visited my flat as a direct response to my complaints and found the following:

Please find below a summary of the Environmental Protection Team's inspection of area in the vicinity of the licensed premises in the arches on Isabella Street (EV, Jacks and Thai Silk) and the result of the noise impact assessment at Fla [REDACTED] Styles Hous [REDACTED] 09.15 - 23.00hr on Friday 15th August 2014.

Mark Prickett and Sarah Newman of the Environmental Protection Team were in attendance.

21:15 - Arrived on site.

Music and bass noise audible on corner of Isabella Street and Joan Street.

21:20 - 21:25 - We walked the length of Isabella St.

Thai Silk - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 40 patrons beyond the external (plant potted lined) boundary on Isabella St.

Jacks - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 65 patrons beyond the external front terrace, mostly stood on Isabella St. and around high tables and chairs.

EV - Front doors and concertina doors all open. Loud audible music from within premises heard on Isabella St. Approximately 20 patrons on Isabella St and 20 patrons in the section of chairs and tables on the opposite side of Isabella St. related to EV.

Jacks had largest number of patrons on Isabella Street.

All 3 premises were playing music at a volume that emanated beyond their premises boundary.

There were approximately 200 persons in the open either on the terraces of the premises, on Isabella St or on the landscaped area at the other side of the street.

21:30 - [REDACTED]

11th floor communal/staircase balcony which faces north (towards Isabella St)

Patron and music noise from Isabella St were the dominant noise sources. The bass beat from the music being played in the bars was clearly audible above passing trains on the viaduct above the licensed premises.

Within the kitchen/lounge. (Window by kitchen sink facing north overlooking Isabella St. Lounge windows x 2 facing east towards Southwark Tube Station. Balcony on south facade.)

Music and patron noise from Isabella St were clearly audible when the windows were open in kitchen/lounge. The TV was on when we arrived, this could be heard above the external noise, but an increase in TV volume would have been required if anyone wanted to watch it with the windows open. With both the kitchen/lounge windows and window vents closed the music and patron noise were audible with all other electrical equipment turned off. The ticking of a decorative clock was the predominant noise source and was louder than the external noise.

A reduction in external noise levels was noticed at around 22:00. On viewing from the window it could be seen that the majority of patrons had left the area or were now within the premises' external boundaries and under the canopies. There were approximately 5 persons left on Isabella Street.

The internal noise levels were not sufficiently intrusive to be considered a statutory nuisance due to noise. However, the external noise levels at the facade constituted a substantial public nuisance due to noise.

Indicative noise monitoring;

Short term noise readings of approximately 5 minutes each were taken in the habitable rooms of [REDACTED]

NB: Readings taken after 22:00 when activity on Isabella St had reduced. Could expect up to 10dB increase in levels when Isabella St at peak usage.

22:02 - In the bedroom with windows and vents shut (facing north towards Isabella St) 29/30dB(A).

When train passed this rose to 33-35dB(A).

Bedroom with window partially open - 50-53dB(A). Other noise sources were also prevalent during the assessment including road traffic, helicopters & trains.

22:15 - On the communal balcony facing north towards Isabella St - 66-68dB(A).

22:30 - In the kitchen/lounge with windows and vents shut - 36-38dB(A).

In the kitchen/lounge with one east facing lounge window partially open - 50/51dB.

Summary of the discussion with the complainant

The resident advised that she suffers from mild tinnitus.

The resident reported they are predominantly disturbed by both music and patron noise during busy weekends (Thurs - Sat) between the hours of 18.00 - 00.00hrs.

The resident does not want the licensed premises closed but would appreciate a more considerate operating approach and improved control over the number of patrons beyond the boundaries of the premises, in Isabella St and on the land on the other side of the street.

22:45-23:00 - Walked back along Isabella Street.

EV - Full frontage open. Music from premises clearly audible on Isabella St. Concertina doors were closed at 23:00 with some tables and chairs being put away.

Jacks - 22:45 - Concertina doors closed with approximately 45 patrons remaining in the external area. Noise from both patrons and music was clearly audible on Isabella St. The main doors were open with no acoustic lobby installed. At 23:00 the outdoor area was closed, tables and chairs were put away and the front door closed.

Thai Silk - Premises still trading but all front doors were closed and the external area vacated. There was occasional noise bleed out when the front door was opened to permit patrons and smokers to leave and enter.

Besides the noise nuisance, I have always had public safety concerns about crowding on the street as it is impossible to walk down there with ease during summer months, particularly on Thursday and Friday evenings. All three premises have put seats and/or tables beyond the terraces and on the opposite pavement and have made it almost impossible for wheelchair users and people with pushchairs to get past. The bars' Waiters and Waitresses serve people at these tables.

Picture: early evening, and this is the pavement on the opposite side of the road, some customers are sitting on stools put there by EV



Picture: The terraces are full, most premises are keeping the road clear as instructed by the council, however, they are sending their customers across the road onto the pavement





In April 2015 they were asked to move the furniture they have put out beyond their property/terraces and it is still there. The furniture that has been put on the opposite side of the road on the pavement is left out all the time and encourages street drinkers to sit on them late at night. What this has done, is to move the patrons even close to my block of flats and so the noise is even louder. At one time, EV even had signs on the tables saying they were reserved for their patrons. Other tables they have put on the pavement have created a barrier that could prevent an escape if a lone person was being pursued. It encourages the bars' clients to hang around long after the bars are closed, this means that patrons then end up using the street, or our estate as a toilet. Clearly this is just a nuisance for anyone who lives in the area.

Picture: furniture on the opposite pavement creating a barrier

Picture;

table on the pavement on the opposite side of the road with a reserved sign

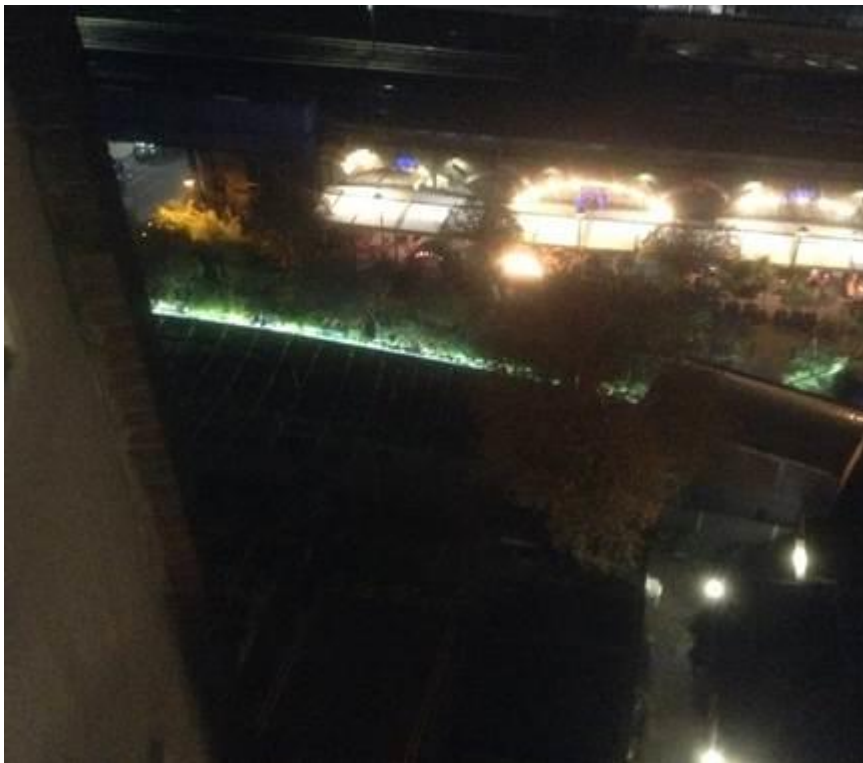


In addition to this public safety concern, I have witnessed numerous fights outside the bars and on occasions the police have been called and attended. This can be verified with the police (occasionally Lambeth attend as the street is on the boundary between Lambeth and Southwark).

Finally, I think it is absolutely essential that these new conditions are imposed because the bars have shown very little willingness to abide by their current conditions despite the many visits by officers who have discussed these issues with them. They have ignored advice from the Environment Team regarding furniture and done other things without permission eg chopping (very badly) huge branches off the trees on the street, installing strip lighting without permission on walls owned by London Underground and attaching advertising notices on public lampposts etc. I think this shows a total lack of regard for the area and shows that they cannot compromise or comply with officers from Southwark Council.

Picture: badly pruned tree
installed on our allotment wall

Picture: strip lights
installed across the width of
the street





I have no wish for these bars to close down, but they are very large premises with large terraces and should be able to run very profitable businesses without taking over the street and causing a nuisance.

████████████████████

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████████████████████

From: [REDACTED]
Sent: Sunday, January 03, 2016 10:59 AM
To: Regen, Licensing
Subject: Reviews of licenses 843349, 845614 and 849435 on Isabella St

To whom it may concern,

Regarding the following license reviews:

843349, Jacks, 96 Joan Street, SE1 8DA
845614, EV, 97-99 Joan Street, SE1 8DA
849435, Thai Silk, 94-95 Joan Street, SE1 8DA

I am writing in strong support of the review of all three licenses and am in full agreement with all of the Licensing Team's proposals.

All three establishments have caused me and my neighbours issues for some five years now in the areas of disorder, public safety and public nuisance. Countless times I have witnessed or heard at street level or from my residence 10 floors up from street level:

- large numbers of heavily intoxicated patrons leaving the venue at closing time and remaining on Isabella St shouting and singing at a volume high enough to wake me. In warmer months this occurs at least twice every week
- excessively loud music during business hours. In warmer months this occurs at least three times a week
- excessively loud music after business hours on occasion (as recently as after midnight on 29 December 2015)
- dozens of non-smoking patrons outside the venue after the permitted hours. This was the absolute norm until 2014 but still occurs on a regular basis
- doors and windows of the venues left open to Isabella St after the permitted hours, again this was the absolute norm until 2014
- physical fights between patrons of the venues on Isabella St, many extremely violent, often attended by police
- The public thoroughfare being used by patrons all year around, to the extent in warmer months where it is difficult to pass through. I have been verbally abused on two occasions by patrons for requesting that they let me pass while carrying shopping or luggage
- patrons consuming drugs in the greenery on Isabella St
- rubbish and broken glass left in Hatfields and Isabella St as well as glasses and bottles being thrown over the fence between Isabella St and the allotments of Styles House
- patrons urinating in Isabella St, Hatfields and Styles House grounds

At times the three venues have brought some of these issues under control for short periods of time but this has never been long-lasting. I would also note that on many occasions, specific complaints about breaches of license made by both residents and the Council have been ignored by the venues as rapidly as the following day.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

I would like to make a representation regarding the review of the following licenses:

- EV, 97-99 Joan Street, SE1 8DA, License number: 845614
- Jacks, 96 Joan Street, SE1 8DA, License number: 843349
- Thai Silk, 94-95 Joan Street, SE1 8DA, License number: 849435

I write to support the review of these premises.

I believe the conditions being suggested are sensible, particularly given that many of the problems are caused by the noise outside the premises.

I think it should be emphasised that all of the premises concerned are in Southwark's saturation zone, which was introduced because of the anti-social behaviour and alcohol related crime arising from licensed premises.

I support all of the conditions suggested, but have made some additional ones which I would like the licensing committee to consider:

Consider introducing licensed door people for Thursday, Friday and Saturday nights.

One of the biggest problems is that people are leaving the premises extremely drunk and causing problems and disturbance as they leave. Whenever I have had to ring the police due to fighting it has been as customers are leaving at the end of the night. It is common for drunken customers to be noisy from Isabella Street all the way to Waterloo Station (and we can still hear them), which means that residents are disturbed over a wide area. One of our biggest frustrations is that when trouble occurs on Isabella Street the staff from the bars take no steps to stop this (and can themselves add to it, as is shown by the investigation undertaken by officers).

Properly trained door people will be able to deal with the aggression arising from large groups of drunken people.

Closure of the terrace at 10pm.

I personally think this is still too late and should be 9pm, as the level of noise experienced is very high and creates a considerable nuisance for local residents. We have to keep our windows closed most of the year and the noise is constant from around 5pm on several days of the week. We are hopeful that the other measures proposed such as limiting the leakage of music will assist with the noise, but ultimately, having three hundred people stood in the street in summer is going to be incredibly noisy and is creating a nuisance. Only the closure of the terrace at an earlier time will limit this (as well as considering the introduction of a limit on the numbers allowed outside).

Closure of doors and windows at 11.30pm.

This is far too late and means we will still suffer noise from music turned up too loud and people talking, eating and drinking. It is somewhat ludicrous that a bar can have the whole front of its building open, so all of the noise inside leaks out to affect those

living nearby. What bar, pub or nightclub is allowed to do this until 11.30pm at night anywhere else.

I would also like to raise the positioning of the music speakers. They should be inside the premises and not on the external walls, as allowing the opening of the front of the building, coupled with allowing speakers by the entrance will clearly mean a nuisance is likely to be caused.

External waste handling, collections, deliveries of external areas shall only occur between the hours of 9:00 and 23:00

Currently, bottles are being recycled in batches, which is very loud and in fact loud enough to wake up local residents. A specific condition should be included to limit this to the hours of 9:00 and 22:00.

Ev particularly, put away their fold up chairs by loudly banging them closed. They generally do this at 1am on a Thursday, Friday and Saturday after patrons have left. Again, this should limited to be carried out shortly after the terrace closes. Ev also leaves out a large number of chairs and tables, which encourages large groups to sit outside. Part of closing the terrace needs to include them putting away their chairs and tables. Jacks bar has fixed seating, which also needs to be considered.

There shall be no drinks permitted to be taken beyond the boundary of external frontage area at any time.

I would like this to be extended (if it is within the power of licensing legislation to do so) to include eating outside being limited to the external frontage area. Currently people sit at tables right up to the wall of Styles House and people sat eating, even if they are not drinking can be very loud and causes a nuisance.

Signage that “patrons are not permitted to take drinks off the premises and into Isabella Street”

I believe patrons will be unclear about what area is meant by Isabella Street. Given that all three premises have signage boards in the street and seating out there, it will seem to customers that the whole of the street is part of the premises (which I believe is part of why we have such problems now). Could this condition be made clearer?

The premises licence holder shall display a telephone number for local residents to contact management of the premises as and when necessary

We currently try calling the premises involved and the phone is unanswered. I feel it would be useful to detail how this telephone number will be answered.

Dispersal policy

I strongly support the introduction of this, but it is unclear what will be included. Given that this is major concern for residents and a big part of why the premises are

causing such a public nuisance, affecting public safety and are a risk to crime and disorder, more specifics about this would be better.

Alcohol for consumption off the premises is not sold for immediate consumption in the area

As people leaving the bars drunk and then standing in the street drinking is such a major problem, a much better condition would be not to allow any sale of alcohol for consumption off the premises.

Capacity limit

There is a serious public nuisance caused by the large number of drinkers on Isabella Street and a capacity limit should be introduced. There can literally be hundreds of people in the street in summer and it has defacto become a pedestrianized drinking area, which has happened without any agreement from the Council as it is not part of the current licensing conditions. Without a limit the situation will just continue. Currently in summer it is impossible to walk down this street as it is so busy, which really isn't an acceptable situation in a residential street. The large number of people also means we have a great deal of broken bottles, urination and general anti social behaviour that the presence of large numbers of drunken people bring. This is unacceptable in a town centre, but we aren't a town centre we are just a residential street.

Licence review

Local residents had thought that the licence review would mean the bars were more careful during this period, but this has not been the case. It appears that the premises are unaware of the nuisance they cause and unclear what needs to be done to stop it, which is why I believe the conditions need to be more specific. The attempt at an action plan by Council officers also demonstrates that the bars are unwilling to really try to improve the situation and the Council needs to impose conditions upon them.

Recent examples

The period in the week before Christmas was terrible and the noise was incredibly intrusive, but one of the big problems with the bars is that it is continuous, not just a one off. We live in a noisy area and are used to it, but the level of noise from the bars goes beyond what is reasonable. We have just had the fireworks on the Southbank and it was interesting to note that the noise from the speakers and crowd of 500,000 people was still not as noisy as the bars are, week in and week out.

Over the last week Ev have had live music on two nights, which was in itself incredibly loud, but wasn't the only problem as we also had to suffer drunken people outside making a great deal of noise.

On the most recent Saturday - 2nd January I was woken at midnight with people leaving Ev, who were literally shouting at the top of their voices.

A group of around 25-30 people then stood in the street in Hatfields, who were so drunk they didn't move when cars came, who then beeped them to move. At one point 6 cars were in a queue, most of who were beeping repeatedly.

The patrons were so drunk they could not stand up and were falling down onto the parked cars. At one point around ten people were laying against the cars and across the bonnets. I could hear glass repeatedly breaking and there was a great deal of shouting and noise. As is probably clear, I could not sleep while this went on and it could be heard through my closed window. I eventually called the police because of the damage they were causing to the parked cars. They dispersed at about 1am, but I was still kept awake by Ev banging loudly as they put the chairs and tables away and recycled bottles.

This sort of incident is normal on a Saturday even in winter and is amplified in summer, as it's a much bigger group who are sat outside. It is normal to be kept up to 2am or 3am on a Friday and Saturday night in summer. This isn't a normal level of disturbance from bars.

Crime and disorder

I am unclear if there is a normal level of violence and fights to be expected from pubs, but I have witnessed numerous fights outside the bars and on occasions have called the police. This means that not only are we disturbed by the bars, we then have to get out of bed and ring the police, who often then ring back and want to discuss the matter. The same is true of the noise team, which is why we don't bother ringing anymore and only ring the police if there is a particularly bad fight, as it all takes up time and energy.

After about 11pm Isabella Street and the streets around can become very unpleasant and tense. The customers coming out of Ev are generally very drunk but the customers from Jacks and particularly Thai Silk are much more likely to get involved in fights. I am unclear why this is the case, but Thai Silk (and to a lesser extend Jacks) appears to be set up like a night club and is possibly why the customers are very different. There are often groups of young men, rather than mixed groups and I have witnessed some unpleasant fights where a group of men have attacked an individual for example. I have also had the impression that it has got worse over the last couple of years and there has been more incidents involving the police.

Finally, I would like to thank Southwark Council officers for the work they have carried out over the last year in relation to this matter. It is clear that they have tried to work with the businesses involved to improve the situation and when this didn't work they have carried out a detailed investigation, leading to the licence review. We are very appreciative of their hard work.

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From: [REDACTED]
Sent: Monday, January 04, 2016 10:08 PM
To: Regen, Licensing
Subject: Objection to license applications: 850625; 850629; 850630

To whom it may concern,

Our names are [REDACTED] and we reside at [REDACTED]. Please confirm the date of this email as the date of our letter to you with the deadline for objections being 4 January 2015 (no time). We are emailing to object against the following licenses which are currently being reviewed:

Licence number: 850625
Application: JACKS
Address: Railway Arch [96 Joan Street SE1 8DA](#)

Licence number: 850629
Application: EV RESTAURANT BAR AND DELICATESSEN
Address: [97-99 Isabella Street SE1 8DA](#)

Licence number: 850630
Application: Thai Silk Restaurant & Bar
Address: Railway Arches 94 To [95 Joan Street SE1 8DD](#)

We would like to register our objection to the application of these licences on the basis that the premises above have become a public nuisance. We live across the road from these premises and we can confirm we have experienced the following:

- High levels of noise by people leaving the premises during the early hours of the morning which has increased in the time since the bars / restaurants opened.
- High levels of noise by workers in the early hours of the morning, roughly [1am](#)/2am and sometimes [5am](#) in the morning on numerous occasions. The noise I refer to is the emptying of hundreds of empty bottles into bins in the closing hours and by the waste collectors. The noise has woken me up on more than one occasion and again seems to have got worse as the years have progressed.
- High volumes of rubbish which left outside of the restaurants. The rubbish is literally left outside the premises opposite my house and I can confirm that as a result of the rubbish being left, vermin has been seen by me and neighbours of mine by the bins (although I do not have hard evidence of this). Given the huge amount of rubbish generated I would expect this would be collected on a daily basis at a reasonable hour during the day but it isn't.
- As recent as Saturday 2 Jan 2016, I was kept awake by loud music, screaming and shouting outside EV that went on well past midnight which as I understand is in breach of their licence. Cars were hooting their horns too. Following that was the smashing of the bottles into the bins that again took place into the early hours of Sunday without any regard to the residents.

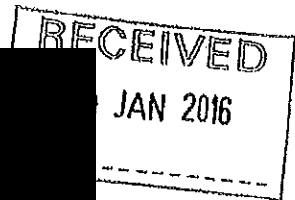
We have lived in the same street since [REDACTED] so I am in a good position to demonstrate how the area was before and after the above premises were granted their licences.

It doesn't give us pleasure to complain about this as we have used the bars on a number of occasions (without the staff knowing us/ our address) and we have always enjoyed ourselves at the bars. Sadly however, no thought or consideration is given to local residents, the majority of whom have lived there for more than 20 years (if not longer).

Best regards,

[REDACTED]

Review of licensing of Thai Silk
Jack's Bar and EV situate at 95, 96 & 97-99
Isabella Street respectively.
London



1/1/2016

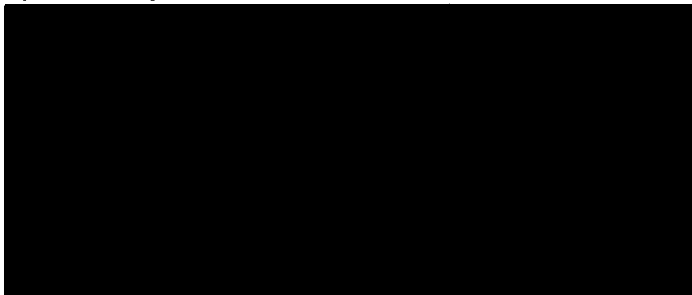
Dear Sir/Madam

I would like to add my voice to the proposed alterations to the licensing of the above premises. Which as I understand it seek to control the noise and nuisance to local residents and other properties nearby. I have lived with the very nuisances that I forecast would be a result of Southwark applying such long and lax licensing in the first place and they were the basis of my original objections . The noise from loud music, crowds of drunks and merry-makers is beyond belief at times, especially the shrieking and screaming of high pitched female voices, throw in foul language of loose tongues and we have Isabella Street . This continues under my bedroom window whilst the customers wait for their minicabs to arrive until 1-1.30 am. I then suffer all the noise and disturbance from minicabs revving their engines, pumping out poisonous fumes and the slamming of their doors by patrons of Isabella Street who care not one jot that there are bedrooms overlooking the street. Some of the men urinate in the closest semi-concealed point they can which is oftentimes our block entrance.. I have had repair bills for my car for a total of £750 over three incidences and foolishly remonstrated with a group of young drunks running over my car from front to back. I said "foolishly" because one of the drunks turned nasty and five against one old man was not good odds. Fortunately there was a peacemaker amongst the group.. My neighbour has just had her car repaired after damage caused by a drunk who got drunk in one of the bars in Isabella Street and decided it would be a good thing to jump up and down on her roof causing over £3000 worth of damage, she got her car back from the repairers just before Christmas. The culprit was caught by good neighbours and has had to pay that bill. So wanton damage to cars is still current. The bars have been allowed to take over the street completely, turning what was an Emergency Access Road with locked gates at either end into their private gardens and dining areas making it difficult for pedestrians to traverse the street. I dread to think what will happen if a serious fire breaks out there.

I now have bright strip lights shining across the street into my bedroom.

If all this was happening in the third world one would blame corrupt officials for allowing it to happen but this is Southwark and Southwark maintains the highest standards in there officials so why has nothing been done about these encroachments by the above businesses. I support any measures that brings an end to these abuses.

Yours sincerely,



1/1/2016

20160101

Handwritten notes and stamps at the bottom left of the page.



PO MAN LEE



Licensing Unit
Direct Dial - 020 7525 5748
Facsimile - 020 7525 5705
Lic: 010355

20 July 2015

Dear Sir/Madam

**LICENSING ACT 2003 –
PREMISES LICENCE & DESIGNATED PREMISES SUPERVISOR (DPS)
Re: THAI SILK RESTAURANT & BAR**

I have been advised by staff at the above premises on Nick Po Man Lee that (listed as DPS) no longer works at the premises. I was informed that Mr Kah Kit Yap is to be the new DPS.

As you have not made an application to vary the designated premises supervisor, **no alcohol sales are permitted at your premises.**

You should be aware that one of the mandatory conditions placed upon every premises licence that authorises the retail sale of alcohol is that

“No supply of alcohol may be made under the Premises Licence

- a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or***
- b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.”***

You must therefore make an application to vary the premises designated supervisor to a person who holds a personal licence. I have included a form with this letter. Until such time that an application has been made to this office, you are not authorised to sell alcohol.

Failure to act will mean that you are operating in contravention of the Licensing Act 2003 and this could lead to formal enforcement action being taken. This could result in the suspension or loss of your licence.

I would make clear that it is the practice of the Council’s Licensing Unit to send officers to visit premises to check to see if unauthorised activities are being provided. Licensing officers will gain admission to the premises in

the same way as ordinary members of the public, and will not necessarily make themselves known to the staff or publican at the time of the visit.

If you require further clarification of any matter raised within this letter please contact this office.

A copy of this letter will be forwarded to the Metropolitan Police Service.

Yours sincerely,

Kirty Read
Processing Manager
licensing@southwark.gov.uk

Cc: P.C. Clements
Metropolitan Police Service
Licensing Officer
Southwark Police Station
323 Borough High Street
London SE1 1JL

Kah Kit Yap
Thai Silk
Railway Arches 94 To 95
Joan Street
London
SE1 8DD

Licensing Unit
Direct Line: 020 7525 5754
Direct Fax: 020 7525 5705

5 August 2015

Dear Mr Kah Kit Yap

**RE: THE LICENSING ACT 2003 – WARNING LETTER
(Thai Silk, Railway Arches 94 To 95, Joan Street, London, SE1 8DD)**

On 31 July 2015 at 21:15 Licensing Enforcement Officers carried out an inspection to determine whether the licensable activities at the above premises were carried out in accordance with your authorisation.

In addition to the above, the Officers also considered 'risk assessment' criteria that would help determine the frequency of future inspections to your premises.

During the inspection the officers witnessed the following:

- 1. The premises licence was not kept at the premises, as required under section 57 of the Licensing Act 2003.**
- 2. Breach of condition 8002 – at the time of visit the door to the bar did not have a notice requesting customers to leave quietly**
- 3. Breach of condition 9502 – an evacuation procedure with staff training records was not available at the time of visit**
- 4. Breach of condition 9503 – at the time of visit there was considerable noise escape and Mr Yap admitted that he did not conduct any perimeter checks to monitor sound levels.**

Each of the matters listed above potentially constitutes a breach of the licence issued by the Council under the Licensing Act 2003.

You must ensure that licensable activities and hours of operation are in accordance with those listed on your premises licence. You must also ensure that the conditions attached to your licence are adhered to. A further visit will be made to check on these matters.

Licensing Unit - Environment & Housing, Hub 2, Floor 3, 160 Tooley Street, London, SE1 2QH
Switchboard - 020 7525 5000 **Website** - www.southwark.gov.uk
Strategic Director Environment & Housing - Deborah Collins
Register to vote. Complete the forms delivered to your home. Information: 020 7525 7373

If compliance is not achieved the Council may take formal action that may affect your licence or lead to a prosecution. A person found guilty of an offence under the above section is liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding £20,000.

I hope this warning will ensure that compliance is achieved and no further action will be required.

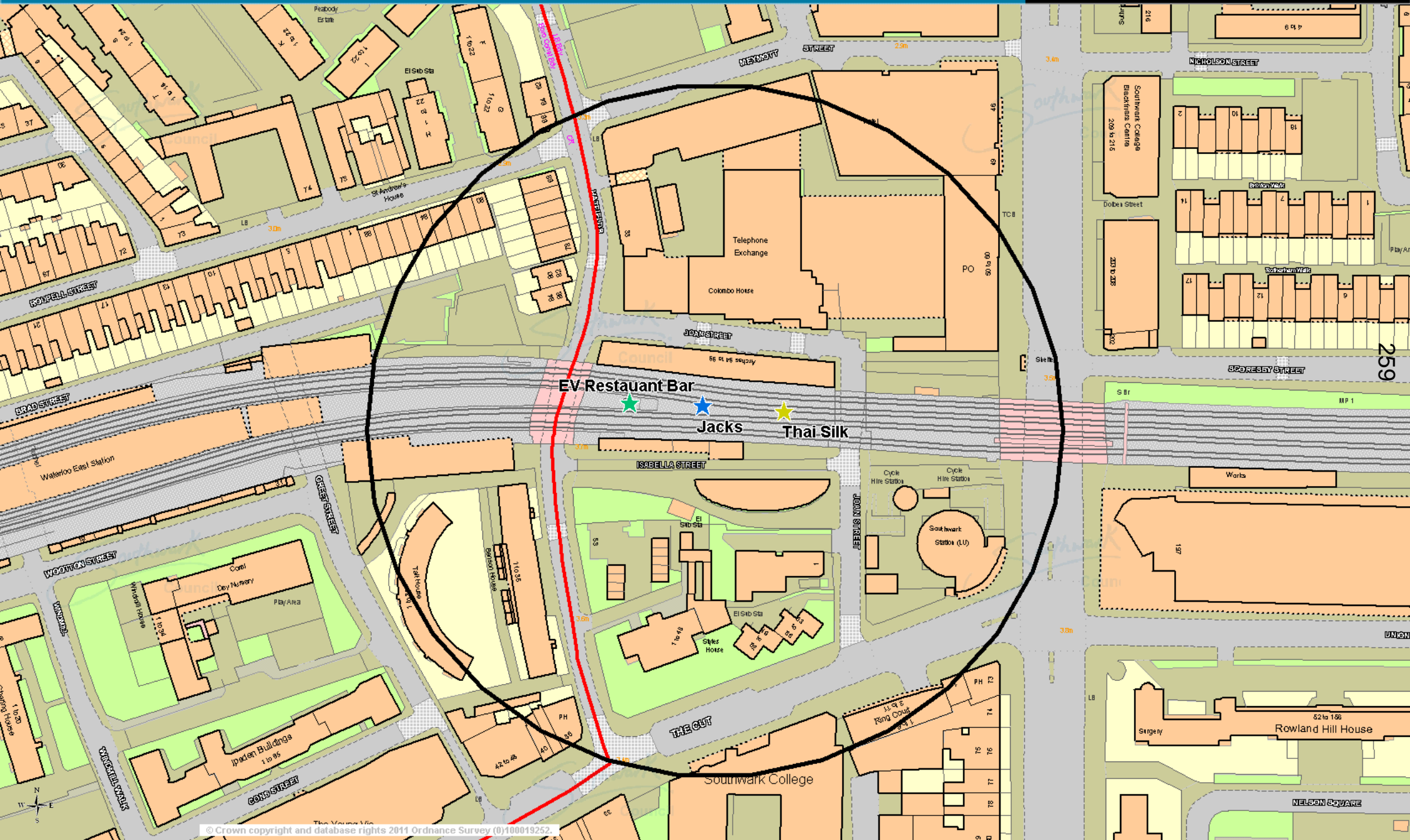
Thank you in anticipation of your co-operation. Should you wish to discuss this matter with a Licensing Enforcement Officer Please contact us by email at licensing@southwark.gov.uk or by telephone on 020 7525 5754 between the hours of 9.00 and 17.00, Monday to Friday. Alternatively you can write or visit us at the above address.

Yours sincerely,

K Ashenden

Kristie Ashenden
Principal Licensing Officer
kristie.ashenden@southwark.gov.uk

c.c Southwark Police Licensing Office
southwarklicensing@met.police.uk



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Andrew Weir - Tel: 020 7525 7222

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