

Licensing Sub-Committee

Thursday 12 September 2019

10.00 am

Room G06 - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Barrie Hargrove
Councillor Charlie Smith

Reserves

Councillor Margy Newens

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.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

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

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 3 September 2019



Licensing Sub-Committee

Thursday 12 September 2019
10.00 am
Room G06 - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	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: BERMONDSEY ARTS CLUB, 102A TOWER BRIDGE ROAD, LONDON SE1 4TP	1 - 41
	ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.	

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: 3 September 2019

Item No. 5.	Classification: Open	Date: 12 September 2019	Meeting Name: Licensing Sub-Committee
Report title:		Licensing Act 2003: Bermondsey Arts Club, 102A Tower Bridge Road, London SE1 4TP	
Ward(s) or groups affected:		London Bridge & West Bermondsey	
From:		Strategic Director of Environment and Leisure	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by Bermondsey Arts Club for a premises licence to vary the premises granted under the Licensing Act 2003 in respect of the premises known as Bermondsey Arts Club, 102A Tower Bridge Road, London SE1 4TP.
2. Notes:
 - a) This application seeks to vary existing licensable activities held under current legislation in respect of the premises known as Bermondsey Arts Club, 102A Tower Bridge Road, London SE1 4TP under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from responsible authorities and is therefore referred to the sub-committee for determination.
 - b) Paragraphs 8 to 12 of this report provide a summary of the application under consideration by the sub-committee. A copy of the full application is attached as Appendix A. A copy of the existing premises licence is attached as Appendix B.
 - c) Paragraphs 13 to 20 of this report deals with the representations received to the premises licence application and conciliations progress made. Copies of the relevant representations from responsible authorities are attached as Appendix C.
 - d) Paragraph 24 deals with licensed premises within a 100 metre radius of the premises. A map of the area is attached as Appendix D.
 - e) 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 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 premises licence application 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 under the Act. 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.

KEY ISSUES FOR CONSIDERATION

The current premises licence

8. The current premises licence was issued on 11 September 2015 to Bermondsey Art Club. The premises licence allows for the following activities and times:
 - Films (indoors):
Monday to Sunday from 09:00 to 02:00
 - Live Music (indoors):
Monday to Sunday from 09:00 to 02:00

- Recorded music (indoors):
Monday to Sunday from 09:00 to 02:00
- Performance of dance (indoors):
Monday to Sunday from 09:00 to 02:00
- Late night refreshment (indoors):
Sunday to Thursday from 23:00 to 23:30
Friday and Saturday from 23:00 to 00:30
- Sale of alcohol for consumption on/off the premises:
Monday to Sunday from 09:00 to 02:00
- Opening hours
Monday to Sunday from 09:00 to 02:30

9. A copy of the premises licence is provided as Appendix B.

The variation application

10. On 17 July 2019, Bermondsey Arts Club applied to this council to vary the premises licence issued in respect of the premises known as Bermondsey Arts Club, 102A Tower Bridge Road, London SE1 4TP.

The application is summarized as follows:

- Recorded music (indoors)
Monday to Sunday from 09:00 to 05:00
- Supply of alcohol (on the premises)
Monday to Sunday from 09:00 to 05:00
- Operating hours
Monday to Sunday from 09:00 to 05:00
- To Amend condition 4AD - which states:

“That one SIA registered Door Supervisor shall be employed from 22.00 hours until the terminal hour on Sundays to Wednesdays and from 21:00 until the terminal hour on Thursdays to Saturdays when licensable activities are taking place”.

It is proposed proposed that the premises shall have SIA agents only on Fridays and Saturdays from 21:00 until closing time.

11. The variation to the premises application form provides the applicant operating schedule. Parts F, J, K, L,M, N O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003. Should a premises licence be issued in respect of the application the information provided in part P of the operating schedule will form the basis of conditions that will be attached to the licence. A copy of the application is attached to this report as Appendix A.

Designated premises supervisor

12. The proposed designated premises supervisor is George Garnier who has a personal licence issued by Lambeth Council.

Representations from responsible authorities

13. Representations have been submitted by the Metropolitan Police Service, licensing (as a responsible authority) and public health.
14. The police representation states that the premises are situated in a residential area as designated by the Southwark statement of licensing policy 2019-2021. The premises is situated in a residential area in very close proximity to a large number of residential dwellings. The recommended closing time for bars within residential as detailed in Southwark's statement of licensing policy is 23:00. The current licence allows for very generous hours outside of this policy already.
15. The police advise that the applicant has not provided any detail or additional control measures as to why the committee should consider moving even further outside of their policy. Although the applicant has asked for additional hours they have also asked to remove the provision for the employment of SIA staff between Sunday and Thursday. To have a premises open to the public until 05:00 on each day of the week without SIA employed between Sunday and Thursday would undermine the prevention of crime and disorder licensing objective. The police have submitted a number of conditions to be considered by the applicant.
16. The licensing representation is concerned with public nuisance and the prevention of crime and disorder. Licensing advise that the premises is situated within a residential area and under the Southwark statement of licensing policy 2019-2021 the closing times appropriate for public houses, wine bars, other drinking establishments and restaurants and cafes is 23:00 hours daily. Night clubs (with sui generis planning classification) are not considered appropriate for this area.
17. Licensing further state that the premises already has opening hours in excess of what is appropriate within the licensing policy. The application has not provided any further control measures to address the licensing objectives. The application seeks to remove/amend condition 4AD (regarding SIA door supervisor's and wants to provide them only on a Friday and Saturday) which is designed to promote the prevention of crime and disorder and the prevention of public nuisance.
18. Public health are concerned that a further extension of the hours of operation raises considerable concerns which are not adequately addressed by the applicant. Additionally, this premises is located relatively close to local residents and therefore the dispersal from events, daily, has the potential to result in public nuisance and disturb local residents.
19. The representations are attached as Appendix C.

Representation from other persons

20. There are no representations from other persons.

Conciliation

21. The representations were forwarded to the applicant. The licensing sub committee will be updated of any developments on 12 September 2019.

History of premises

22. The initial premises licence was granted in 14 May 2014. A variation application to change the designated premises supervisor to the current person was submitted on 11 August 2015.

Complaints

23. There have been no complaints specifically related to the premises received by the licensing team within the last 12 months.

Temporary events notices (Tens)

A number of tens have been issued to the premises this year as listed below

2 to 3 Feb 2019	02:00 till 05:00
9 to 10 Feb 2019	00:00 till 05:00
16 to 17 Feb 2019	02:00 till 05:00
22 to 23 Feb 2019	02:00 till 05:00
2 to 3 Mar 2019	02:00 till 05:00
24 to 25 Mar 2019	01:00 till 05:00

The local area

24. A map of the area is attached to this report as Appendix D. The premises is identified by a triangle 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 terminal hours are also shown on the map:

Public houses/restaurant/off licence

- Crystal China, 78-80 Tower Bridge Road, London SE1 (Monday to Sunday until 00.30)
- Tower Express, 72 Tower Bridge Road, London SE1 (Monday to Saturday until 23:00 and Sunday until 22:30)
- Tower Tandoori, 74-76 Tower Bridge Road, London SE1 (Monday to Sunday until 00.30)
- Bottle 85 Ltd, 85 Tower Bridge Road, London SE1 (Sunday to Thursday until 23.00 and Friday and Saturday until 00:00)
- Jad Grill Lebanese Cuisine, 88 Tower Bridge Road, London SE1 (Monday to Sunday until 02.00)
- Basillico Ltd, 103 Tower Bridge Road, London SE1 (Sunday to Thursday until 00.00 and Friday and Saturday until 00:30)

- Kaycee, 92 Tower Bridge Road, London SE1(Sunday to Wednesday until 00.00 and Friday and Saturday until 02:00)
- Cheung Wah, 213 Grange Road, London SE1 (Monday to Sunday until 00:00)
- Sainsburys, 13-14 Bermondsey Square, London SE1 (24 hours - alcohol until 00:00)
- Hand & Marigold, 244 Bermondsey Street, London SE1 (Monday to Saturday until 23:00).

Deregulation of entertainment

25. On 6 April 2015 entertainment became deregulated and as a result:
- Live unamplified music is deregulated between 08:00hrs and 23:00hrs on any premises.
 - Live amplified music and recorded music are deregulated between 08:00 and 23:00 on licensed premises for an audience of up to 500 people.
 - Plays and the performance of dance are deregulated between 08:00 and 23:00 for an audience of up to 500 people.
 - Indoor sporting events are deregulated between 08:00 and 23:00 for an audience of up to 1000 people.
26. Live music and recorded music can become licensable in on-licensed premises if the licensing authority removes the effect of deregulation following a licence review ('licence review mechanism').
27. The showing of films has not been de-regulated.

Southwark council statement of licensing policy

28. Council assembly approved Southwark's statement of licensing policy 2019 - 2021 on 27 March 2019. The policy came into effect on 28 March 2019. Sections of the statement that are considered to be of particular relevance to the sub-committee's consideration are:
- Section 3 - Purpose and scope of the policy. This reinforces the four licensing objectives and the fundamental principles upon which this Authority relies in determining licence applications
 - Section 5 – Determining applications for premises licences and club premises certificates. This explains how the policy works and considers issues such as location; high standards of management; and the principles behind condition setting.
 - Section 6 – Local cumulative impact policies. This sets out this Authority's approach to cumulative impact and defines the boundaries of the current

special policy areas and the classifications of premises to which they apply. To be read in conjunction with Appendix B to the policy

- Section 7 – Hours of operation. This provides a guide to the hours of licensed operation that this Authority might consider appropriate by type of premises and (planning) area classification.
 - Section 8 – The prevention of crime and disorder. This provides general guidance on the promotion of the first licensing objective
 - Section 9 – Public safety. This provides general guidance on the promotion of the second licensing objective
 - Section 10 – The prevention of nuisance. This provides general guidance on the promotion of the third licensing objective
 - Section 11 – The protection of children from harm. This provides general guidance on the promotion of the fourth licensing objective.
29. 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.
30. Within the Southwark statement of licensing policy 2019 - 2021 the following closing times are recommended as appropriate within this area for the categories of premises as follows:
- Restaurant, cafés, public houses, wine bars or other drinking establishments: 23:00 daily
 - Hotel bars and guest houses : No restrictions for residents

Resource implications

31. A fee of £190 has been paid by the applicant company in respect of this application being the statutory fee payable for premises within non-domestic rateable value band A.

Consultation

32. Consultation has been carried out in respect of this application in accordance with the provisions of the Licensing Act 2003. A public notice was published in a local newspaper and a similar notice exhibited at the premises for a period of 28 consecutive days.

Community impact statement

33. 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

34. The sub-committee is asked to determine the application to vary the premises licence under Section 34 of the Licensing Act 2003.
35. The principles which sub-committee members must apply are set out below.

Principles for making the determination

36. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.
37. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
38. Relevant representations are those which
 - Are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an other party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
39. If relevant representations are received then the Sub-Committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to:
 - Add to, omit, and/or alter the conditions of the licence or,
 - Reject the whole or part of the application for variation.

Conditions

40. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
41. The four licensing objectives are
 - The prevention of crime and disorder
 - Public safety
 - The prevention of nuisance
 - The protection of children from harm.

42. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
43. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to late night refreshment and take away aspect of the licence must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
44. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors. The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2003 introduced three new conditions in respect of irresponsible promotions, the oral dispensing of alcohol and free tap water. In October 2010 an additional two conditions will come into force – age verification policy and smaller measures for alcoholic drinks.
45. Members are also referred to the Home Office revised guidance issued under section 182 of the Licensing Act 2003 on conditions, specifically section 10.

Reasons

46. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for to vary the premises licence, it must give reasons for its decision.

Hearing procedures

47. 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.
- This matter relates to the determination of an application to vary a premises licence under section 34 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

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

48. 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 and as the planning authority.
49. 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.
50. 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.
51. 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.
52. 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.
53. 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.

54. 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

55. Members are required to have regard to the Home Office revised 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 Governance

56. The head of regulatory services has confirmed that the costs of this process over and above the application fee are borne by the service.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 Home Office 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	Mrs Kirty Read Tel: 020 7525 5748

APPENDICES

Name	Title
Appendix A	Variation application
Appendix B	Current licence
Appendix C	Representations from responsible authorities
Appendix D	Map of the local area

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	30 August 2019	
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		30 August 2019

17/07/2019

Business - Application to vary a premises licence under the Licensing Act 2003

Ref No. 1267631

Please enter the name(s) of the premises licence holders who is applying to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

	Bermondsey Arts Club
Premises licence number	849735

Non-domestic rateable value of premises in order to see your rateable value click here (opens in new window)

£	12250
---	-------

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

Address Line 1	102A TOWER BRIDGE ROAD
Address Line 2	
Town	LONDON
County	
Post code	SE1 4TP
Ordnance survey map reference	
Description of the location	
Telephone number	██████████

Part 2 - Applicant details

Daytime contact telephone number	██████████
Email address	████████████████████
Postal Address if different from premises address	
Town / City	
Postcode	

Do you want the premises licence to have effect as soon as possible?

Please tick	Yes
-------------	-----

If not from what date do you want the variation to take effect?

(DD/MM/YYYY)	
--------------	--

Please describe briefly the nature of the proposed variation (see guidance note 2)

	<p>1) Extended opening hours till 5AM.</p> <p>2) 4AD: Change SIA agent requirement to Friday & Saturday only from 21.00hrs to close.</p> <p>Note: We have been regularly successfully applying Temporary Events Notices to get an extension till 5AM since October 2018- Now. No reported issues</p>
--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number

Please select number from range	Less than 5000
---------------------------------	----------------

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

	f) Recorded music (If ticking, fill in box F)

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

--	--

Supply of alcohol (if ticking fill in box J)

	j) Supply of alcohol
--	----------------------

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 4)

	Indoors
--	---------

Please give further details here (Please read guidance note 5)

	We will only play recorded music on Un-amplified levels during applied extended hours.
--	--

	We have been operating extended licenses (TENS) since October 2018.No reported issues or neighbour complaints
--	---

Standard days and timings for Recorded Music (Please read guidance note 8)

Day	Start	Finish
Mon	09:00	05:00
Tues	09:00	05:00
Wed	09:00	05:00
Thur	09:00	05:00
Fri	09:00	05:00
Sat	09:00	05:00
Sun	09:00	05:00

State any seasonal variations for playing recorded music (Please read guidance note 6)

	None
--	------

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 7)

	None
--	------

Will the supply of alcohol be for consumption (Please read guidance note 9)

	On the premises
--	-----------------

Standard days and timings for Supply of alcohol (Please read guidance note 8)

Day	Start	Finish
Mon	09:00	05:00
Tues	09:00	05:00
Wed	09:00	05:00
Thur	09:00	05:00
Fri	09:00	05:00
Sat	09:00	05:00
Sun	09:00	05:00

State any seasonal variations for the supply of alcohol (Please read guidance 6)

	None
--	------

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 7)

	None
--	------

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 10)

	None
--	------

Hours premises are open to the public (standard timings Please read guidance note 8)

Day	Start	Finish
Mon	09:00	05:00
Tues	09:00	05:00
Wed	09:00	05:00
Thur	09:00	05:00
Fri	09:00	05:00
Sat	09:00	05:00
Sun	09:00	05:00

State any seasonal variations (Please read guidance note 6)

	None
--	------

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 7)

	None
--	------

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

	<p>4AD: We wish to amend this condition.</p> <p>We propose to have SIA agent only on Fridays & Saturdays from 21.00hrs- Close. We have no reported issues in the last 36 months.</p>
--	--

I have uploaded relevant part of the previous premises licence (Please send a hard copy in the post)

	[REDACTED]

Reason for not uploading the premises licence

--	--

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 11)

	Staff training Training records maintained Risk Assessments to be continually conducted CCTV in Place Lock properly during closing times
--	--

b) the prevention of crime and disorder

	Staff training Training records maintained Risk Assessments to be continually conducted CCTV in Place Lock properly during closing times SIA Security in place on Fridays & Saturdays
--	--

c) public safety

	Staff training Training records maintained Risk Assessments to be continually conducted CCTV in Place Lock properly during closing times SIA Security in place on Fridays & Saturdays
--	--

d) the prevention of public nuisance

	Staff training Training records maintained Risk Assessments to be continually conducted CCTV in Place Lock properly during closing times SIA Security in place on Fridays & Saturdays Ask guests to always enter & leave quietly
--	--

e) the protection of children from harm

	Staff training Training records maintained Risk Assessments to be continually conducted CCTV in Place Lock properly during closing times SIA Security in place on Fridays & Saturdays
--	--

If the plan of the premises are varying please upload a plan of the premises,

Upload proposed plans	
-----------------------	--

Upload existing plans	
-----------------------	--

Checklist

	I understand that I must now advertise my application. I understand that if I do not comply with the above requirements my application will be rejected.
--	---

I agree to the above statement

	I agree
PaymentDescription	[REDACTED]
AuthCode	[REDACTED]
LicenceReference	[REDACTED]
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If completing on behalf of the applicant, please state in what capacity.

Full name	Bermondsey Arts Club Ltd.
Date (DD/MM/YYYY)	17/07/2019
Capacity	License Holder

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 14). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 15)

Contact name and address for correspondence	George Garnier [REDACTED]
Telephone No.	[REDACTED]
If you prefer us to correspond with you by e-mail, your email address (optional)	[REDACTED]

Please tick to indicate agreement

<input type="checkbox"/>	I am a company or limited liability partnership
--------------------------	---

I agree to the above statement

<input type="checkbox"/>	Yes
--------------------------	-----

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.

Licensing Act 2003 Premises Licence



Regulatory Services
Licensing Unit
Hub 1, 3rd Floor
PO Box 64529
London, SE1P 5LX

Premises licence number

849735

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Bermondsey Arts Club 102a Tower Bridge Road London SE1 4TP	
Ordnance survey map reference (if applicable), 533247179252	
Post town London	Post code SE1 4TP
Telephone number 02033020610	

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 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 - 02:30
Tuesday 09:00 - 02:30
Wednesday 09:00 - 02:30
Thursday 09:00 - 02:30
Friday 09:00 - 02:30
Saturday 09:00 - 02:30
Sunday 09:00 - 02:30

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

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 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Live Music - Indoors

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Recorded Music - Indoors

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Performance of Dance - Indoors

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Late Night Refreshment - Indoors

Monday	23:00 - 02:00
Tuesday	23:00 - 02:00
Wednesday	23:00 - 02:00
Thursday	23:00 - 02:00
Friday	23:00 - 02:00
Saturday	23:00 - 02:00
Sunday	23:00 - 02:00

Sale by retail of alcohol to be consumed on premises

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

Sale by retail of alcohol to be consumed off premises

Monday	09:00 - 02:00
Tuesday	09:00 - 02:00
Wednesday	09:00 - 02:00
Thursday	09:00 - 02:00
Friday	09:00 - 02:00
Saturday	09:00 - 02:00
Sunday	09:00 - 02:00

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

Bermondsey Arts Club Ltd
19 Pages Walk, London
SE1 4SB
02033020610
manager@bermondseyartsclub.co.uk

Registered number of holder, for example company number, charity number (where applicable)
08693863**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

George Edward Garnier
[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. PERS [REDACTED]
Authority. [REDACTED]

Licence Issue date 11/09/2015

[REDACTED]
Head of Regulatory Services
Hub 1, 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.

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself.

107 Any individual carrying out security activities at the premises must be.

(a) authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) entitled to carry out that activity by virtue of section 4 of that Act.

485 (1) The responsible person must 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 -

(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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional poster 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; and

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person

is unable to drink without assistance by reason of disability).

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

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

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either

- (a) a holographic mark; or
- (b) an ultraviolet feature.

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;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available,

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 Liquour 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

- 316** No deliveries or waste collection to/from the premises during the hours of 22:00 - 07:00.
- 324** That the details of a local taxi company shall be kept at the premises and shall be provided to customers on request. If staff at the premises order a taxi for a customer then those staff shall request that the taxi controller instructs the taxi-driver not to sound their vehicle horn to attract attention, but to approach a staff member and let the staff member know that they are the driver of a taxi that has been ordered by the premises.
- 340** No alcohol shall be consumed outside premises after 23.00 hours.
- 341** No drinks permitted to be taken outside at any time.
- 342** That clearly legible signage will be prominently displayed at the exit where it can easily be seen and read requesting to the effect that customers do not take drinks outside.
- 343** That clearly legible signage will be prominently displayed at the exit where it can easily be seen and read requesting to the effect that customers leave the premises in a quiet and orderly manner.
- 344** That no more than 5 customers be permitted up to ground level to smoke after 23:00 on any day.
- 345** That the depositing of waste glass / earthenware into external waste receptacles shall not take place between 22:00 and 07:00 the following day.
- 346** That management regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment shall be kept at a level that does not cause disturbance at the closest noise-sensitive facade to ensure compliance with the licensing objective regarding the prevention of public nuisance.
- 347** That the entrance door be fitted with a thick, close fitting, fireproof curtain (i.e. theatre curtain) to minimise noise outbreak as patrons enter and exit the premises.
- 348** That all doors and openings at the premises shall be kept closed when licensable activities are taking place at the premises except for access and egress and in the event of an emergency.
- 429** Customers shall use no outside area after 23.00 hours other than those who temporarily leave the premises to smoke a cigarette and no more than 5 at any one time.
- 4AD** That one SIA registered Door Supervisor shall be employed from 22.00 hours until the terminal hour on Sundays to Wednesdays and from 21:00 until the terminal hour on Thursdays to Saturdays when licensable activities are taking place.
- 112** This licence allows for all licensable activities to be extended for an additional hour when BST commences
- 114** This licence allows for the premises to extend all licensable activities from the standard start timing on 31st December to the standard start timing on 1st January

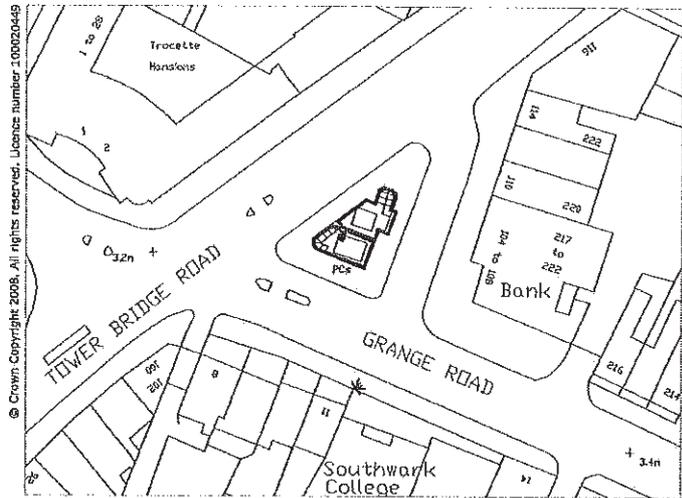
Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

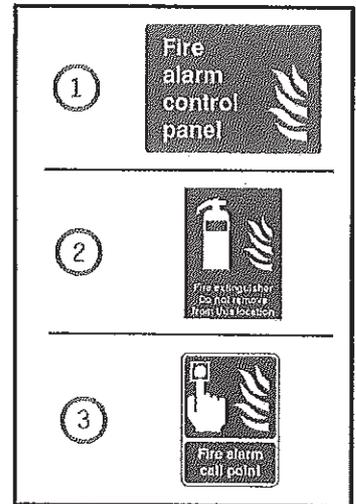
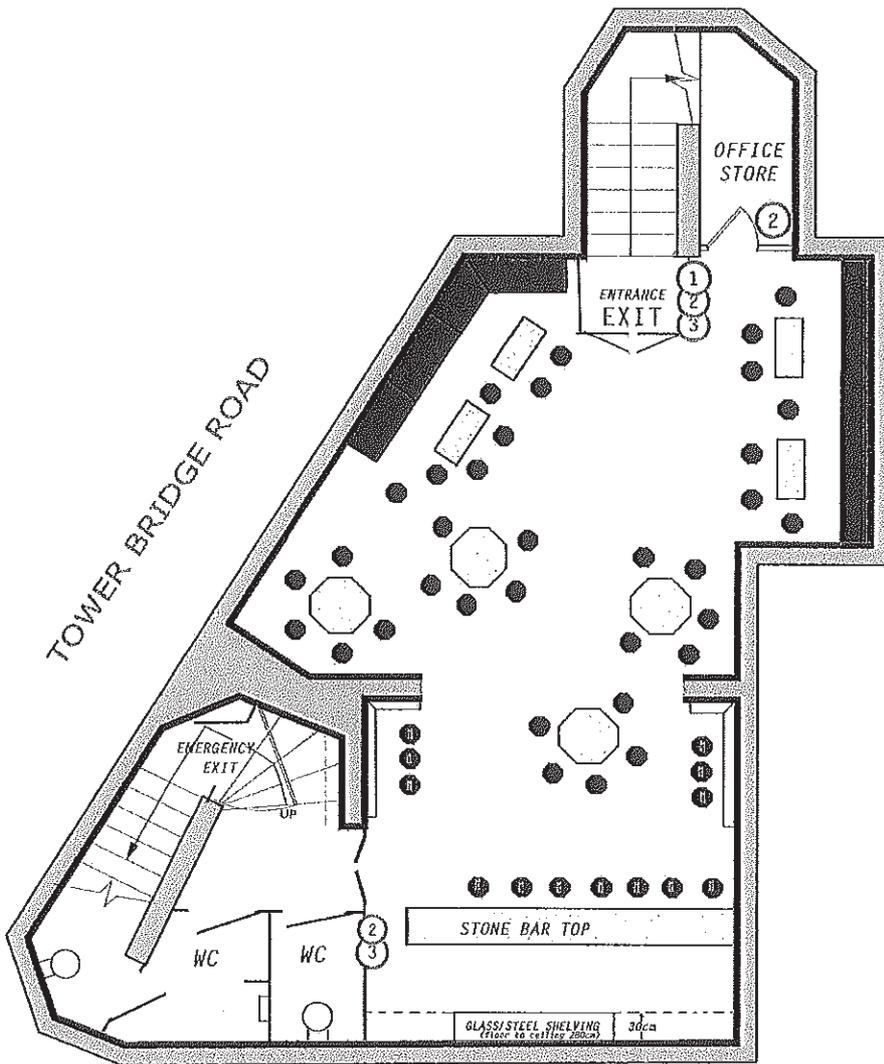
Licence No. 849735

Plan No. PL210013-01

Plan Date 4.5.2010



LOCATION PLAN
SCALE 1:1250



GRANGE ROAD

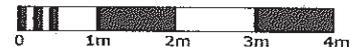
LOWER GROUND

Edged red - areas to be used for the supply of alcohol, provision of regulated entertainment and late night refreshment.

The location of the fire safety and other safety equipment is subject to change in accordance with requirements of Responsible Authorities.

Any detail shown on the plan that is not required by the licensing plans regulations (including capacity figures) is indicative only and subject to change at any time.

SCALE



NORTH

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

PLAN LONDON LTD © COPYRIGHT PROTECTED 2009

client	address Bermondsey Arts Club 102A Tower Bridge Road London SE1 4TP	location LOWER GROUND FLOOR LEASE PLAN	date 04.05.2010	scale 1:100	sheet A4
			dwg. no. PL2.10013-01	revision A	 Plan London Tel 0845 2262776 www.plan-london.co.uk 29-35 Lordship Lane London SE22 8EW



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756
Email: SouthwarkLicensing@met.police.uk

Our reference: MD/127/2019

Date: 8th August 2019

Dear Sir/Madam

Re:- Bermondsey Arts Club 102a Tower Bridge Road SE1 4TP

Police are in possession of an application from the above for a variation to their current premises licence under the licensing act 2003.

The application is to extend the opening hours, sale of alcohol and the provision for regulated entertainment by way of recorded music, from 0200 until 0500 on each day of the week.

The premises is situated in a residential area in very close proximity to a large number of residential dwellings. The recommended closing time for bars within residential as detailed in Southwark's statement of licensing policy is 2300. The current licence allows for very generous hours outside of this policy already.

The applicant has not provided any detail or additional control measures as to why the committee should consider moving even further outside of their policy. Although the applicant has asked for additional hours they have also asked to remove the provision for the employment of SIA staff between Sunday and Thursday. To have a premises open to the public until 0500 on each day of the week without SIA employed between Sunday and Thursday would in my opinion be undermining the prevention of crime and disorder licensing objective.

It is for this reason I submit my representation to refuse this variation under the prevention of crime and disorder licensing objective.

I note that the applicant makes reference to a number of TENs used to extend the opening hours until 0500. The premises are limited to the number of TENs they can submit over a 12 month period, these TENs would have been used for one off events occasionally throughout the year. This application wishes to extend the terminal hour seven days a week 365 days a year. It is therefore highly likely to have a negative impact on the licensing objectives.

If however the committee are minded to grant the variation they should consider the following and disregard the amendments requested for the provision of SIA staff on each day of the week.

1. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises.
2. All CCTV footage be kept for a period of 31 days and shall on request be made immediately available to officers of the police and the council.
3. A member of staff should be on duty at all times the premises is open that is trained in the use of the CCTV and able to view and download images to a removable device on request of Police or council officer.
4. That all staff are trained in their responsibilities under the licensing act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

The Following is submitted for your consideration, Police would welcome the opportunity to conciliate should the need arise.

Yours Sincerely

PC Ian Clements

Southwark Police Licensing Unit
Tel: 0207 232 6756

MEMO: Licensing Unit

To	Licensing Unit	Date	14 August 2019	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Bermondsey Arts Club, 102a Tower Bridge Road, London, SE1 4TP
 – Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Bermondsey Arts Club under the Licensing Act 2003, which seeks the following licensable activities:

- To extend recorded Music (indoors) on Monday to Sunday from 02:00 to 05:00
- To extend supply of alcohol (on the premises) on Monday to Sunday from 02:00 to 05:00
- To extend the opening hours on Monday to Sunday from 02:30 to 05:00
- To amend the following condition **4AD** – ‘*That one SIA registered Door Supervisor shall be employed from 22.00 hours until the terminal hour on Sundays to Wednesdays and from 21:00 until the terminal hour on Thursdays to Saturdays when licensable activities are taking place*’. So that SIA door Supervisors will only be required on Fridays and Saturdays.

The nature of the variation is described as ‘*1) Extended opening hours till 5AM. 2) 4AD: Change SIA agent requirement to Friday & Saturday only from 21:00 to close*’. Note: *We have been regularly successfully applying Temporary Event Notices to get an extension till 5AM since October 2018-Now. No reported issues*’.

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

This premises is situated within **a residential area** and under the Southwark Statement of Licensing Policy 2019-2021 the closing times appropriate for public houses, wine bars, other drinking establishments and restaurants and cafes is 23:00 hours daily. **Night clubs (with sui generis planning classification) are not considered appropriate for this area.**

This premises already has opening hours in excess of what is appropriate within the licensing policy 2019-2021.

The application has not provided any further control measures to address the licensing objectives or to convince the licensing sub committee to divert from the licensing policy 2019-2021. In fact the application seeks to remove/amend a condition 4AD (regarding SIA door supervisor’s and wants to provide them only on a Friday and Saturday) which is designed to promote the prevention of crime and disorder and the prevention of public nuisance.

Further to this there has there has not been any time left between the last sale of alcohol ‘on sales’ and the closing time when patrons should have left the premises, this can lead to conflict between staff and the customer having purchased an alcoholic drink for consumption on the premises minutes

before closing time and being asked to either finish the drink or hand it back and to leave the premises. Additionally this will encourage patrons to rush consumption of alcoholic drinks at the same time of closing which can lead to antisocial behaviour problems when patron have left the premises.

I therefore recommend that the application is refused.

Southwark's Statement of Licensing Policy 2019 – 2021 can be found on the following link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority

From: Public Health Licensing
Sent: Friday, August 02, 2019 11:50 AM
To: Regen, Licensing
Cc: Public Health Licensing; Deidda, Clizia
Subject: RE: Bermondsey Arts Club, 102a Tower Bridge Road, London SE1 4TP

To Whom it may concern:

RE: Bermondsey Arts Club, 102a Tower Bridge Road, London SE1 4TP

On behalf of the Director of Place and Wellbeing (incorporating the role of Director of Public Health) for Southwark (a responsible authority under the Licensing Act 2003) I wish to make a representation in respect of the above.

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

The prevention of crime and disorder

Prevention of public nuisance

Prevention of children from harm

General Comments

The application requests a major variation to:

- To amend condition 4AD "That one SIA registered Door Supervisor shall be employed from 22.00 hours until the terminal hour on Sundays to Wednesdays and from 21:00 until the terminal hour on Thursdays to Saturdays when licensable activities are taking place" to "4AD - That one SIA registered Door Supervisor shall be employed on Friday and Saturdays from 21:00 until the terminal hour when licensable activities are taking place" .
- To extend opening hours, recorded music and sale of alcohol on the premises to 05:00 Monday to Sunday.

The current granted hours are:

Current times	Opening Hours	Alcohol sales On Premises	Alcohol sales Off the Premises	Films - indoors	Live music - indoors	Recorded music - indoors	Late night refreshments	Performance of dance - indoors
Monday - Sunday	09:00 – 02:30	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00	23:00 – 02:00	09:00 – 02:00

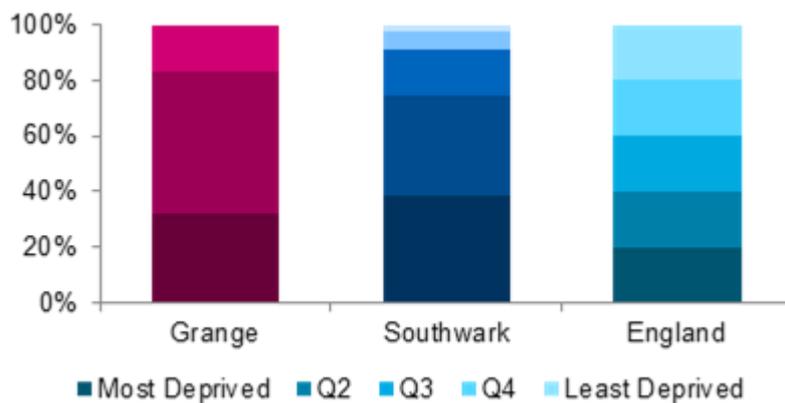
The requested changes to the hours are:

Requested times	Opening Hours	Alcohol sales On Premises	Alcohol sales Off the Premises	Films - indoors	Live music - indoors	Recorded music - indoors	Late night refreshments	Performance of dance - indoors
Monday - Sunday	09:00 – 05:00	09:00 – 05:00	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00	09:00 – 05:00	23:00 – 02:00	09:00 – 02:00

Concerns relating to this application

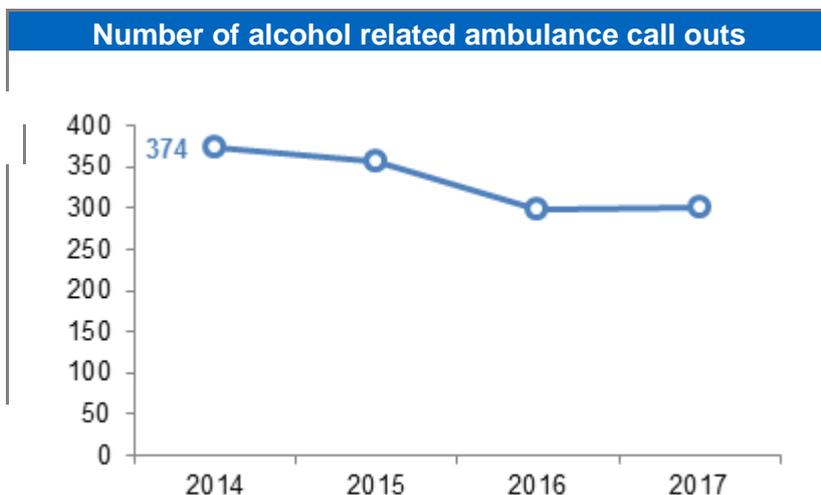
The premises is located in the Grange ward. Grange is a ward with pockets of high deprivation. Figure 1 shows that 32% of residents are in the most deprived quintile and 51% are in the 2nd most deprived quintile. This is relevant because the evidence shows that deprived populations are disproportionately affected by alcohol related harm.

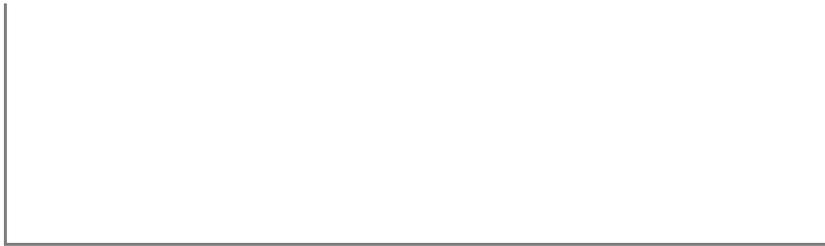
Figure. 1 – proportion of population in each deprivation quintile



Furthermore, Grange is responsible for 9% of all alcohol related ambulance call-outs in Southwark (302 in 2017 alone). This thus shows that alcohol-fuelled activities are having a negative impact on the Ward.

Figure. 2 – Trend of alcohol related ambulance call outs in the Grange Ward





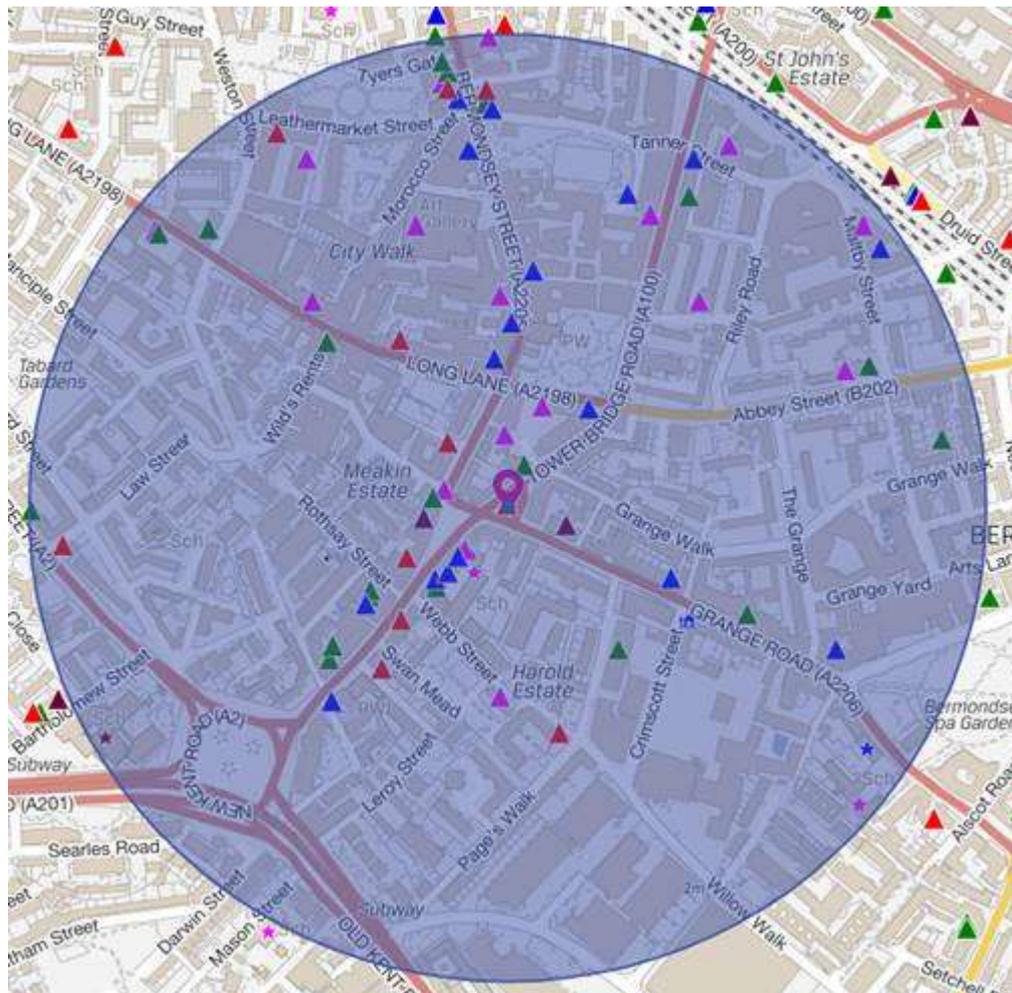
The applicant already benefits from extended hours of operation that all well beyond the Statement of Licensing Policy recommended terminal hours for this geographical area, which is classed as a residential area.

A further extension of the hours of operation raises considerable concerns which are not adequately addressed by the applicant: in fact, it has been shown (report attached to email) that each additional 1-hour extension to the opening times of premises selling alcohol was associated with a 16% increase in violent crime (Rossow & Norstrom 2012) and a 34% increase in alcohol-related injuries (de Goeij, Veldhuizen, Buster & Kunst, 2015). Also, the hours requested by the applicant do not account for any “drink-up” time.

Additionally, this premises is located relatively close to local residents and therefore the dispersal from events, daily, has the potential to result in public nuisance and disturb local residents. The premises is also located within a 10 minute walk from, one nursery, two primary and one secondary schools. It is therefore likely that children will live close to this premises and are likely to be negatively impacted as a result. As highlighted in the report attached, children in particular are very susceptible to sleep disturbances, that can have serious negative effects on their health and wellbeing.

In addition to this, this premises is in close vicinity of numerous other licenced establishments (Figure 3).

Figure 3 – map showing the proximity of the premises to other licensed establishments and schools



★ School phase of education

▲ Licensed premises - Drinking Establishments

▲ Licensed premises - Eateries

▲ Licensed premises - Off-Sales

▲ Licensed premises - Other

▲ Licensed premises - Takeaways

Finally, as the extension is only being sought in respect of the opening hours, recorded music and sale of alcohol, it appears that the business will operate like a night club between the hours of 02:00 and 05:00. Under the Southwark Statement of Licensing policy, night clubs are not considered appropriate for this area.

Recommendations

To mitigate the negative impact that the requested major variation to this premises licence may have in an area that it's already saturated, I recommend this application be rejected in its current state.

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

Yours sincerely,

Clizia Deidda

Public Health Policy Officer (Mental Health, Substance Misuse & Healthcare) | Public Health Division

Place and Wellbeing Department | London Borough of Southwark

160 Tooley Street | London SE1P 5LX

T: 0207 525 7707 | M: 07710 179 570

E: Clizia.deidda@southwark.gov.uk

www.southwark.gov.uk



please consider the environment - do you really need to print this email?

Impact of noise disturbance on sleep and health

Summary of the evidence: one of the negative repercussions of the Night Time Economy is noise pollution. Noise disturbances can occur in many ways e.g, from within licensed premises (e.g., music too loud), around licensed premises (e.g, by those queuing to get in) or more generally by people moving in/around/out of the NTE area.

Noise disturbance can lead to disturbed or fragmented sleep, which has a detrimental effect on health and wellbeing for all the population and especially children and young people. Fragmented sleep can result in short and long term health implications including; cognitive dysfunction, abnormal growth hormone release, increase of diastolic BP and increased risk of accidents, as well as lower vigilance and lower quality of life overall. This issue is particularly an issue where licenced businesses are located in residential areas.

Given the existing and compelling evidence, It is important for councils to effectively enforce noise regulations available to them in the planning permission stage, licensing stage and in the developed/operating stages

Consuming/drinking alcohol in the night-time economy (NTE) can have many benefits including a more productive economic activity and employment and social cohesion (bringing people together); however it can also come with costs, including crime, fear of crime, alcohol-related ambulance call outs/A&E admissions, public nuisance and light and noise pollution.

There are many reasons for this, One example of the potential negative impact of the NTE is relating to g. noise pollution, for example, occurs because the trading times in the NTE conflict with many people's daily routine/sleep.ⁱ

Although residential properties situated within the area of the NTE can reduce crime, this particular urban setting can also contribute to the number of people disturbed by noise. Some noise is to be expected in areas with a high concentration of NTE activities and will be factored into peoples' decision to move to the area and price that they pay to reside there. However, those in social housing or longstanding residents who moved to the area prior to the NTE development may have no choice in the matter. As such, there is a need to ensure that the levels of noise associated with the NTE are minimised e.g, by encouraging patrons to disperse from the area after closing times (rather than loitering).

Noise disturbances can occur in many ways e.g, from within licensed premises (e.g., music too loud), around licensed premises (e.g, by those queuing to get in) or more generally by people moving in/around/out of the NTE area. Noise does not necessarily occur in the same areas as crime and disorder. Much of the noise disturbances associated with the NTE tend to come "more from large numbers of people going about the business of having a good time"ⁱⁱ.

As explained above, the impact opening hours has on night time noise is important to take into account when considering new licensing applications. Noise from events in premises and the dispersal of those leaving an event will contribute to the disturbance of residents in surrounding areas, particularly at night. Therefore, applications requesting hours outside those stated in the Southwark Licensing Policy, within residential areas, may considerably contribute to night time noise and negatively impact sleep.

According to the World Health Organisation (WHO) (2011), fragmented sleep can result in short and long term health implications including; cognitive dysfunction, abnormal growth hormone release, increase of diastolic BP and increased risk of accidentsⁱⁱⁱ. Certain groups of people are more vulnerable to noise including children, chronically ill and elderly people and shift workers (WHO, 2011). Naturally, children spend more time in bed than adults and are more exposed to night time noise (WHO, 2011). Sleep is a vital part of daily life and children in particular need uninterrupted sleep for growth and cognitive development^{iv}. Disturbances during the night result in fragmented sleep and chronic partial sleep deprivation induces tiredness, lower vigilance and reduces daytime performance and overall quality of life^v. This can have a detrimental impact on early childhood development and education, which negatively affects lifelong achievement and health (WHO, 2011).

For adolescents, psychosocial health, school performance, and risk-taking behaviors are impacted by sleep disruption. Behavioral problems and cognitive functioning are associated with sleep disruption in children. For those with underlying medical conditions, sleep disruption may diminish the health-related quality of life of children and adolescents and may worsen the severity of common gastrointestinal disorders^{vi}

Sleep is an essential part of a healthy lifestyle and is recognised as a fundamental right under the European Convention on Human Rights (European Court of Human Rights, 2003). Night noise guidelines for Europe, set out by WHO, suggest the best protective measures to reduce sleep disturbance include the reduction of events or noise levels, or both (WHO, 2011). Children have no control over where they live. It is the council's obligation to take measures against negative impacts of night time noise in residential areas, to provide a healthy and supportive environment which maximises the health and wellbeing of children in the local area.

It is important for councils to effectively enforce noise regulations available to them in the planning permission stage, licensing stage and in the developed/operating stages. This applies to protect both the properties in the direct vicinity of the premise as well as those on the pedestrian or vehicle routes used by customers when entering/leaving. It may also be necessary to ensure licensed premises have a clear strategy to disperse customers.

To ensure night time noise is kept to a minimum, new licensing applications within residential areas should be restricted to hours within the recommended guidelines in Southwark's Licensing Policy.

ⁱ Wickham M. Alcohol consumption in the night-time economy. GLAEconomics.2012 (working paper 55)

https://www.london.gov.uk/sites/default/files/gla_migrate_files_destination/alcohol_consumption_0.pdf

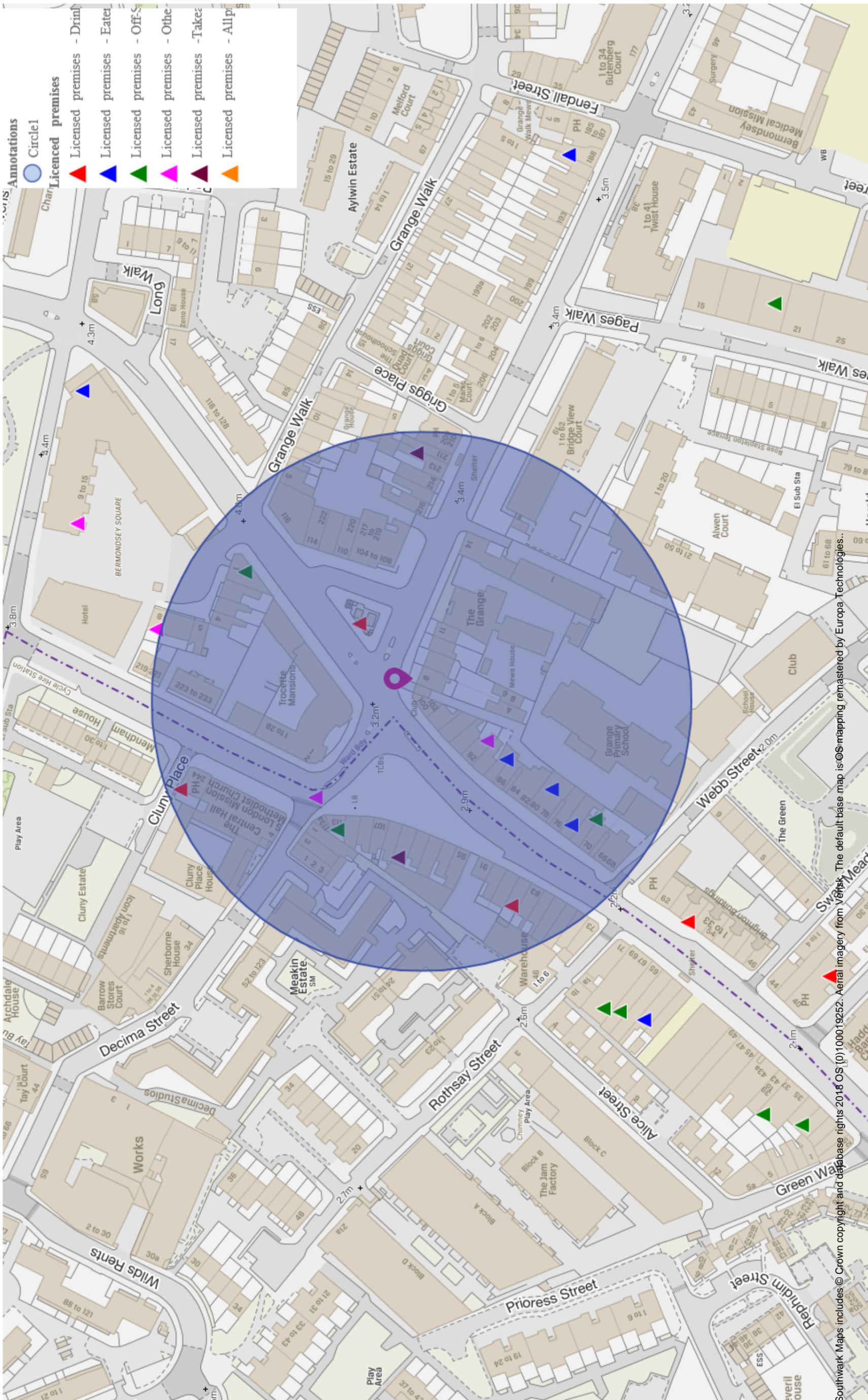
ⁱⁱ *ibidem*

ⁱⁱⁱ World Health Organisation (WHO) Europe. (2011). Burden of disease from the environmental noise: quantification of healthy life years lost in Europe

^{iv} Van Kamp, I at al, 2013, The effect of noise disturbed sleep on children's health and cognitive development; Journal of the Acoustical Society of America

^v Passchier-Vermeer, W. (2003) Night-time noise events and awakening. TNO report 2003-32, Delft, The Netherlands

^{vi} Medic G, Wille M, Hemels MEH. Short-and long- term health consequences of sleep disruption. Nat Sci Sleep. 2017; 9: 151–161.



Southwark Maps includes © Crown copyright and database rights 2018 OS (D)100019252. Aerial imagery from Viewsk. The default base map is © mapping remastered by Europa Technologies..

50 m

27-Aug-2019



LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2019-20

NOTE: Original held by Constitutional Team; all amendments/queries to Andrew Weir - Tel: 020 7525 7222

Name	No of copies	Name	No of copies
Members		Officers	
Councillor Renata Hamvas (Chair)	1	Debra Allday, legal team	1
Councillor Barrie Hargrove	1	Dorcas Mills, licensing team	1
Councillor Charlie Smith	1	Jayne Tear, licensing team	1
		Clizia Deidda, public health	1
Councillor Margy Newens (Reserve)	By email	P.C. Graham White, Metropolitan Police Service	By email
		P.C. Ian Clements, metropolitan Police Service	By email
		Andrew Weir (spares)	4
		Total printed copies: 11	
		Dated: 3 September 2019	