

APPENDIX D

From: Newman, Sarah
Sent: 18 March 2014 11:38
To: Regen, Licensing
Cc: Prickett, Mark; Ashenden, Kristie; Franklin, David
Subject: FW: EPT objection to TEN application - 5th Floor 70 Newington Causeway - 18.00 - 02.00hrs - 29 - 30th March 2014

Hi Licensing,

Sent on behalf of Mark Prickett.

This application does not state the number of persons that are planned to attend the proposed event - however, for the reason listed in the email below the EP Team object to this late TENs.

Kind regards
Sarah Newman
Principal Environmental Protection Officer
Environmental Protection Team

From: Prickett, Mark
Sent: 17 March 2014 16:23
To: Regen, Licensing
Cc: Ashenden, Kristie; Newman, Sarah; Franklin, David; Parkins, Richard
Subject: EPT objection to TEN application - 70 Newington Causeway - 5/6th April 2014

Dear Licensing,

The Environmental Protection Team have reviewed the TEN application made by Mr. Kofi Berchie for a 'social event - such as party & social gathering' at Floor 5, 70 Newington Causeway, SE1 6DF on Saturday 5th April from 18:00 to 02:00 the following day. Licensable activities sought are for the sale by retail of alcohol, the provision of regulated and the provision for late night refreshment.

After reviewing the application and the premises history Environmental Protection raise objection to this TEN application for the following reasons;

1) Prevention of Public Nuisance

The premises is a disused office block and as such is not constructed/insulated to appropriately contain regulated entertainment noise, especially when continuing through to the sensitive times of 02:00. If this TEN goes ahead I have concerns regarding the potential noise disturbance this event could cause to surrounding residents.

2) Public safety

Southwark Council Environmental Health department have serious concerns regarding Health & Safety standards at the premises and as such the safety of visitors to the venue if this TEN is permitted. A fire Risk Assessment was undertaken by Nigel Williams dated 23/11/2013 on behalf of Mr. Kofi Berchie for Victorious Restoration Power Ministry, 5th Floor, Lancaster House, 70 Newington Causeway, London, SE1 6DF.

The following significant issues (those that have been identified as being very high priority and high priority) were stated as needing to be addressed as a matter of urgency;

Item	description
4.1	No training provided for Fire Wardens/Staff and no training records

- 4.3 No disabled persons policy or a Personal Emergency Evacuation Procedure (PEEPs)
- 4a.1 Fire Wardens have not been appointed
- 4a.2 No fire evacuation drills have been carried out
- 4a.3 No training provide for staff in basic use of fire extinguishers
- 4a.4 No fire evacuation policy for evacuation of people with disabilities
- 6.2 No portable appliance testing (PAT) has been carried out
- 7.1 No set occupancy figure for 5th floor against escape stair capacity for building
- 7.1 Insufficient exit width to east (front) escape stair to allow for number of occupants on fifth floor
- 7.2 Ascertain stair capacity
- 7.2 No control on number of occupants in building
- 7.4 No 'Fire Exit' signage in west (main) stair
- 7.4 No 'Fire Exit' signage in various locations on fifth floor
- 7.6 Padlocks or bolts on doors to east (front) stair
- 7.6 Bolts and lock on final exit doors from east (front) stair at ground floor level
- 7.6 Blocked escape route on stairs and fire doors to stairs left open
- 7.9 Door on escape route does not open in direction of travel
- 7.10 No intumescent strips or cold smoke seals on various doors
- 7.10 Excessive gap between entrance doors to fifth floor
- 7.11 Self closing device on kitchen door is broken
- 7.16 No emergency escape lighting in main hall
- 7.18 Faulty emergency escape lighting in fifth floor
- 8.4 No 'Fire Action' Notices
- 8.8 No verification of automatic monitoring of fire alarm signal

It is the duty of the responsible person to action any significant findings, and as far as Southwark Council's Environmental Health teams are concerned these matters have not been addressed and as such very serious public safety concerns are still held with regards to this venue continuing to be used as a licensed premises.

With regards to max occupancy of the premises, the report detailed the following;

"There is a full occupancy figure of approximately 150 persons which includes visitors and staff. This figure has not been verified against the combined escape capacity of the protected fire exits and stairs for the whole building. The building has two escape stairs, each of which discharges directly to the outside and fresh air. However, the entrance door to the fifth floor lobby of the east stair (front) is of restricted width and has will therefore have a lesser capacity than the main stair. The Responsible Person has been advised by the assessor to urgently increase the width of the exit door to the stair lobby to at least 1050 mm in order to allow sufficient escape capacity to this stair, should only one stair be available in the event of fire. Until this is completed the Responsible Person should limit the number of persons on the fifth floor to not more than 60."

Despite the full occupancy figure being stated to the fire assessor as 150, this TEN application seeks to permit a max number of 200 people at the premises. This number is in excess of the previously stated max number of 150, and well in excess of the max capacity of 60 outlined in the Fire Risk Assessment. This demonstrates that the applicant has paid no attention to the content and urgent recommendations made within the Fire Risk Assessment.

To summarise, the Environmental Team raise objection to this TEN application on prevention of public nuisance and public safety grounds. The aforementioned Fire Risk Assessment is attached to accompany this objection.

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team

Tel: 0207 525 0023

PRESCRIBED FORM OF COUNTER NOTICE (LATE TEMPORARY EVENT NOTICE)

The prescribed form for a counter notice (late temporary event notice) is as follows:

Ref: 844309

Counter Notice (Late Temporary Event Notice) – Permitted Temporary Activities

On **14/03/2014** the licensing authority received from you a late temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on **29/03/2014** to **29/03/2014** at **70 Newington Causeway, London, SE1 6DF**. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”).

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X

A copy of this counter notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the late temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

SIGNATURE	On behalf of the licensing authority	DATE	18 th March 2014
Name of Officer signing	Charlie Jerrom		