



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.*

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Switchboard - 020 7525 5000 **Website** - www.Southwark.gov.uk

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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 of 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

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Division - Environment & Leisure

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
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