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 potencial 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 considerers 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 hors 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,

[redacted]

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

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