

Southwark Licensing Team

Community Safety EHTS,
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160 Tooley Street
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**Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

(Insert name of applicant)

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

Part 1 – Premises or club premises details

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

EV RESTAURANT BAR AND DELICATESSEN
97-99 Isabella Street

Post town London

Post code (if known) SE1 8DA

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

TAS RESTAURANT LIMITED

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

845614

Part 2 - Applicant details

I am

Please tick ✓ yes

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

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

X

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

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

Please tick yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

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

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

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

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

- Please tick one or more boxes ✓
- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

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

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

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

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

PREMISES SITE CONTEXT

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

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

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

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

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

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

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

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

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

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

INVESTIGATION & COMPLAINT HISTORY

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

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

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

• NTE VISITS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

• **NOISE & NUISANCE TEAM COMPLAINTS**

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

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

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

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

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

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

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

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



• **EPT VISITS**

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

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

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

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

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

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

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

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

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

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

- **COUNCIL CORRESPONDANCE WITH EV**

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

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

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

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

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

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

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

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

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

Full email can be found in Appendix 3.

No correspondence was received back to EPT from this email.

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

CONCLUSION

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

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

of EV management not adequately addressing the following;

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

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

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

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

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

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

RECOMMENDATION

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

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

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

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

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

REMOVAL OF CONDITIONS;

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

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

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

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

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

NEW CONDITIONS;

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

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

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

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

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

Additional comments for committee / responsible authorities to consider;

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

Please tick yes

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

If yes please state the date of that application

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

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

N/A

Please tick ✓

yes

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

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

Part 3 – Signatures (please read guidance note 4)

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

Signature



Date

7 / 12 / 2015

Capacity

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

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

Post town

London

Post Code

SE1 2QH

Telephone number (if any) 0207 525 0023

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

Notes for Guidance

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

EV NTE VISITS (28/2/2014 – 7/11/2015)

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

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

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

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

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

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

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

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

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

APPENDIX 2

ISABELLA STREET ACTION PLAN SEPTEMBER 2014

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

The points we wish to address are:

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

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

Action Points:

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

2.4 Bring the music levels down in stages from 1hr before closing so that patron's ears can re-acclimatise to an appropriate level of talking when leaving.

2.5 Ensure on Monday, Tuesday, Wednesday and Saturday nights there are enough members of staff on duty to monitor patrons leaving in a quiet and respectful manor.

3.1 Stewards are briefed to patrol outside all premises during the evening on Isabella Street to make sure no music is audible from the road and advise where appropriate each manager to turn the music down.

3.2 Make sure that on Monday, Tuesday, Wednesday and Saturday staff in all bars are responsible for exiting the premises at various points throughout the night and checking that the music levels are low enough and not audible from Isabella Street.

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

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

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

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

APPENDIX 3

Prickett, Mark

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

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

Dear all,

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

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

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

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

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

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

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

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

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

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

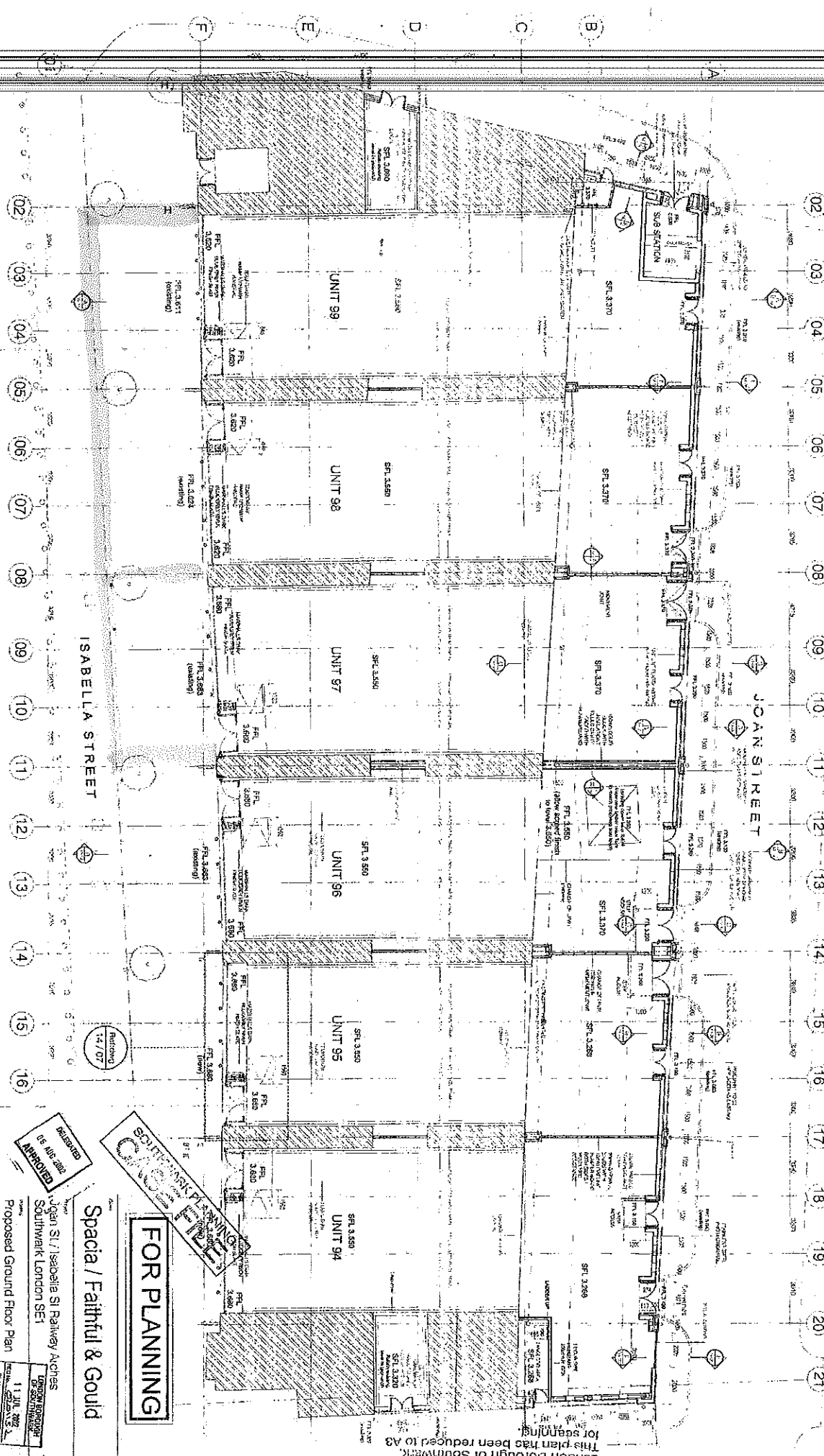
Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
Southwark Council

Tel: 0207 525 0023

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

EV-INDICATIVE PLAN



EXTERNAL FRONTAGE AREA
DESIGNATED SMOKING AREA AFTER 22.00

ISABELLA STREET

JOAN STREET

- 1. 04/07/02 Unit 94/95/96/97/98/99
- 2. 04/07/02 Unit 94/95/96/97/98/99
- 3. 04/07/02 Unit 94/95/96/97/98/99
- 4. 04/07/02 Unit 94/95/96/97/98/99
- 5. 04/07/02 Unit 94/95/96/97/98/99
- 6. 04/07/02 Unit 94/95/96/97/98/99
- 7. 04/07/02 Unit 94/95/96/97/98/99
- 8. 04/07/02 Unit 94/95/96/97/98/99
- 9. 04/07/02 Unit 94/95/96/97/98/99
- 10. 04/07/02 Unit 94/95/96/97/98/99
- 11. 04/07/02 Unit 94/95/96/97/98/99
- 12. 04/07/02 Unit 94/95/96/97/98/99
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- 14. 04/07/02 Unit 94/95/96/97/98/99
- 15. 04/07/02 Unit 94/95/96/97/98/99
- 16. 04/07/02 Unit 94/95/96/97/98/99

APPROVED
16. 04/07/02

SOUTHWAICK RAILWAY ACTIVES
FOR PLANNING

Spacia / Faithful & Gould

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

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

11 JUN 2002
LONDON BOROUGH OF SOUTHWICK
PLANNING DIVISION

Spacia / Faithful & Gould

Proposed Ground Floor Plan

11 JUN 2002
LONDON BOROUGH OF SOUTHWICK
PLANNING DIVISION

1:100 02/10/01 SC

49353 12-1 6 11