

Southwark Licensing Team

Community Safety EHTS,
3rd Floor Hub 2
160 Tooley Street
PO Box 64529
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E-mail: licensing@southwark.gov.uk

**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	
JACKS Railway Arch 96 Joan Street	
Post town London	Post code (if known) SE1 8DA

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

Number of premises licence or club premises certificate (if known)
843349

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)

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

Please tick yes

I am 18 years old or over

**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 Jack's, Railway Arch 96 Joan 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 Jack's, Railway Arch 96 Joan Street, SE1 8DA to address the existing premises licence no: 843349, granted November 18 2013.

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.

Jack's is a single arch premises, numbered 96, and described as a "bar and kitchen" on their website. It is believed Jack's has been operational since 2005/6 and the recent premises licence (no: 843349) is dated 18th November 2013 due to a change in the Designated Premises Supervisor (DPS).

The 4 relevant conditions placed on the licence to address the 'prevention of public nuisance' licensing objective are as follows;

344 - That reasonable steps shall be taken to prevent noise and vibration escaping from the premises including music, noise from ventilation and human voices.

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 off 2300 hours and 0900 hrs.

INVESTIGATION & COMPLAINT HISTORY

The council has undertaken a long investigation process with Jacks. 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 Jack's are detailed in Appendix 1 however highlights of relevant visits and officer actions are summarised below.

March 2014 Southwark's Licensing Night Time Economy Team (NTE) commenced visits to Isabella Street on the weekend of Friday 28th February/Saturday 1st March 2014 in response to complaints received to the licensing service regarding public nuisance from Jacks.

1 visit made by NTE 00:05 on 1/3/2014. **Officer noted some sound escape but no major issues.**

May 2014 3/5/14 - NTE visit 21:45. Officer noted music breakout from Jack's "when premises door opens to admit patrons, some noise from patrons outside speaking whilst smoking and drinking".

Noise leakage witnessed from front door when in use.

July 2014 12/7/14 - NTE visit at 21:28 after Licensing team received complaints regarding music and patron noise breakout when front doors were open. **Officer advised the manager Michael Whitfield of the details of the complaint and warned of problems with playing regulated entertainment with doors open, with possible implications of a premises licence review in future.**

18/7/14 - NTE visit at 23:45 – Officer heard music bass level from car when parked in Hatfields. Officer linked this bass music to Jacks. Officer spoke to manager Michael Whitfield again and noted “Whilst we were talking 3 white males came out and were standing in the walkway directly outside Jacks. One of the males started shouting and joking about. Mr Whitfield did nothing to address this until I told him to”. **Officer witnessed loud amplified music audible beyond premises boundary.**

25/7/14 - NTE visit at 20:09– Officer witnessed “several people were in the pedestrianised area drinking, as well as behind the tube ventilation”. The pedestrian area referred to is Isabella Street. **Patrons permitted beyond the premises boundary.**

Aug 2014 1/8/14 - NTE visit at 18:24 - Officer witnessed “Huge numbers of people outside” and “we had trouble getting through the crowds. Went inside Jacks and spoke to manager Michael Whitfield. 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.” **Patrons permitted beyond premises boundary and loud audible music leaking out from premises.**

1/8/14 - Re-visit at 22:13 “Still a large number of people outside and music can be heard as doors are open.”

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”. “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”. “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”. **Patrons permitted beyond premises boundary and loud amplified music heard leaking out from premises.**

Dec 2014 19/12/14 - NTE visit at 21:50 - “Approximately 8-10 people outside Jacks bar, they were drinking in the passage thorough fare which was not part of their premises. I went to speak to the manager Michael Whitfield...the manager apologised and said that the SIA staff know that they are not allowed outside after 10pm and they should have been inside their space. I have warned the manager to ensure this does not happen again” **Patrons permitted beyond the premises boundary.**

Feb 2015 6/2/15 - NTE visit at 22:37 - “Can hear dance music from premises, gets louder when the door is open. 6 people outside, some shouting. Asked doorman to get manager. As we were waiting, we saw a male stumble out of Jack's -he appeared to be heavily intoxicated. Spoke to Catherine and advised of issues. She said she was a new manager and had only worked there for a week. Told her to reduce music volume and clear up vomit at the entrance.” **Loud amplified music leaking out from premises when front door in use.**

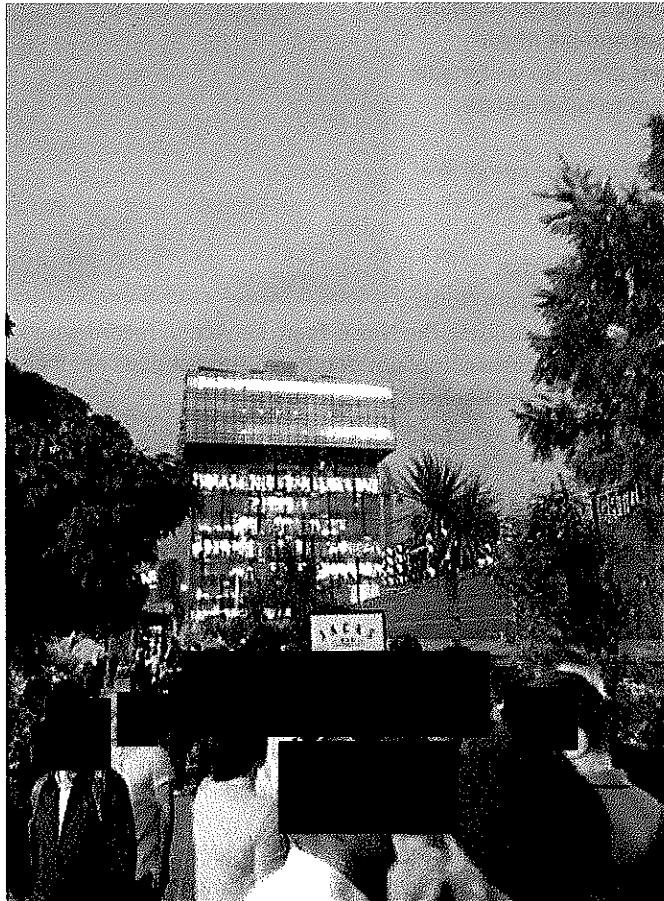
May 2015 16/5/15 - NTE visit at 00:19 - “Had the ‘Please leave Quietly signs displayed’ it was very quiet we visited at 00:19hrs.”. To note that no issues caused from premises when all patrons inside. **Demonstrating that when patrons are inside and doors are closed then no public nuisance was being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

29/5/15 - NTE visit at 22:31 - “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...the installation of lobby doors would aid in reducing sound escape”.

July 2015 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."

21:49 "It became evident that Jack's Bar was also causing noise nuisance. LAM clearly audible in area. Spoke to Mr McElhinney who said that an SLD had been set. I pointed out that the doors (inc bifold doors the entire length) were open and the SLD had probably been set with them closed. Either way, I advised that it was too loud, and it would need to be reset." "In the area closest to Styles House (where there are plants, and furniture made out of wood) we saw a Jack's staff member go to the ventilation shaft area and collect glassware." **Officer witnessed public noise nuisance from Jacks due to loud audible leaking out of the premises with the doors open.**

Aug 2015 28/8/15 - NTE visit at 20:15 - "Noticed crowds of people standing on the walkway outside Jacks Bar 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 patrons creating noise whilst beyond the premises boundary and from loud amplified music emanating from premises with front doors open. Pic opposite 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. I spoke with the manager of Jacks Bar, Will, who stated he would reduce the volume. As we left Isabella St, Jacks Bar had not reduced music volume." NTE officer's advice been ignored by Jacks Bar and continued to cause a public noise nuisance.

Nov 2015 28/11/15 - NTE visit at 22:00 "Area quiet, loudest premises was Jacks Bar, music audible especially when front door opened for access." Noise leakage from premises with front doors open.

• **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;

6/8/15 – Complaint to Noise Team at 20:58. Loud Audible Music allegedly from Jacks. No visit made by Noise Team to substantiate.



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

Important to note also 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 Jacks 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 65 patrons beyond the external front terrace, mostly stood on Isabella St and around high tables and chairs", "Jacks had largest number of patrons on Isabella Street (and) were 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 "Concertina doors closed with approximately 45 patrons remaining in the external area. Noise from both patrons and music was clearly audible on Isabella St. The main doors were open with no acoustic lobby installed."

EPT visit confirmed that public nuisance was occurring due to loud amplified music leaking from the premises and from people noise whilst patrons were outside of Jacks premises boundary on Isabella Street.

Dec 2014 EPT officer visited at 21:45 and noted "all patrons under canopy. Baseline/music audible on other side of Isabella St. Approx 30 people in outdoor area. Music not loud enough for people having to shout over and also not audible above the noise from a passing train. Music escape as the front

door was open and no lobby. Security guard spotted patrolling area in front of Jacks." In summary "Music levels at Jacks still loud & doors left open".

- **COUNCIL CORRESPONDANCE WITH JACKS**

July/Aug 2014 EPT objected to a Temporary Event Notice applied for at Jacks in light of information that complaints had been received by the Licensing Team regarding licensed entertainment from Jacks.

Licensing sub-committee upholds EPT objection and serves counter-notice.

EPT advise Jacks of past complaints, current issues and for need for Jacks to contact planning department for existing planning restrictions on premises.

28/8/14 – Site meeting with EPT, Licensing & all 3 Isabella Street premises' representatives including Jacks. 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 hour earlier than the 11pm cut off required as per premises licence condition 847.

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 which outlined measures to prevent continued public nuisance from occurring from Jacks and other 2 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.

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."*

A full copy of this email can be found in Appendix 3.

No correspondence was received back to EPT from this email.

Aug 2015 After the NTE visit to Jacks on 31/7/2015 whereby substantial public noise nuisance was witnessed, Jacks submitted to the council a revised Action Plan dated 7th August 2015. A copy of this is found in Appendix 4.

Sept/Oct 2015 After an NTE visits 28th August 2015 whereby NTE officers again witnessed substantial public nuisance from Jacks, EPT decision to review Jack's premises licence on prevention of public

nuisance grounds.

Nov 2015 Email from Victoria Mawson at Jacks, asking for feedback from operations during 2015 & outlining measures Jacks have implemented in 2015 in attempt to prevent public nuisance. This email can be found in full as Appendix 5.

CONCLUSION

Southwark Council has carried out this investigation for over 1.5 years, dating from March 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 Jack's 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 Jack's 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 Jacks 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 one of the first NTE visits on 12/7/2014, the manager of Jacks was advised of the nature of public nuisance complaints Southwark had received, and verbally warned of possible review action should the complaints not be remedied.

Several months after this first warning, EPT warned Jacks 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.

EPT now consider that a review of the premises licence is the only option to appropriately address the public nuisance issues at Jacks after repeated correspondence, meetings and advice with the premises management has not considered to have been digested and effectively implemented into forming an adequate solution.

EPT therefore seek to review existing conditions on Jacks 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 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 of

increased noise levels.

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

To follow is a list of existing conditions to be removed and new conditions to be attached to premises licence 843349, which EPT consider relevant in order for Jacks to effectively control public nuisance. For the Licensing Sub-Committee's consideration;

REMOVAL OF CONDITIONS;

Remove condition 344 "That reasonable steps shall be taken to prevent noise and vibration escaping from the premises including music, noise from ventilation and human voices."

Remove condition 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." Spirit of condition to be kept but to be expanded on below:

Remove condition 846 "There shall be no public entertainment outside the premises." Spirit of condition to be kept but reworded with relevant wording below.

Remove condition 847 "No patrons shall sit outside the premises between the hours off 2300 hours and 0900 hrs." Spirit of condition to be kept but reworded with different times below.

NEW CONDITIONS;

Please note that for all reference to 'external frontage area', please refer to Appendix 6 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.
- 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		

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

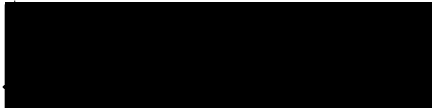
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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.

APPENDIX 1

JACKS NTE VISITS (1/3/2014 – 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 Jacks but have been recorded against a different premises on Isabella Street, in these instances relative comments to Jacks have been highlighted.

adate	desc	aofficer	name	address	adtext
01/03/2014	00:05 NTE Visit	Wesley McArthur	JACKS	Railway Arch 96, Joan Street	1/3/2014 00:05 WJM/visit to premise with KVD. We observed the premises for a few minutes. There were no tables or chairs outside of the premises or people congregating / smoking outside of the premises. There was some soundscape from the premises caused by the music being played, but it wasn't at a level that was likely to cause noise nuisance IMO. We noted many people leaving the premises, they were doing so in an orderly manner, talking to each other at a normal level (not shouting or raising their voices). When we got to the entrance of the premises I spoke to an IC2 male door supervisor. I I.D'd myself. The DS stated that the premises were shutting & I noted that the premises only had a few customers left in it who appeared to be getting ready to leave the premises. I asked the DS if the premises always shut this early, and he stated that the premises have been shutting at midnight on the weekends for quite a while. Because the premises were shutting for the night we didn't conduct an inspection and left.
12/04/2014	19:31 NTE Visit	Kristie Ashenden	JACKS	Railway Arch 96, Joan Street	Requested visit from WJM. Arrived at premises 19.31 however premises closed to public - private hire for a 30th b'day. To visit another evening.
18/04/2014	23:15 NTE Visit, closed premises	Farhad Chowdhury	JACKS	Railway Arch 96, Joan Street	18/4/2014 23:20 FRC, premises was closed at the time of visit. Shutters were down.
03/05/2014	21:45 NTE Visit	Mark Orton	THE STREET	Street Blpu, Joan Street, London	Visited area to assess noise from licensed premises. Some music breakout from Jacks when premises door opens to admit patrons, some noise from patrons outside speaking whilst smoking and drinking but not excessive.

12/07/2014	21:28	Jayne Tear	JACKS	Railway Arch 96, Joan Street	21:28 - 12/7/14 - JMT & SUE HUNTER/JACKS, RAILWAY ARCH 96, JOAN STREET, SE1 8DA spoke to the manager Michael Whitfield discussed the noise issues, there were approx 30 people sitting outside eating and drinking, the premises was not very busy inside and people were all watching the football on TV. There was not any noise emanating from the premises other than the hustle and bustle of people talking outside. I explained to him that we had received complaints about music emanating from the premises and noted that the entrance doors were wide open. I said that although that was not a problem at the moment, but if music was playing that the sound could travel and cause a nuisance to surrounding residents. He said that when he has music that the doors are closed. I said that the complaint had said that the doors were open and that he needed to be mindful of that and make sure that the doors were closing during regulated entertainment. I then went onto ask what time he stops people eating and drinking in the outside area. He said that at 22:50 he starts calling the customers to come inside and only allows smokers outside after that 23:00 hours and that they are not allowed to bring drinks out with them. I explained that he should be mindful of the noise in particular and explained what happens if the NT are called and the possible implications of a review and what could happen. (did not do an inspection as I had already done one approx 1 month ago and premises was compliant).
18/07/2014	23:45	Jayne Tear	JACKS	Railway Arch 96, Joan Street	18/7/2014 23:45 JMT & COT/JACKS, RAILWAY ARCH 96, JOAN STREET, SE1 8DA (23:45) We parked on the Hatfields side under the railway arch in the middle of the arch. Opened windows of the car and sat there for approx 5 minutes. Could hear base beat of house type music. As we walked into the archway could see that EV was closed. Went to Jacks, there were approx 12 people sitting outside smoking. There were also a few males in the walkway directly outside Jacks. Could hear the base beat of the same music that I had heard from the car. I asked the door supervisors if they could get the manager. Whilst we were waiting, the level of the music was reduced slightly, but could still hear it outside. The manager, who I spoke to last week, Michael Whitfield, came out of the premises. I told him that I could hear the music from the premises from under the arch in Hatfields. I asked him to reduce the level. I said that it had gone down slightly whilst we were waiting for him, but that it needed to go down more. He went back in and got the level reduced. When he came back out. I went over the same issues as last week. He kept saying that it was also the other premises either side as well. I said that both other premises are closed at this time and that it is his premises causing the problem from what I can see tonight. Whilst we were talking 3 white males came out and were standing in the walkway directly outside Jacks. One of them started shouting and joking about. Mr Whitfield did nothing to address this until I told him to. He asked his door supervisors to deal with it and they brought the 3 patrons back inside the premises

19/07/2014	00:15 NTE Visit	Jayne Tear	JACKS	Railway Arch 96, Joan Street	19/ 7/2014 00:15 JMT & COT Walked back to the car from visiting Thai silk and whilst writing mynotes, 4 males came from the walkway shouting and joking about (3black males and onw white male, they got into an audi parked directly in front of us). They put the music from the vehicle loud and then turned it down and then it went up again, One of them went back to the walkway and then came back to the car. Although I did not see these males come out of Jack's that is where I think they came from as all the other premises were closed. We left at 00:30.
25/07/2014	20:09 NTE Visit	Kristie Ashenden	JACKS	Railway Arch 96, Joan Street	Visited Isabella St area with regards to noise complaints. Took photos, noticed that several people were in the pedestrianised area drinking, as well as behind the tube ventilation.
01/08/2014	18:24 NTE Visit	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 on Thai 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 NTE Visit	Kristie Ashenden	JACKS	Railway Arch 96, Joan Street	Still a large number of people outside and music can be heard as doors are open.
03/08/2014	00:49 NTE Visit	Farhad Chowdhury	JACKS	Railway Arch 96, Joan Street	3/8/2014 FRCall quiet no activity, Justin said the area gets very busy around Isabella Street and there could be pickpockets and difficult to walk past sometimes at night.

08/08/2014	20:00	NTE Visit	Wesley McArthur	JACKS	Railway Arch 96, Joan Street	8/8/2014 20:00 WJMV/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.
09/08/2014	19:07	NTE Visit	Dave Swaby	JACKS	Railway Arch 96, Joan Street	09/8/2014 19:07 DDS/visit to the premises to hand-deliver the Counter Notice.
14/12/2014	01:10	NTE Visit	Mark Oton	CONSTRUCTION STREET	Isabella Street	MAD & MBALL premises closed and area quiet, no sign of ASB or persons loitering in the area, no music noise from premises or vehicles.
19/12/2014	21:40	NTE Visit	Farhad Chowdhury	JACKS	Railway Arch 96, Joan Street	19/12/2014 19:40 FRC2) Isabella Street SE1 - Visited at 21:50hrs, approximately 8-10 people outside Jacks bar, they were drinking in the passage thoroughfare which was not part of their premises. I went to speak to the manager Michael Whitfield, by then the SIA staff were getting people inside the premises. The manager apologised and said that the SIA staff know that they are not allowed outside after 10pm and they should have been inside their space. I have warned the manager to ensure this does not happen again. There were no customers outside EV restaurant, we also visited Thai Silk and noticed lots of people in the outside smoking area.

06/02/2015	22:37	Kristie Ashenden	JACKS	Railway Arch 96, Joan Street	Visit with JCM. Can hear dance music from premises, gets louder when the door is open. 6 people outside, some shouting. Asked doorman to get manager. As we were waiting, we saw a male stumble out of Jack's - he appeared to be heavily intoxicated. Spoke to Catherine and advised of issues. She said she was a new manager and had only worked there for a week. Told her to reduce music volume and clear up vomit at the entrance. Across Isabella St, there were 6 people sitting on wooden tables and chairs put in area with plants. Saw a couple with nangs and balloons. At 22:48 we went back to the car in Hatfields & saw 2x males with canisters and balloons - called NTE police to deal with.
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 FRCI visited on Saturday night and checked all three premises: EV's Bar, Jacks and Thai Silk all three premises had the "Please leave Quietly signs 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 WJM Observation with Adam Burchett (AB) of the area re' on going noise complaint. 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 people's voices. We couldn't hear any voices or music from the direction of Isabella Street. We then went and stood at the entrance to Styles house (facing Isabella Street) and could only hear traffic noise (no music or raised voices). We then walked to the junction of Isabella Street and Hatfields and looked down Isabella Street. There was no one drinking whilst on the public footpath / public areas on Isabella Street. 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. 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. Photo's 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 FRCNO 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 Blpu, 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.
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 Ugat 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.

27/07/2015	20:45	Richard Kalu	JACKS	Railway Arch 96, Joan Street	Visited premises with farhad Chowdhury. Premises was very busy and myself and Farhad spoke to the duty manager at the premises Hannah Burton. Advised that from 22:00hrs all patrons are moved into the premises and all windows and doors are closed to stop any noise breakout. Music from the venue was not exceptionally loud. Myself and Farhad were able to have a conversation without needing to raise our voices above the level of music which was being played from the premises ATOV. Noted that there are X2 SIA staff at the entrance in the external front beer garden / smoking area and there appeared to be a zero tolerance approach of SIA staff in relation to control and management of patrons in the external area of the premises. Observed X1 SIA member of staff before we approached and identified ourselves a patron to remain in the smoking area and not to go out on to the main road. This zero tolerance approach was reiterated by the duty manager who advised us that SIA staff were under strict instruction that the external area was to be controlled with a Zero tolerance approach. Wespoke to the SIA staff and they advised us that from 22:00 hrs patrons coming outside for a cigarette that were loud / abusive or causing an ASB issue were asked to vacate the area and would be refused re-entry into the premises. When we arrived no patrons were located on Isabella Street and it was evident that SIA staff were keeping patrons restricted to the front external smoking/drinking area of the premises. Action - NTE to monitor the premises next weekend for ASB related issues and compliance with the licence..
31/07/2015	21:03	Kristie Ashenden	Thai Silk	Railway Arches 94 To 95, Joan Street, London, SE1 8DD	With Matt Bourne. Visited area and on approach can hear LAM, esp heavy bass, from The Cut. Nice evening, dozens of people drinking outside on the Styles House side of the TfL ventilation shaft. Took a photo of Thai Silk to show how many people are blocking Isabella St. Pint glasses everywhere, not being collected. Thai Silk is blasting music and the others are equally loud trying to compete. All premises have doors and windows open.
31/07/2015	21:49	Kristie Ashenden	JACKS	Railway Arch 96, Joan Street	With Matt Bourne. Visited Jack's Bar. Due to Thai Silk being told to close doors and reduce volume, it became evident that Jack's Bar was also causing noise nuisance. LAM clearly audible in area. Spoke to Mr McElhinney who said that an SLD had been set. I pointed out that the doors (inc bifold doors the entire length) were open and the SLD had probably been set with them closed. Either way, I advised that it was too loud, and it would need to be reset. He claimed that none of the people behind the ventilation shaft on the other side of Isabella Street were his customers. Walked behind the shaft and there was a lot of empty glassware and rubbish.

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 Imade 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 FRCall quiet nobody outside, all quiet in the garden areas. No music is 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	JACKS	Railway Arch 96, Joan Street	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	JACKS	Railway Arch 96, Joan Street	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	JACKS	Railway Arch 96, Joan Street	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 Bipu, Isabella Street, London	No members of public located on road. Sound escape from premises was minimal. SIA staff presence in all premises. Majority of patronswatching 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 Joan 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 Blpu, 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 noises opposed to amplified music.
07/11/2015	19:55 NTE Visit	Farhad Chowdhury	THE STREET	Street Blpu, Isabella Street, London	7/11/2015 19:55 FRCObservations all quiet, nobody in the walkway or garden area, all quiet. there were some people sitting outside Jaks 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

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



Friday 07th August 2015

Re: Noise Control Isabella Street

To Whom It May Concern

After being visited by a member of Southwark Council on Friday 31st July 2015 due to noise complaints we have invoked the action plan first drafted last year to help alleviate this problem. We take this issue very seriously at Jacks Bar and Windmill Taverns respectively. Please look over the attached plan and let us know if there is anything you feel we should add or evaluate. This plan proved successful last year so we feel confident it will work again this year. We had a sound limiter installed at Jacks over the winter and hoped that might help keep the noise levels down. Although I am sure this has contributed to a better level at Jacks overall, we clearly could be doing more on our very busy nights. We also have not applied for any late night licenses this year in respect of the neighbouring residents. Hopefully this means overall our sound complaints have been reduced?

We are keen to work together with EV, Thai Silk, the residents and the council to make sure we keep our noise down whilst still promoting and increasing our business. Isabella Street is a fantastic area in Southwark and we want to keep it that way.

Please do not hesitate to get in touch and let me know any updates or amendments you might like to suggest.

Kind Regards

A black rectangular box redacting the signature of Victoria Mawson.

Victoria Mawson
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ISABELLA STREET ACTION PLAN AUGUST 2015

Drafted by Jacks Bar and agreed to by Thai Silk and pending agreement from EV Thai Silk. 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 07th August and will remain in place throughout the month.

APPENDIX 5

Prickett, Mark

From:

Sent:

To:

Subject:

05 November 2015 16:19

Newman, Sarah; Prickett, Mark; Franklin, David; Ashenden, Kristie

Isabella Street Action and Feedback

Good Afternoon

Apologies if this email is not relevant to some of you but I had numerous contacts in both the environmental and licensing teams at Southwark and wasn't sure who to address this to.

I am emailing today to provide some feedback about the last year at Jacks. After a tumultuous summer in 2014; it was a huge priority for us to address the noise complaints and crowd control at Jacks and we subsequently spent a lot of time and effort putting systems and plans into place to try and alleviate the problem. We believe our contact with Southwark council regarding these issues should not just be defensive reactionary occasional emails but rather proactive conscientious conversations. Sadly the last two emails I sent with information to the council were not replied to.

Let me first update you on all we have done at Jacks specifically.

1. We have upgraded our sound limiters to a more sensitive system as the acoustics in the arch made it difficult to hear the quality and volume at busy periods.
2. We moved our speakers around within the interior of the site with the help of an acoustic technician to make sure the sound waves were heading inward rather than outward.
3. Our staff training now involves a written question about how each individual can help to keep an eye on the noise levels with reference to the residents across the road thus making sure all staff members at all times are aware of the issue.
4. We initiated and implemented the Action plan from 2014, with some slight changes and tweaks to reflect what we learned last year (e.g. timings of stewards, smoking crowd control). We then presented this to EV and Thai Silk and suggested the same guidelines should be followed over the warmer months of 2015 when our problems seemed to be exacerbated. This was invoked for all three sites after a member of Southwark Council visited the street on 31st July 2015 and was also outlined in an email response to you on 7th August 2015.
5. We have refrained from applying for any TEN applications this year at Jacks to instead focus on our current opening hours and controlling the noise adequately within those parameters.

Whilst our results have not been perfect they have demonstrated a significant decrease in noise complaints being communicated to us from your offices, council staff having to attend Isabella Street and consequently, I would hope, a degree of satisfaction from residents that we are doing our best to keep them in mind.

Last year in both the meetings we had with representatives from Southwark on Isabella Street and the TEN application meeting that was attended by myself in the Southwark offices it was made clear to us that it was our (Jacks, EV and Thai Silk) responsibility to work together to maintain and solve the issue of noise complaints in the area. We were told that we would be collectively punished if one of us was not adhering to these rules and were subsequently threatened with license changes, sanctions etc... should this be the case. As you can see from the paragraph above Jacks has taken these meetings on board and taken them very seriously. It is important that you are aware however that we have faced considerable difficulties in uniting with EV and Thai Silk in the same aims.

~~It is fair to say that we have spear-headed, organised and implemented the initiatives and to a certain extent policed them even though we only occupy half the space that both EV and Thai Silk do on the street. We have communicated by email, face to face and tried to organise meetings but these have been ignored or only responded to with one line emails either agreeing or disagreeing with the proposals. With these responses in mind; it certainly seems like neither EV nor Thai Silk care too much about this or are simply happy to let us take the reins. We are by no means trying to place blame on anybody else; the results of our work negate this but we do feel it is important that these issues are pointed out to you. As the only "bar" on the street it is easy for the finger to be pointed at us and historically it has been. However there have been numerous incidents this year where our management have attempted to enforce the rules of the action plan and suggestions of Southwark Council to be ignored or even ridiculed by both businesses. Only last Friday our manager had to attend Thai Silk to ask them to turn their base and music down; he was greeted by a member of staff who did nothing about it even after the second visit. We are now in a situation where EV are refusing to pay for the stewards in full even though the noise was clearly significantly reduced by their presence.~~

I point these things out not for pity's sake but to highlight the ongoing challenges we are facing trying to handle both ourselves, EV and Thai Silk for fear of collective repercussions from the council that could irrevocably damage our business or even close it all together. Sadly we do not receive the same concern or collective responsibility from EV and Thai Silk; we are met with reluctance, aggression or ignorance.

Whilst we are trying our best to cope with the strain of this responsibility it would be great if we could have help from the council regarding this. Replies to emails (especially the action plan) so that we can back up the things we are proposing with council approval would be very helpful, occasional meetings to discuss how things are going (once or twice a year) or communication via email/letters to at least back up our work. Without this presence, next year I fear both EV and Thai Silk will not agree to the action plan and we will all be back where we started.

Aside from this, we are struggling to control late night drinkers with cans (presumably purchased from Tesco or Sainsbury's) who are loitering around the back of the underground shaft opposite our site. This was mentioned in our meetings last year but as far as we can see nothing has been done about it. Last week we had an incident where we had to call the police to remove a drunk man from our premises who had entered and was verbally abusing our customers. He had been drinking for several hours and lying on the back benches of the shaft. We feel it is important to highlight that this is a real problem for us.

Finally, in a meeting last year we were made aware of a residents meeting in March. I had some communication with Sarah Newman about this as we were keen to attend obviously, but was consequently told that it had been cancelled. During the TEN meeting last year the residents had claimed that we never replied to emails/letters about attending these meetings. Let me say with absolute clarity that we have never been invited by email or by letter (our address is clearly visible on the website and they know our situation) and I have had to chase up rumours of meetings over the past 12 months only to be constantly faced with changes or cancellations. What's more when I asked the council for a contact from the residents so that I could pursue this myself, my email was ignored. I find it difficult to believe there hasn't been a residents meeting since last year but worry our absence only extends these strained lines of communication further. If you do have a contact for the residents nearby could I have it so that I can take the opportunity to reach out for feedback from them directly?

As I have said before Isabella Street is a fantastic part of Southwark; a gem and hopefully we can continue to work together to keep it a pleasant place to live and a thriving area of business.

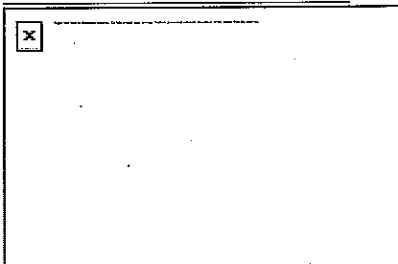
Kind Regards

Victoria

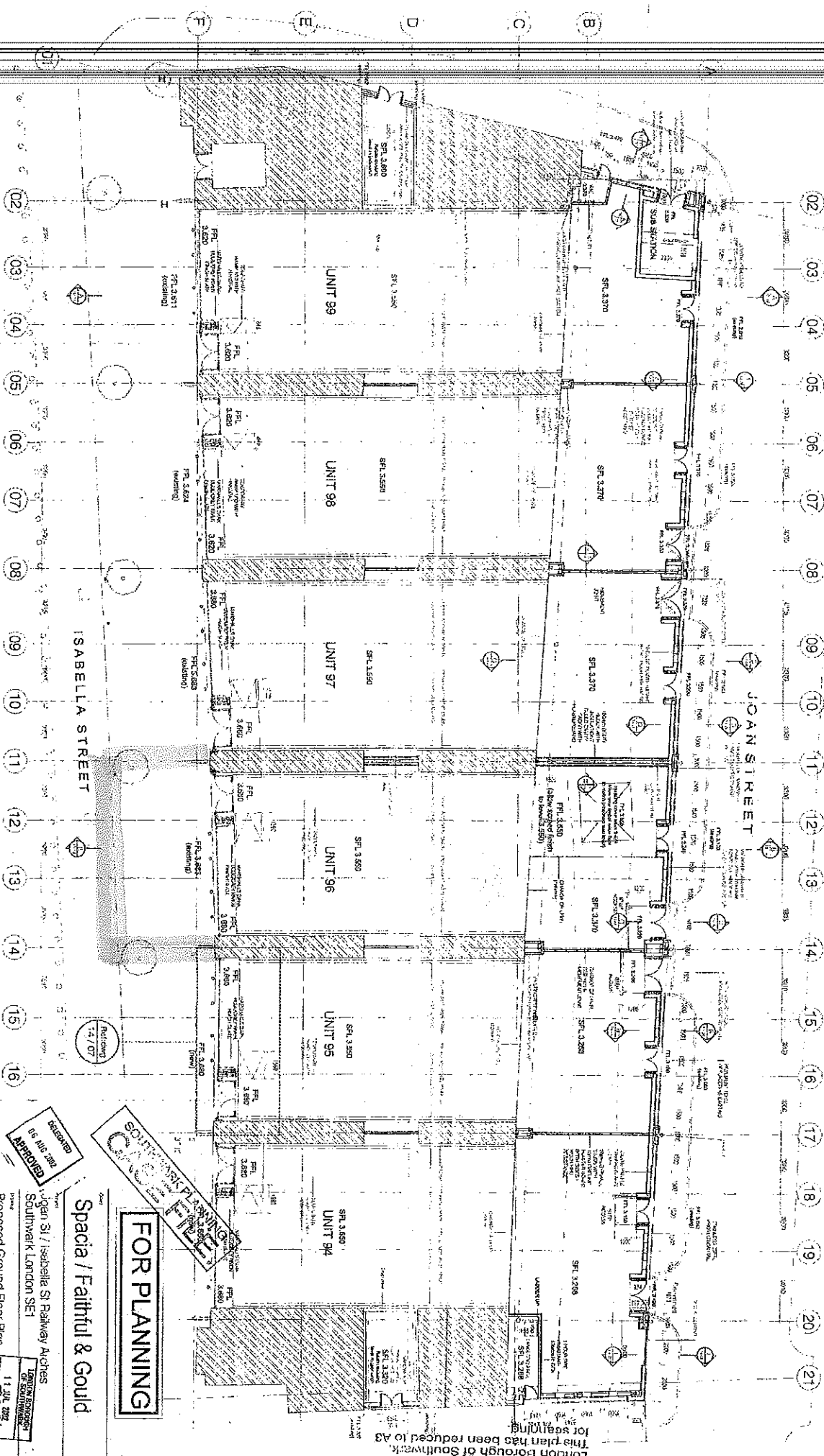
Victoria Mawson
Windmill Taverns Group
25 Roupell Street
London
SE1 8TB

02037723921

www.windmiltaverns.com



TACKS-INDICATIVE PLAN



EXTERNAL FRONTAGE AREA /
DESIGNATED SMOKING AREA

ISABELLA STREET

JOAN STREET

01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21

- 1 02/02/2012 Sub Station, Machine, Room & Machine enclosure
- 2 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 3 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 4 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 5 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 6 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 7 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 8 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 9 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 10 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 11 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 12 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 13 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 14 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 15 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 16 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 17 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 18 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 19 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 20 02/02/2012 Kitchen, Living, Bed, Bath, and Store room
- 21 02/02/2012 Kitchen, Living, Bed, Bath, and Store room

FOR PLANNING

SOUTHWARKE PLANNING
11th Floor
100 Old Broad Street
London EC2N 2DB

Spacia / Faithful & Gould

100 Old Broad Street
London EC2N 2DB

11th Floor
100 Old Broad Street
London EC2N 2DB

11th Floor
100 Old Broad Street
London EC2N 2DB

11th Floor
100 Old Broad Street
London EC2N 2DB

NO.	DATE	BY	DESCRIPTION
1	02/02/2012
2	02/02/2012
3	02/02/2012
4	02/02/2012
5	02/02/2012
6	02/02/2012
7	02/02/2012
8	02/02/2012
9	02/02/2012
10	02/02/2012
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14	02/02/2012
15	02/02/2012
16	02/02/2012
17	02/02/2012
18	02/02/2012
19	02/02/2012
20	02/02/2012
21	02/02/2012

London Borough of Southwark
This plan has been reduced to A3
for printing.