

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Wednesday, March 15, 2017 3:31 PM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Major Variation for Tasti, Unit C, Montreal House

To whom it may concern:

Re: Unit C Montreal House, Surrey Quays Road, London SE16 7AQ

On behalf of the Acting Director of Public Health for Southwark (a responsible authority under the Licensing Act 2003) I wish to make representation in respect of the above.

The representation is made in respect of the following licensing objective(s):

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety

General Comments

Public Health are in receipt of an application from the above premise for a major variation to the premises license to extend the hours for alcohol sales on/off the to 00:00 on Mondays to Thursdays and 01:00 on Fridays and Saturdays.

This premise is located within Canada Water Major Town centre and the hours requested would align with what is recommended in Southwark's Statement of Licensing policy for restaurants and cafes. Therefore I recommend the premise is conditioned to operate as a restaurant in that sale of alcohol are only permitted ancillary to a meal.

If you have any further questions, please do not hesitate to contact me.

Carolyn Sharpe carolyn.sharpe@southwark.gov.uk

on behalf of Dr Jin Lim, Acting Director of Public Health



The Licensing Unit
Floor 3
160 Tooley Street
London
SE1 2QH

Metropolitan Police Service
Licensing Office
Southwark Police Station,
323 Borough High Street,
LONDON,
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/ 2930/17

Date: 16th March 2017

Dear Sir/Madam

Re:- Tasti Unit C Montreal House Surrey Quays Road SE16 7AQ

Police are in possession of an application from the above for a variation to a premises licence. The current licence allows for the sale of alcohol until 2300 hrs with a terminal hour for the premises of 2330hrs.

With regard to the sale of alcohol, these hours sit within Southwark's statement of licensing policy. The application would bring the hours considerably outside of this policy and therefore requires consideration from the licensing sub committee.

The applicant wishes to extend the opening hours of the premises Monday to Thursday until 0030 hrs and 0130hrs on Friday and Saturday Nights.

The premises is located underneath a residential unit and within close proximity to a number of other residential apartments. My concerns relate to both the prevention of crime and disorder and the prevention of public nuisance licensing objectives.

Although a substantial increase in hours has been applied for, the applicant has offered little in the way of additional control measures to counter the possible impact these hours would have on the licensing objectives.

I myself would be reluctant to offer any suggested control measures to counter the possible impact. As we see on a regular basis it's not the noise or nuisance emanating from inside a venue, but the noise and nuisance associated with patrons once outside and beyond the control of the licensed premises.

I am of the opinion that this matter should go before the licensing subcommittee for consideration that the additional hours are refused.

Yours Sincerely
Pc Ian Clements 363MD
ian.clements@met.pnn.police.uk

From: Earis, Richard
Sent: Tuesday, April 25, 2017 11:23 AM
To: McArthur, Wesley
Subject: RE: License major variation application: Unit C, Montreal House

Hi Wesley,

Yes, confirmed on the basis of acceptance of the conditions below.

Kind Regards,

Richard

Richard Earis
Principal Environmental Protection Officer
Environmental Protection Team

From: McArthur, Wesley
Sent: Tuesday, April 25, 2017 11:22 AM
To: Earis, Richard
Subject: RE: License major variation application: Unit C, Montreal House

Hi Richard,

Please confirm whether you withdraw your representation or not.

Regards,
Wesley McArthur
Principal Enforcement Officer
London Borough of Southwark
E-mail: wesley.mcarthur@southwark.gov.uk
General: licensing@southwark.gov.uk
Phone: 020 7525 5779
Fax: 020 7525 5705
Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1
2QH

From: Earis, Richard
Sent: Monday, April 24, 2017 8:55 AM
To: McArthur, Wesley
Subject: FW: License major variation application: Unit C, Montreal House
Importance: High

Hi Wesley,

See below for conciliation\agreement with applicant and final conditions for operating schedule.

Kind Regards,

Richard

Richard Earis
Principal Environmental Protection Officer
Environmental Protection Team

From: annmarie barwick
Sent: Saturday, April 22, 2017 12:41 AM
To: Earis, Richard
Subject: Re: License major variation application: Unit C, Montreal House

Hi Richard,

Thank you for clarifying the points below.

As discussed, I can confirm we are happy to continue with the conditions you have proposed and can therefore avoid having to advance this to a hearing.

Kindest regards,

Annmarie

General Manager

Leadbelly's Bar & Kitchen
Montreal House
Market Square
Canada Water
London
SE16 7AQ

On 21 Apr 2017, at 14:52, Earis, Richard <Richard.Earis@southwark.gov.uk> wrote:

Dear Annmarie,

Further to our telephone conversation today, I understand that the amplification equipment is only capable of producing background music and that you have no wish to use this equipment for any other purpose.

As an alternative to requiring a sound limiter would you accept the following condition?

- Any music played on the premises at any time shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter or other private area and in the full control of staff at all times.

For clarity the other conditions would then be as reproduced below:

- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or anti-vibration mats.
- No external areas of the premises shall be used for the purposes of licensed entertainment.
- All external doors and doors to noise lobbies used by patrons to enter the premises shall have self-closers to the doors in accordance with BS 6459 Pt. 1 1984.
- 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.

Please confirm this is acceptable and we can avoid the need for our concerns to be discussed at a hearing.

Kind Regards,

Richard Earis
Principal Environmental Protection Officer
Environmental Protection Team

From: annmarie barwick
Sent: Thursday, March 16, 2017 2:48 AM
To: Earis, Richard; McArthur, Wesley
Subject: Re: License major variation application: Unit C, Montreal House

Dear Richard,

Thank you for your email detailing the objections you have to our extension application. I appreciate your feedback and more than happy to work with you to ensure all residents are undisturbed. For ease I have written my thoughts and responses, to the points raised below, in red next to each point.

I know the flats of Montreal House were sound attenuated during construction and our premises has had insulation buffers fitted to the ceiling so we should hopefully have no sound leakage but happy to test this out. If you wish to discuss any further, or indeed you want to come down to see us, I'd be happy to assist - please do not hesitate to email me.

Warm regards,

Annmarie Barwick

General Manager

Leadbelly's Bar & Kitchen
Montreal House
Market Square
Canada Water
London
SE16 7AQ

On 21 Feb 2017, at 15:31, Earis, Richard <Richard.Earis@southwark.gov.uk> wrote:

RE: Major Variation for Unit C, Montreal House
CMU 849690

I have considered the above application and I wish to object on the grounds of prevention of public nuisance.

In light of the proximity of local residents and the proposed increase in operating hours, the controls on the license are not considered sufficient to prevent public nuisance.

I would be prepared to withdraw my objections if the applicant will agree to the following license conditions:

- 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.
Our music system is only used for background music in the restaurant and ambient music in the bar. Because of this, our music system has a limit already set to the output meaning the music could not be turned louder than this set outgoing volume. I am happy for this to be tested.
- Should there be any change to the equipment involved in the amplification, broadcast or limiting of sound from licensed entertainment, that the sound limiter/s be re-set, in conjunction with a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible at nearby residential premises nor will cause a public nuisance in the vicinity of the premises.
- The sound limiting device shall be maintained at the set level there after. **Willing to agree to maintain a set limit of volume in the premises as mentioned above.**
- All audio and musical equipment used in the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be played through the installed sound limiting device. **As above - happy to keep the limit set on the amplifier.**
- That any additional amplification equipment imported on to the premises by third parties, permitted under the Licensing Act 2003 or the Live Music Act 2012, be connected to and use the installed sound limited circuit. **No additional amplification required**
- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or anti-vibration mats. **All ceiling areas in the property are already insulated from sound.**
- No external areas of the premises shall be used for the purposes of licensed entertainment. **Agreed**
- All external doors and doors to noise lobbies used by patrons to enter the premises shall have self-closers to the doors in accordance with BS 6459 Pt. 1 1984. **Already in compliance**
- 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. **Agreed. The current dispersal policy we have in place will be extended to be more comprehensive and include training records of all staff.**

Kind Regards,

Richard Earis
Principal Environmental Protection Officer
Environmental Protection Team

On 21 Feb 2017, at 15:31, Earis, Richard <Richard.Earis@southwark.gov.uk> wrote:

**RE: Major Variation for Unit C, Montreal House
CMU 849690**

I have considered the above application and I wish to object on the grounds of prevention of public nuisance.

In light of the proximity of local residents and the proposed increase in operating hours, the controls on the license are not considered sufficient to prevent public nuisance.

I would be prepared to withdraw my objections if the applicant will agree to the following license conditions:

- 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.
- Should there be any change to the equipment involved in the amplification, broadcast or limiting of sound from licensed entertainment, that the sound limiter/s be re-set, in conjunction with a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible at nearby residential premises nor will cause a public nuisance in the vicinity of the premises.
- The sound limiting device shall be maintained at the set level there after.
- All audio and musical equipment used in the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012, shall be played through the installed sound limiting device.
- That any additional amplification equipment imported on to the premises by third parties, permitted under the Licensing Act 2003 or the Live Music Act 2012, be connected to and use the installed sound limited circuit.
- All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or anti-vibration mats.
- No external areas of the premises shall be used for the purposes of licensed entertainment.
- All external doors and doors to noise lobbies used by patrons to enter the premises shall have self-closers to the doors in accordance with BS 6459 Pt. 1 1984.
- 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.

Kind Regards,

Richard Earis

Principal Environmental Protection Officer
Environmental Protection Team