

From: [Regen, Licensing](#)
To: [Orton, Mark](#)
Cc: [McCarthy, Debbie](#)
Subject: FW: TEN objection - Bala Baya, Arch 25 Union Street
Date: 05 May 2017 15:37:57
Attachments: [811240.pdf](#)

From: Prickett, Mark
Sent: Friday, May 05, 2017 3:33 PM
To: Regen, Licensing
Cc: [REDACTED]; Mills, Dorcas; Orton, Mark
Subject: TEN objection - Bala Baya, Arch 25 Union Street

Dear Licensing,

The Environmental Protection Team (EPT) have reviewed TEN application for Bala Baya, Arch 25 Old Union Yard Arches, 229 Union Street, SE1 0LR.

The event is for “Bala Baya Late Night - offering entertainment, drinks and dancing to our customers”, seeking the sale by retail of alcohol, provision of regulated entertainment and provision of late night refreshment between Friday 30th June 23:30 – 04:00 Saturday 1st July 2017.

EPT **raise objection** to this TEN application.

Site context

The arch was granted A3 class (restaurant) planning permission in October 2014 through planning application number 14/AP/1935.

Condition 5 of the planning permission restricts the use of Arch 25 to between the hours of 07:00 – 23:30 on any day, in order to safeguard the amenity of neighbouring residential properties.

Details of the planning application can be found here:

http://planbuild.southwark.gov.uk:8190/online-applications/applicationDetails.do?activeTab=summary&keyVal=_STHWR_DCAPR_9555112

The premises licence for Arch 25 was granted under licence number 851909 in June 2016. The opening times sought of the licence mirrored the hours agreed through planning (as stated above). The licence also restricts recorded music to be played indoors until 23:00 on Thursdays to Saturdays.

Reasons for objection

Southwark's Noise & Nuisance received a noise complaint from a residential neighbour at 22:58 on Thursday 30/3/2017 regarding loud audible music being emitted from the Bala Baya premises.

A Noise & Nuisance Team officer visited the complainants property at 00:10 on Friday

31/3/2017 and witnessed a statutory nuisance being caused due to the level of intrusion from music and people noise being emitted from the Bala Baya premises. The noise officer visited the premises at 00:30 to discuss through with the manager.

In summary, the noise officer witnessed the premises open and the playing of recorded music beyond the permitted times stated on the premises licence which subsequently caused a statutory noise nuisance.

Taking into account the above, EPT have strong concerns that if this TEN event were to be granted then further noise nuisance will be caused and therefore object to this application with regards to the prevention of public nuisance licensing objection. The hours stipulated on the premises licence (and the planning application) are relevant considering the location of the arch premises and the proximity of residential neighbours.

EPT also object based on the crime and disorder licensing objective, whereas granting the TEN application will be in breach of planning law. The event will exceed the hours stipulated on the planning application, furthermore the event planned is for drinking, dancing and entertainment which is considered to be contrary to a A3 (restaurant) use class.

Kind regards,

Mark Prickett
Principal Enforcement Officer
Environmental Protection Team
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visit: <http://www.southwark.gov.uk/air-quality>

<http://www.llecp.org.uk/> - London Low Emission Construction Partnership



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