

Proposal to amend Southwark Statement of Licensing Policy 2016-2020 to remove Shad Thames from the Bankside, Borough and London Bridge 'strategic cultural area' and reclassify it as a 'local centre'

Environmental Protection Team (EPT) consultation response – September 2017

Introduction

1. Shad Thames is an area of Riverside Ward to the East of Tower Bridge Road, and bordering the Thames. The proposal notes that for licensing purposes, Shad Thames is within a 'strategic cultural area'.
2. Locationally Shad Thames is immediately to the East of Tower Bridge, a World Heritage structure and major tourist attraction with significant footfall. Until recently, Shad Thames also contained the Design Museum, the building is currently vacant but remains suitable accommodation for a similarly culturally important occupancy. Licensing Policy seeks to support a viable and thriving licensed trade in areas where large numbers of tourists, visitors and residents congregate to help ensure appropriate and sufficient refreshment facilities and to enrich the local economy.
3. The current Licensing Policy closing times in the 'strategic cultural area' are:-
 - restaurants & cafes – 00.00 midnight Sun to Thurs, 01.00 Fri & Sat
 - public houses & wine bars – 23.00 Sun to Thurs, 00.00 midnight Fri & Sat
 - nightclubs (with sui generis planning consent – of which there are none in Shad Thames) 03.00hrs Mon to Sun

Proposal

4. The proposal requested is that Shad Thames be excluded from the 'strategic cultural area', and be classified as a 'local centre/small shopping parade', to enable earlier closing hours to be applied to applications and variations for premises licences.
5. If reclassified as a 'local centre/small shopping parade', the default closing hours would be one hour earlier all week for restaurants & cafes and one hour earlier on Fridays and Saturdays for public houses & wine bars.
6. The supporting argument for the proposal refers to 'major concerns' about the impact that the current Licensing Policy premises closing hours have on residential disturbance and nuisance in the Shad Thames area. Also mentioned as a factor is the higher residential population density of Shad Thames compared to the rest of Borough and Bankside.

7. It is stated that the residential density, along with other unique characteristics of the area, make the current area designation unsuitable and that the applicable licensed premises operational hours under the Licensing Policy are thus unsuitably late.
8. It should be noted that within the 'strategic cultural area' other locations are also categorised as 'district town centres' not 'local town centres/small shopping parades'. If Shad Thames were reclassified as a 'district town centre' in common with the other parts of the 'strategic cultural area', the only difference to the operational hours for licensed premises to those that currently apply would be that nightclubs (of which there are none) would close two hours earlier at 01.00.

Geographic Attributes of Shad Thames

9. The west of the Shad Thames area lies to the east of Tower Bridge, since the closure of the Design Museum, there are no other pedestrian river crossings or heavily trafficked places of interest moving eastwards. The east of the Shad Thames area is bounded by St Saviour's Dock. Unlike the area west of Tower Bridge, Shad Thames is not a through route to other tourist destinations, the Mayflower PH, embarkation point of the Pilgrim Fathers is a minor exception. There is diffusion of the large numbers of visitors crossing the river from the Tower to the South Bank and from the Tower Bridge Engine Room attraction into Shad Thames, looking for shopping, entertainment and refreshment opportunities. This effect is increased partly because there are no significant river front facilities until after City Hall moving west along the South Bank.
10. The restaurants and shops catering to the visitor demand are mainly on the ground floor of former warehouse buildings along Shad Thames (the street) and on the Thames riverside path. There are a few traditional pubs further from the bank of the Thames, however, these premises tend to cater mainly to local residents and local office workers and do not appear to be well known as destinations by tourists and casual visitors.

Residential Density in the Shad Thames Area

11. The Shad Thames area is comparatively more densely populated than the neighbouring area from London Bridge to Tower Bridge Road which has significant office and employment, In Shad Thames commercial, licensed and residential uses co-exist in close proximity.

Acoustic Characteristics

12. On entering Shad Thames, ambient noise level falls away with increasing distance from the Inner Ring Road on Tower Bridge Road. With tall buildings, relatively narrow streets and no major through route, the background noise levels in Shad Thames are noticeably lower than in the busy areas around London Bridge and Bankside. Between facing pairs of high narrowly spaced buildings there is some reflection of and reverberance of noise sourced at ground/street level. This is likely to be more noticeable in areas where the background ambient noise levels are lower.

13. Noise sources at night include noise from local traffic, premises servicing activities and foot-fall and conversation from people in the street or attending and leaving licensed premises. Some of these premises specific noise sources could be dealt with by license conditions, for example the times at which waste can be handled and bottles be emptied into external bins.

Shad Thames & London Bridge – Comparison

14. The London Bridge and Bankside area includes commercial offices, a major rail station, tube station, heavily trafficked bus routes, significant tourist attractions and traffic generators, such as Hays Galleria, Guys Hospital and More London. It also contains back-street areas with relatively quiet background noise levels. However, due to the differing land use characteristics, street widths and traffic density it has a much wider variability of ambient background noise levels. There are also significant differences in the general proximity of residential property in relation to licensed premises. Consequently it was very difficult to select a suitable street area to enable a comparison of residential noise complaints in the two areas. As an alternative It is suggested that the analysis of complaints below should be considered.

Analysis

15. Council held complaint data has been analysed for incidents of noise nuisance due to licensed premises in Shad Thames and a comparison of complaints assuming:
- a) the Licensing Policy hours remain the same and
 - b) the Licensing Policy hours change to those for ‘local centres/small shopping parades’
- to assess if there is evidence of cause for major concern about the stated issues of noise, disturbance and low level anti-social behaviour.
16. Between 1 April 2016 and 31 March 2017, there were 735 noise complaints originating in Riverside Ward received by the Noise & Nuisance Team. Of those 735 noise complaints, 88 originated in the Shad Thames part of Riverside Ward.
17. 175 of the noise complaints in Riverside Ward occurred during the hours of interest – after 23.00 or before 03.00, and 18 of the 175 originated in the Shad Thames area.
18. Of the 18 noise complaints originating in the Shad Thames area between 23.00 and 03.00, 3 related to people noise (footsteps, talking, shouting), 7 related to music from residential premises and 1 related to music from commercial premises. A further 4 related to construction and plant noise and another 4 related to audible intruder alarms.
19. In the same 12 months there were complaints against 6 licensed premises in the Shad Thames area. 4 of the premises were on the boundary of the area on either Tooley Street or Tower Bridge Road, and 2 were from inside the Shad Thames area.

20. The Watch House on Shad Thames (the street) had 3 complaints regarding loud music. The Anchor Tap on Horselydown Lane had 1 complaint about barking dogs. None of these complaints were received during the hours of interest after 23.00 or before 03.00.

Conclusion

21. Council complaint data indicates there were 4 complaints to the Noise & Nuisance Team in that period of 1 year, that might have been avoided if the proposals as suggested are adopted. There are currently insufficient complaints/incidents regarding licensed premises in the Shad Thames area to justify a change in the area designation. Changing Shad Thames Licensing Policy hours from a 'strategic cultural area' to a 'local centre/ small shopping parade' would have a negligible impact on the number of complaints received by the council from local residents.
22. There is currently ample provision within the Licensing Policy for each premises licence application to be heard on its own merits, and for consideration of the views of applicants, residents, Ward Members and Resident Associations. There is also provision to depart from the recommended Licensing Policy opening hours for a particular premises where evidence suggests that this would better prevent public nuisance.
23. Arguments for not reducing the opening hours of licensed premises in the Shad Thames area include proximity to a well visited World Heritage Site and the need to cater to visitors in its vicinity on Shad Thames (the street) and along the river path.
24. Arguments to reduce the opening hours of licensed premises in the Shad Thames area include protecting the residential areas away from Shad Thames (the street) and the Thames path. The proposal contains reference to data collected by Ward Councillors and the Shad Thames Residents Association and the Licensing Committee may wish to have regard to that data should it be provided.

Recommendation

25. EPT considers there would be no substantive change or community benefit gained from changing the designation of the Shad Thames area to that of a local centre/local shopping parade. Whereas if the proposal was enacted there could be a significant impact on the viability of licensed premises and the local economy due to undue restriction of licensed activities in this well visited area.