



APPENDIX C

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: MD21/3100/18

Date: 26th February 2018

Dear Sir/Madam

Re:- Theatre Delicatessen, 39 Wells way, London SE5 0PX

Police are in possession of an application from the above for a variation to their current licence that was granted in 2017. The original application applied for was for a 01.00 terminal hour and was granted at 00.00hrs with a number of conditions.

The application seeks to increase the hours for licensable activities and opening hours to 03.00hrs Thursday to Saturday and 00.00hrs Sunday to Wednesday.

I note that the premise sits within a residential area as defined by Southwark's statement of licensing Policy. The closing time for what is described by the applicant would be 23.00hrs 7 nights a week as per policy and as such that granted already is outside the policy.

The application has asked for a terminal hour of 03:00 on both Thursday, Friday & Saturday Nights and had offered no conditions to negate any impact the later hours would have on anti-social behaviour, crime and disorder in the area.

I also note the application is for the provision of regulated entertainment both indoors and outside. This also could be a potential issue with noise complaints.

The major concern from the Police is the potential ASB issues caused by patrons leaving, and any related crime and disorder associated with the extended permitted hours for the supply of alcohol. No conditions have been offered by the applicant to even attempt to negate these issues.

It is for these reasons that I recommend that the application to vary the premises licence is refused.

Yours Sincerely

PC Graham WHITE 288MD
Southwark Police Licensing Unit

MEMO: Environmental Protection Team

To Regen.licensing; **Date** 23 2 18
Copies peter@theatredelicatessen.co.uk
From Ken Andrews **Telephone** 020 7525 4258 **Fax** 020 7525 5728
Email Ken.andrews@southwark.gov.uk

Subject **Theatre Delicatessen -39 Wells Way SE 5 APP 871066 (EPRA)**
representation

EPRA have considered an application to vary premises licence for 39 Wells Way SE5 and would like to make representation under the prevention of public nuisance licensing objectives.

The proposed variation is to extend the opening hours of the premises on weekends, as well as initiate non-standard timings for weeknights that fall on a bank and public holidays.

Also to increase the accommodation limit from 75 to 120 people, not including staff.

The proposed changes will extend opening hours to 00:00 Sun-Wed and 03:00 Fri – Sat.

EPRA is concern that the use of live and recorded music in particular outdoors and the increase in the number of the patrons can cause a public nuisance especially if they are carried out during the early hours of the morning as proposed where the background noise level will be much lower.

The premises is located about 100 meters from residential properties. Also, the applicant has not submitted any noise assessment to show the likely noise impact of the events on the nearby premises.

Taking the above into consideration EPRA would ask the applicant to demonstrate how the events, in particular, the outdoor live entertainment will not cause a nuisance to nearby residents.

If the committee decides on any time extensions, EPRA will recommend that no live or recorded music is played outdoors beyond 2300. EPRA also suggest that the applicant undertake an acoustic assessment to determine the levels of sound escape and how, if ever, it can be controlled.

Ken Andrews - Principal Environmental Health Officer

Heron, Andrew

From: Regen, Licensing
Sent: 26 February 2018 12:21
To: Jerrom, Charlie
Cc: Heron, Andrew
Subject: FW: Consultation - Old Library 39 Wells Way

From: Sharpe, Carolyn **On Behalf Of** Public Health Licensing
Sent: Monday, February 26, 2018 11:47 AM
To: Regen, Licensing
Cc: Public Health Licensing
Subject: RE: Consultation - Old Library 39 Wells Way

To whom it may concern:

Re: Theatre Delicatessen, 39 Wells Way, London SE5 0PX

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

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

- The prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

The applicant requests to vary their current license to extend the hours for alcohol sales to 12:00-23:30 on Sundays to Wednesdays and 12:00 – 02:30 on Thursdays to Saturdays.

The applicant describes the premises as a charity and arts venue but I would like to request more detail as to the intended activities for this venue to the early hours of the morning. The hours requested align more with those typically associated with a nightclub. Nightclubs are not considered suitable for this area of the borough and Southwark's Statement of Licensing Policy recommends a closing time for all licensed premises in this part of the borough of 23:00.

I would request the applicant provides more details as to the intended activities for this venue to justify the hours requested. As it stands I recommend this application is rejected.

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

Yours sincerely,

Carolyn Sharpe
on behalf of Professor Kevin Fenton, Director of Health and Wellbeing (incorporating the role of Director of Public Health)

Carolyn Sharpe | carolyn.sharpe@southwark.gov.uk | 02075250025 | 07927563567
Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

MEMO: Licensing Unit

To	Licensing Unit	Date	26 February 2018	
Copies				
From	Jayne Tear	Telephone	020 7525 0396	Fax
Email	jayne.tear@southwark.gov.uk			

Subject Re: Theatre Delicatessen, Old Library, 39 Wells Way, London, SE5 0PX
– Application to vary a premises licence

I write with regards to the above application for a premises licence submitted by Curvingroad Limited (t/a Theatre Delicatessen) under the Licensing Act 2003, seeks to extend the hours for the following licensable activities:

- Plays (indoors) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Films, (indoors and outdoors) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Live Music (indoors and outdoors) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Recorded Music (indoors and outdoors) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Performance of Dance (indoors) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Anything of a similar description to live music, recorded music and performance of dance (indoors) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Supply of alcohol (on the premises) on Monday to Wednesday from 23:00 to 00:00, Thursday from 23:00 to 03:00 the following day, Friday and Saturday from 00:00 to 03:00 the following day and on Sunday from 22:00 to 00:00
- Overall opening times shall be on Monday to Wednesday from 09:30 to 00:00, Thursday from 09:30 to 03:00 the following day, Friday and Saturday from 09:30 to 03:00 the following day and on Sunday from 09:30 to 00:00

Non Standard timings requested as follows:

- For all licensable activities and opening hours – on the occasions of public holidays that do not fall on weekends, we would like to extend hours to 03:00. For example, on New Years Day (when it falls on a weekday) and on bank holidays, when we would normally have stopped licensable activities the previous evening, we would like to extend activities to 03:00 on the day of the holiday

The existing premises licence which was issued on 23/1/2018 was described in that application as:

'The Old Library (39 Wells Way, SE5 OPX) Is a community space within a Grade II listed building located in the centre of Burgess Park. The building consists of an open plan ground floor space with high ceilings, originally conceived as a public library, but latterly used as a 'pop up' community arts space. The building is owned by Southwark Property Team, and has been leased to Theatre Delicatessen for 3 years with the aim of creating a multi-use community and public performance space. This will comprise: a small performance studio, a theatre cafe, serving building users, audiences and members of public using the wider park, a rehearsal events space open to use by local organisations and London theatre companies. The space will be sub-divided using theatre curtains, with the intention of enabling a number of flexible configurations'.

My representation is submitted under the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing Policy 2016 - 2020.

The premises is situated in a residential area and under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for Restaurants, Cafes, Public Houses, Wine bars, other drinking establishments or for **Cinemas and Theatres is 23:00 hours daily**

The premises licence was granted by the licensing sub- committee on 30 March 2017 and was given generous hours.

The premises is close to local resident's who could be disturbed by patrons leaving the premises late at night. I object to the granting of the extended hours asked for within this application under the prevention of crime and disorder and public nuisance licensing objectives as the operation of the premises and of people leaving the premises even later at night could impact upon local residents living nearby and in the surrounding streets. The management would have no control of patrons that have left the premises and the possible impact of any rowdy and anti-social behaviour or crime and disorder.

Furthermore the hours applied for are in excess of what it deemed appropriate for this area within the statement of licensing policy and the applicant has offered no further control measures within the operating schedule to address the licensing objectives should the licence be granted.

I therefore submit this representation and welcome any discussion with the applicant to consider the above representation

I may submit further information at a later stage in support of this representation.

Southwark's Statement of Licensing Policy 2016 – 2020 can be found on the following link:
http://www.southwark.gov.uk/downloads/download/4399/licensing_act_2003_-_southwark_statement_of_licensing_policy_2016_-_2020

Jayne Tear
Principal Licensing officer
In the capacity of the Licensing Responsible Authority



Chief executive's department

Planning division
5th floor, hub 2
PO Box 64529
LONDON SE1P 5LX

EH & TS Licensing Unit
160 Tooley Street
Hub 2 3rd Floor
SE1 2H

Your Ref: tp/2194-b
Our Ref: 18-CE-00093
Contact: Alison Brittain
Telephone: 020 7525 5427
Fax: 020 3357 3101
E-Mail: planning.enquiries@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 07/02/2018

Dear Sir/Madam

Premises Licensing re:
OLD LIBRARY, 39 WELLS WAY, LONDON, SE5 0PX

Summary description: Variation

Date Received: 22/01/2018

Thank you for the consultation on the above.

I understand that the licence relates to a variety of arts and entertainment uses, with latest hours being 3am on Friday and Saturday nights.

Having checked the planning history, I have not found a planning permission specifically relating to these uses. The applicant should ensure that they are operating within the planning uses permitted within the building, and from what I have seen, it is my view that planning permission may be necessary.

The latest closing times are very late and there is residential accommodation fairly close by. This area is not well served by public transport and should crowds leave late at night, it is probable that some noise disturbance may arise.

Whilst I do not wish to make formal objections raising licensing objectives, I consider that the late opening hours are excessive in this location.

Yours faithfully

Alison Brittain

DC Group Manager - East -Team 1