

# MEMO: Licensing Unit

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**To** Licensing Unit                      **Date** 10 May 2018

**Copies**

**From** Jayne Tear                      **Telephone** 020 7525 0396                      **Fax**

**Email** jayne.tear@southwark.gov.uk

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**Subject** Re: Twist London Limited, 56 Peckham Rye, London, SE15 4JR

Application to vary a premises licence

I write with regards to the above application to vary a premises licence submitted by Twist London Limited under the Licensing Act 2003, which seeks the following licensable activities:

- To add live music (indoors) on Friday from 17:00 to 01:00 the following day and Saturday from 12:00 to 01:00 the following day
- To increase recorded music (indoors) on Friday and Saturday from 00:00 to 02:00 the following day
- To increase supply of alcohol (on and off the premises) on Friday and Saturday from 23:30 to 02:00 the following day
- To increase the opening times on a Friday and Saturday from 00:30 to 02:30 the following day.

**Non standard timing asked for are as follows:**

For live music, recorded music; supply of alcohol and opening times –

- A further additional hour into the morning following every Friday and Saturday for each: May Bank Holiday, Spring/Whitsun Bank Holiday and August Bank Holiday weekend.
- A further additional hour into the morning following every Friday and Saturday for the Easter Bank Holiday weekend
- A further additional hour each into the morning following every Friday and Saturday for Christmas Eve, Boxing Day, New Years Eve and New Years Day

On the original application for the premises licence the premises was described as premises 'The property is currently being used for storage of non-perishable disposables for the next door café. We will be cleaning it up and converting it into a bar with 2 distinct areas: at the front of the property will be an L shaped bar along the left hand wall with a small space for a small number of guests to sit at the bar. The rear of the space will be set up with low tables and chairs along the left, and high tables and stools along the right (total seating appx. 60). A passage way between the two sections leads to the rear of the building where there is a storage room/office at the back with toilet facilities'.

This premises is situated in **Peckham Major Town Centre**.

My representation is based on the Southwark Statement of Licensing policy 2016 – 2020 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

Under the Southwark Statement of Licensing policy 2016 - 2020 the appropriate closing times for public houses, wine bars or other drinking establishments in this area are on **Sunday to Thursday 23:00** and on **Friday and Saturday 00:00**.

The operating schedule is lacking and the applicant has not provided any controls measures to address any of the four licensing objectives should the premises open later. The later operation and of people leaving the premises 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 if it were allowed to open later and the possible impact of any rowdy and anti-social behavior or crime and disorder.

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

## **Heron, Andrew**

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**From:** Jerrom, Charlie  
**Sent:** 10 May 2018 16:40  
**To:** Heron, Andrew  
**Subject:** FW: Consultation - Major Variation for 56 Peckham Rye

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**From:** Sharpe, Carolyn **On Behalf Of** Public Health Licensing  
**Sent:** Thursday, May 10, 2018 4:06 PM  
**To:** Regen, Licensing  
**Cc:** May, Cheyenne; Public Health Licensing  
**Subject:** RE: Consultation - Major Variation for 56 Peckham Rye

To whom it may concern:

### **Re: Twist London Limited, 56 Peckham Rye, London, SE15 4JR**

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.

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 a major variation of their current license for the sale of alcohol on the premises between the hours:

Monday – Thursday: 17:00 – 23:00  
Friday: 17:00 – 02:00  
Saturday: 12:00 – 02:00  
Sunday: 12:00 – 23:00

Requested opening hours:

Monday – Thursday: 16:30 – 23:30  
Friday: 16:30 – 02:30  
Saturday: 11:30 – 02:30  
Sunday: 11:30 – 23:30

The applicant also requests for a further additional hour for the supply of alcohol into the morning following every; Friday – Monday for each May Bank Holiday, Spring Bank Holiday and August Bank Holiday weekend, Thursday – Monday for the Easter Bank Holiday weekend and Christmas Eve, Boxing Day, New Years Eve and New Years Day.

I have concerns regarding the hours for alcohol sales requested. This premises is located close to local residents and therefore the dispersal from events going on until the early morning hours, daily, has the potential to result in public nuisance and disturb local residents. According to the World Health Organisation (WHO) (2011), fragmented sleep can result in short and long term health implications including; cognitive dysfunction, abnormal growth hormone release, increase of diastolic BP and increased

risk of accidents. Certain groups of people are more vulnerable to noise including children, chronically ill and elderly people and shift workers – please see the attached evidence review for more information.

Furthermore, this premises is located within a 10 minute walking distance from four schools; Bellenden Primary School, St Mary Magdalene Church of England Primary School, St Johns and St Clements Church of England Primary School and Rye Oak Primary School. It is very likely that children will live locally to this premises. The applicant has not considered this in their operating schedule under ‘protection of children from harm’.

Southwark’s Statement of Licensing Policy states that public houses, wine bars or other drinking establishments are closed by 23:00 Thursday – Sunday and 00:00 Friday – Saturday.

Given the premises licence already permits alcohol sales until 22:30 Sunday-Thursday and until 23:30 on Fridays and Saturdays and opening times until 23:30 Sunday-Thursday and 00:30 on Friday and Saturday, this premise is already operating with a permissible licence. I therefore recommend this application is rejected.

An additional hour to opening times and the sale of alcohol on public holidays is likely to cause further harm to those who work bank holidays and therefore feel this is not appropriate within a residential area.

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)*

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Public Health Policy Officer (People & Health Intelligence), London Borough of Southwark, 160 Tooley Street, London SE1 2QH

## Licensing Act 2003 – Protection of Children from Harm

The impact opening hours has on night time noise is important to take into account when considering new licensing applications. Noise from events in premises and the dispersal of those leaving an event will contribute to the disturbance of residents in surrounding areas, particularly at night. Therefore, applications requesting hours outside those stated in the Southwark Licensing Policy, within residential areas, may considerably contribute to night time noise and negatively impact sleep.

According to the World Health Organisation (WHO) (2011), fragmented sleep can result in short and long term health implications including; cognitive dysfunction, abnormal growth hormone release, increase of diastolic BP and increased risk of accidents. Certain groups of people are more vulnerable to noise including children, chronically ill and elderly people and shift workers (WHO, 2011). Naturally, children spend more time in bed than adults and are more exposed to night time noise (WHO, 2011). Sleep is a vital part of daily life and children in particular need uninterrupted sleep for growth and cognitive development (Kamp, 2013). Disturbances during the night result in fragmented sleep and chronic partial sleep deprivation induces tiredness, lower vigilance and reduces daytime performance and overall quality of life (Ohrstrom & Griefahn, 1993; Passchier-Vermeer, 2003a; WHO, 2011). This can have a detrimental impact on early childhood development and education, which negatively affects lifelong achievement and health (WHO, 2011).

Sleep is an essential part of a healthy lifestyle and is recognised as a fundamental right under the European Convention on Human Rights (European Court of Human Rights, 2003). Night noise guidelines for Europe, set out by WHO, suggest the best protective measures to reduce sleep disturbance include the reduction of events or noise levels, or both (WHO, 2011). Children have no control over where they live. It is the council's obligation to take measures against negative impacts of night time noise in residential areas, to provide a healthy and supportive environment which maximises the health and wellbeing of children in the local area. To ensure night time noise is kept to a minimum, new licensing applications within residential areas should be restricted to hours within the recommended guidelines in Southwark's Licensing Policy.

## References:

Passchier-Vermeer, W. (2003) Night-time noise events and awakening. TNO report 2003-32, Delft, The Netherlands.

Van Kamp, I.; Gidlof-Gunnarsson, A.; Persson Waye, K. (2013). The effects of noise disturbed sleep on children's health and cognitive development. *Journal of the Acoustical Society of America*, 133, 3506-3506.

World Health Organisation (WHO) Europe. (2009). Night noise guidelines for Europe.

World Health Organisation (WHO) Europe. (2011). Burden of disease from the environmental noise: quantification of healthy life years lost in Europe.