



The Licensing Unit
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Metropolitan Police Service
Licensing Office
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Email: SouthwarkLicensing@met.police.uk

Our reference: MD/21/088/2019

Date: 1st July 2019

Dear Sir/Madam

Re:- Café Murano, 184-192 Bermondsey Street, London SE1 3UW

Police are in possession of an application from the above for a new premises licence 868186. The application describes the premises as a Restaurant.

The premises is situated within a residential area in Southwark's statement of licensing policy. The hours applied for are outside of the framework hours of 23.00hrs for Restaurants as detailed in Southwark's statement of licensing policy.

No accommodation limit has been supplied only that it is to be confirmed, which we would require to fully assess the impact of the application.

No use of any outside area should be allowed after 22.00hrs as recommended in the Southwark Statement of licensing policy except for smokers and the provision of 20 smokers after this time I believe should also be reduced.

I object to the application under the prevention of public nuisance, crime and disorder licensing objective.

In order to address this, I ask the applicant to consider reducing the opening hours and the hours permitted for licensable activities to 23.00hrs, bringing it line with framework hours as detailed in Southwark's statement of licensing policy.

Along with the above, we would like to see the following are considered as precise and enforceable condition that Police would like the applicant to consider addressing the licensing objectives.

1. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such person as an ancillary to his meal.

Yours Sincerely

PC Graham White

Licensing Officer

Southwark Police Licensing Unit

MEMO: Licensing Unit

To Licensing Unit **Date** 1 July 2019

From Jayne Tear **Telephone** 020 7525 0396

Email Jayne.tear@southwark.gov.uk\

Subject Re: Café Murano, 184-192 Bermondsey Street, London, SE1 3UW

I write with regards to the above application for a premises licence submitted by Angela Hartnett Limited which seeks to the following licensable activities:

- Late night refreshment (indoors and outdoors) on Sunday to Thursday from 23:00 to 00:30 the following day and on Friday and Saturday from 23:00 to 01:30 hours the following day
- The supply of alcohol (on & off the premises) on Sunday to Thursday from 08:00 to 00:00 the following day and on Friday and Saturday from 08:00 to 01:00 hours the following day
- Premises shall be open to the public on Sunday to Thursday from 08:00 to 00:30 the following day and on Friday and Saturday from 08:00 to 01:30 hours the following day

Non Standard Timings for all licensable activities and opening times:

- From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- Sundays before Bank Holiday Monday until 01:30

The premises is described as a '*Restaurant*'

This premise is situated within a residential area and under the Southwark Statement of Licensing policy 2019 – 2021 the latest appropriate closing times for all types of premises such as restaurants, cafes, public houses wine bars or other drinking establishments is 23:00 hours daily

My representation is based on the Southwark Statement of Licensing policy 2019 – 2021 and relates to the licensing objectives for the prevention of crime and disorder and the prevention of public nuisance.

The opening hours requested are in excess of that which is appropriate within the licensing policy and I ask the applicant to consider bringing the opening hours (and in turn the licensable activities), in line with the hours recommended in the policy.

Due to the limited information provided and to further address the licensing objectives I ask the applicant to provide the following information:

- An accommodation limit for the premises (to be conditioned)
- A written dispersal policy for the premises (to be conditioned)

To consider adding the following conditions to promote the licensing objectives:

- Any '*off sales*' of alcohol shall be provided in sealed containers and taken away from the premises
- That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as '*off sales*' should not be opened and consumed in the vicinity of the premises

And to also consider amending conditions 19 and 20 within the operating schedule provided, to bring in line with the licensing policy for outdoor area's as follows:

- That there will be no licensable activity on the external terrace area, according to the plan attached to this licence, after **22:00**
- After **22:00**, the external terrace area may be used only for smoking by a maximum of 20 patrons. Patrons will no be permitted to take drinks or food with them.

I therefore submit this representation and welcome any discussion with the applicant.

Southwark's Statement of Licensing Policy 2019 – 2021 can be found on the following link:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

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

From: Public Health Licensing
Sent: Monday, July 01, 2019 4:26 PM
To: Regen, Licensing
Cc: Shapo, Leidon; Public Health Licensing
Subject: RE: Cafe Murano, 184-192 Bermondsey Street, SE1 3TQ

To whom it may concern:

RE: Cafe Murano, 184-192 Bermondsey Street, SE1 3TQ

On behalf of the Director of Place 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:

Protection of children from harm

Prevention of crime and disorder

Prevention of public nuisance

General Comments

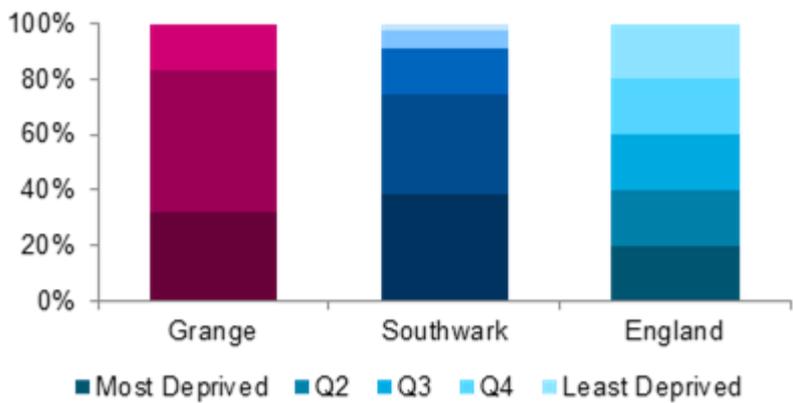
The Applicant requests a new application for the sale of alcohol on and off the premises and late night refreshments.

Requested hours of operation	Opening Hours	Sale of alcohol on the premises	Sale of alcohol off the premises	Late night refreshments indoors and outdoors
Sunday to Thursday	08:00 – 00:30	08:00 – 00:00	08:00 – 00:00	23:00 – 00:30
Friday – Saturday	08:00 – 01:30	08:00 – 01:00	08:00 – 01:00	23:00 – 01:30

Concerns relating to this application

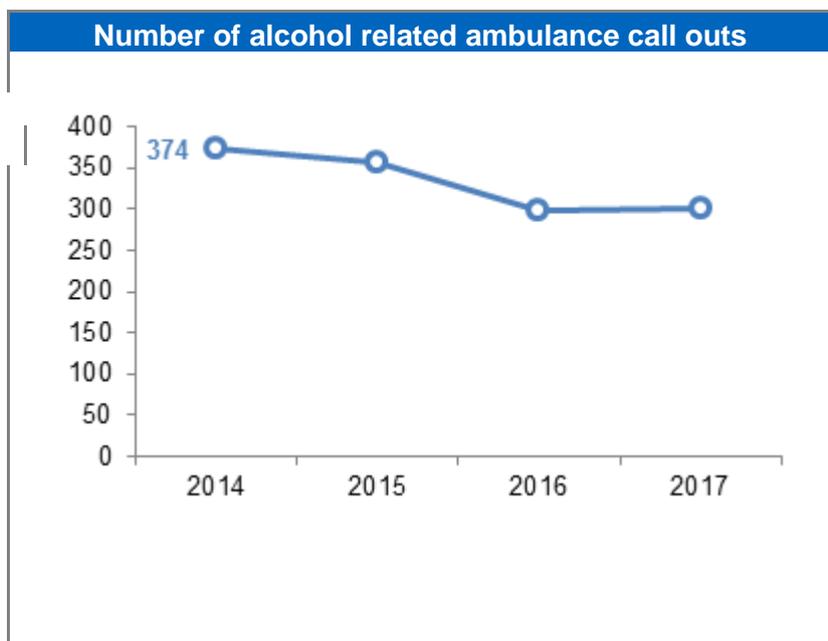
The premises is located in the Grange ward. Grange is a ward with pockets of high deprivation. Figure 1 shows that 32% of residents are in the most deprived quintile and 51% are in the 2nd most deprived quintile. This is relevant because the evidence shows that deprived populations are disproportionately affected by alcohol related harm.

Figure. 1 – proportion of population in each deprivation quintile



Furthermore, Grange is responsible for 9% of all alcohol related ambulance call-outs in Southwark (302 in 2017 alone). This thus shows that alcohol-fuelled activities are having a negative impact on the Ward.

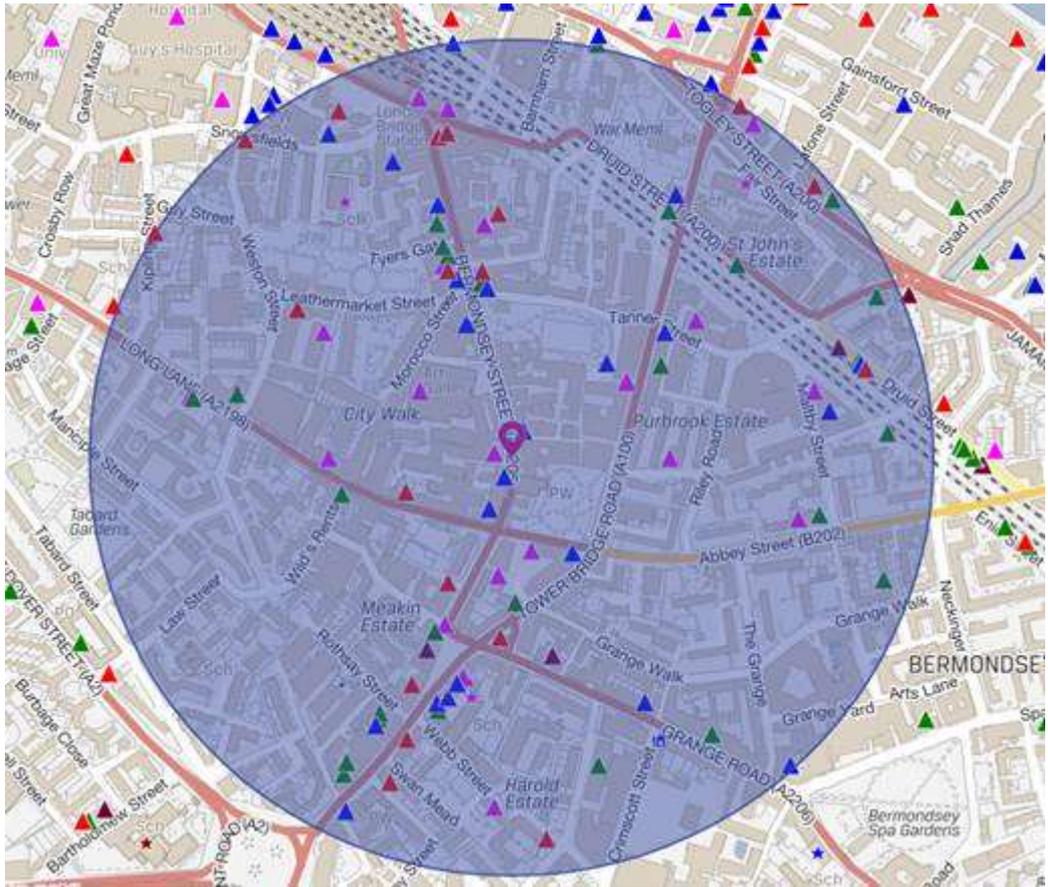
Figure. 2 – Trend of alcohol related ambulance call outs in the Grange Ward



Additionally, this premises is located close to local residents and therefore the dispersal from events, daily, has the potential to result in public nuisance and disturb local residents. The premises is also located within a 10 minute walk from three primary schools. It is therefore likely that children will live close to this premises and are likely to be negatively impacted as a result. As highlighted in the report attached, children in particular are very susceptible to sleep disturbances, that can have serious negative effects on their health and wellbeing.

In addition to this, this premises is in close vicinity of numerous other licenced establishment. Figure 3 shows that there are almost other 100 licenced premises within a 500m radius from the Applicant's establishment.

Figure 3



Lastly, the hours of operations requested by the Applicant fall outside of the Statement of Licensing Policy, that recommends a terminal hour of 23:00 for residential areas.

Recommendations

Taking in to account all of the above, I recommend the operating hours be amended to:

Requested hours of operation	Opening Hours	Sale of alcohol on the premises	Sale of alcohol off the premises	Late night refreshments indoors and outdoors
Monday to Sunday	08:00 – 23:00	11:00 – 22:30	11:00 – 23:00	n/a

Also, with regards to off sales, I recommend that no beers, lagers, ciders or similar alcohols to be sold in cans with an Alcohol By Volume (ABV) in excess of 6.5% or in bottles larger than 750ml with an ABV in excess of 6.5%.

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

Yours sincerely,

Clizia Deidda

Public Health Policy Officer (Mental Health, Substance Misuse & Healthcare) | Public Health Division

Place and Wellbeing Department | London Borough of Southwark

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Impact of noise disturbance on sleep and health

Summary of the evidence: one of the negative repercussions of the Night Time Economy is noise pollution. Noise disturbances can occur in many ways e.g, from within licensed premises (e.g., music too loud), around licensed premises (e.g, by those queuing to get in) or more generally by people moving in/around/out of the NTE area.

Noise disturbance can lead to disturbed or fragmented sleep, which has a detrimental effect on health and wellbeing for all the population and especially children and young people. 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, as well as lower vigilance and lower quality of life overall. This issue is particularly an issue where licenced businesses are located in residential areas.

Given the existing and compelling evidence, It is important for councils to effectively enforce noise regulations available to them in the planning permission stage, licensing stage and in the developed/operating stages

Consuming/drinking alcohol in the night-time economy (NTE) can have many benefits including a more productive economic activity and employment and social cohesion (bringing people together); however it can also come with costs, including crime, fear of crime, alcohol-related ambulance call outs/A&E admissions, public nuisance and light and noise pollution.

There are many reasons for this, One example of the potential negative impact of the NTE is relating to g. noise pollution, for example, occurs because the trading times in the NTE conflict with many people's daily routine/sleep.ⁱ

Although residential properties situated within the area of the NTE can reduce crime, this particular urban setting can also contribute to the number of people disturbed by noise. Some noise is to be expected in areas with a high concentration of NTE activities and will be factored into peoples' decision to move to the area and price that they pay to reside there. However, those in social housing or longstanding residents who moved to the area prior to the NTE development may have no choice in the matter. As such, there is a need to ensure that the levels of noise associated with the NTE are minimised e.g, by encouraging patrons to disperse from the area after closing times (rather than loitering).

Noise disturbances can occur in many ways e.g, from within licensed premises (e.g., music too loud), around licensed premises (e.g, by those queuing to get in) or more generally by people moving in/around/out of the NTE area. Noise does not necessarily occur in the same areas as crime and disorder. Much of the noise disturbances associated with the NTE tend to come "more from large numbers of people going about the business of having a good time"ⁱⁱ.

As explained above, 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 accidentsⁱⁱⁱ. 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^{iv}. 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^v. This can have a detrimental impact on early childhood development and education, which negatively affects lifelong achievement and health (WHO, 2011). For adolescents, psychosocial health, school performance, and risk-taking behaviors are impacted by sleep disruption. Behavioral problems and cognitive functioning are associated with sleep disruption in children. For those with underlying medical conditions, sleep disruption may diminish the health-related quality of life of children and adolescents and may worsen the severity of common gastrointestinal disorders^{vi}. 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.

It is important for councils to effectively enforce noise regulations available to them in the planning permission stage, licensing stage and in the developed/operating stages. This applies to protect both the properties in the direct vicinity of the premise as well as those on the pedestrian or vehicle routes used by customers when entering/leaving. It may also be necessary to ensure licensed premises have a clear strategy to disperse customers.

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.

ⁱ Wickham M. Alcohol consumption in the night-time economy. GLAEconomics.2012 (working paper 55)
https://www.london.gov.uk/sites/default/files/gla_migrate_files_destination/alcohol_consumption_0.pdf

ⁱⁱ *ibidem*

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

^{iv} Van Kamp, I et al, 2013, The effect of noise disturbed sleep on children's health and cognitive development; Journal of the Acoustical Society of America

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

^{vi} Medic G, Wille M, Hemels MEH. Short-and long- term health consequences of sleep disruption. Nat Sci Sleep. 2017; 9: 151–161.