

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 at 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.

From: Moore, Ray <Ray.Moore@southwark.gov.uk>

Sent: 12 August 2019 11:21

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; 'Ian.Clements@met.police.uk' <Ian.Clements@met.police.uk>; 'Graham.S.White@met.police.uk' <Graham.S.White@met.police.uk>; Deidda, Clizia <Clizia.Deidda@southwark.gov.uk>; ARKA LICENSING <contact@arkalicensing.co.uk>; Hart, Farrah <Farrah.Hart@southwark.gov.uk>

Subject: RE: Application for a premises license for 16 Peckham High Street, London, SE15 5DT - application reference 1272489 / 869129

FAO (Licensing Agent)

As a responsible authority under the Licensing Act 2003, Trading Standards are in receipt of an application from "Amuthalingam KRISHNAPILLAI T/A Premier Peckham Local" for a new application to sell alcohol from the above shop 24 hours per day seven days per week. It currently operates as a chicken shop but would effectively be converting to become a convenience store including off license. It should be noted that this premises is in the Peckham Cumulative Impact Zone (CIZ). The proposed hours do not fit in with those set out in the Southwark Statement of Licensing Policy for the Peckham CIZ. Additionally there is no attempt to state how the business would mitigate to prevent it having a cumulative impact with respect to alcohol sales in the area. It should be noted that the proposed condition for the prevention of sales of alcohol to minors are adequate. However, it should also be noted that we have had serious issues with the sale of non duty paid alcohol in the area. If the licensing sub committee was to grant this application then Trading Standards would ask that consideration is given to conditions which seek to put in place procedures that prevent illegal alcohol from finding its way onto the shop shelves. These representations are made under the licensing objective "the prevention of crime and disorder".

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure | Regulatory Services

Post: 3rd Floor Hub 2, PO Box 64529 | London SE1P 5LX

Direct line 020 7525 0816 | Fax 020 7525 5735 | Call Centre 020 7525 2000

From:

Sent: Monday, August 12, 2019 2:30 PM

To: Moore, Ray; Regen, Licensing; Tear, Jayne; 'Ian.Clements@met.police.uk'; 'Graham.S.White@met.police.uk'; Deidda, Clizia; Hart, Farrah

Subject: Re: Application for a premises license for 16 Peckham High Street, London, SE15 5DT - application reference 1272489 / 869129

Importance: High

Dear Ray,

Thank you for your email.

Applicant is considering many other steps to address CIZ zone, we will forward them soon. This premises is situated outside the main town, also the premises already licensed to 3am for late night refreshment.

We put a new application as it is a new convenience store with hot food, hot drinks offered for take away. Applicant said that it is a positive development for this area for people to buy ready-made food and other essential food and refreshments.

In the meantime if you would like any specific conditions to be considered by applicant, please forward to us.

Regards

Consultant

Tel:
Mob:
E-mail:

From: Moore, Ray <Ray.Moore@southwark.gov.uk>

Sent: 13 August 2019 08:45

To: ; Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; 'Ian.Clements@met.police.uk' <Ian.Clements@met.police.uk>; 'Graham.S.White@met.police.uk' <Graham.S.White@met.police.uk>; Deidda, Clizia <Clizia.Deidda@southwark.gov.uk>; Hart, Farrah <Farrah.Hart@southwark.gov.uk>

Subject: RE: Application for a premises license for 16 Peckham High Street, London, SE15 5DT - application reference 1272489 / 869129

Many thanks for your swift reply... below are the kinds of conditions I was thinking of in relation to illegal alcohol...

848 - That the premises licence holder shall ensure that no alcoholic goods will ever be purchased from sellers calling to the shop

849 - That the premises licence holder shall ensure that staff will immediately report to Southwark trading standards any instance of a caller to the shop attempting to sell alcohol, cigarettes and/or tobacco products

850 - That the premises licence holder shall ensure that spirits in re-sealed cases will not be purchased

851 - That the premises licence holder shall ensure that invoices (or copies) for all alcoholic goods purchased (for retail sales at the shop) will be kept on the premises and made available to officers of the council, police or HMRC upon reasonable request

852 - That the premises licence holder shall ensure that a stock control system will be introduced in order that the origin of any alcoholic goods purchased may be quickly identified

853 - That the premises licence holder shall ensure that an ultra-violet light will be available at the premises for the purpose of checking the UK duty stamp on spirits as soon as practicable after they have been purchased

854 - That the premises licence shall ensure that if any spirits purchased which have UK duty stamps which do not fluoresce under ultra-violet light or are otherwise suspicious, the supplier will be identified to Southwark council trading standards and HMRC as soon as possible

Ray MOORE
Principal Trading Standards Enforcement Officer
Southwark Council | Environment & Leisure| Regulatory Services

From:**Sent:** Tuesday, August 13, 2019 10:05 AM**To:** Moore, Ray; Regen, Licensing; Tear, Jayne; 'Ian.Clements@met.police.uk'; 'Graham.S.White@met.police.uk'; Deidda, Clizia; Hart, Farrah**Subject:** Re: Application for a premises license for 16 Peckham High Street, London, SE15 5DT - application reference 1272489 / 869129**Importance:** High

Good morning Ray,

Thank you so much for this, applicant is pleased to accept, incorporate them into licence.

Regards

Consultant-----
Tel:

Mob:

E-mail:

From: Moore, Ray <Ray.Moore@southwark.gov.uk>**Sent:** 15 August 2019 10:31**To:** ; Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Tear, Jayne <Jayne.Tear@SOUTHWARK.GOV.UK>; 'Ian.Clements@met.police.uk' <Ian.Clements@met.police.uk>; 'Graham.S.White@met.police.uk' <Graham.S.White@met.police.uk>; Deidda, Clizia <Clizia.Deidda@southwark.gov.uk>; Hart, Farrah <Farrah.Hart@southwark.gov.uk>**Subject:** RE: Application for a premises license for 16 Peckham High Street, London, SE15 5DT - application reference 1272489 / 869129

Morning Nira,

Thanks for the swift response... I am just now waiting for details of how your client's business will mitigate from contributing to the cumulative impact in the Peckham CIZ.

Many thanks

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

From:**Sent:** 18 August 2019 06:31**To:** Moore, Ray; Regen, Licensing; Tear, Jayne; 'Ian.Clements@met.police.uk'; 'Graham.S.White@met.police.uk'; Deidda, Clizia; Hart, Farrah**Subject:** Re: Application for a premises license for 16 Peckham High Street, London, SE15 5DT - application reference 1272489 / 869129**Importance:** High

Good morning Ray,

Thank you for your email request and please see below conditions agreed by applicant to address CIZ zone.

- No beers, lagers or ciders in single cans, bottles or multi-packs with an ABV of more than 6.5% will be displayed, sold or offered for sale from the premise, or be stored on the premise. This condition does not apply to Dragon Stout (7.5% ABV), Nigerian Export Guinness (7.5% ABV), Irish Guinness (7.5% ABV), Henry Weston vintage Cider (8.2% ABV), Aspall Suffolk Premier "Cru Cyder" (7% ABV), Gold Label (7.5% ABV) [330ml cans] and Leffe blonde (6.6% ABV)
- Alcohol shall not be sold in an open container or be consumed in the licensed premise and no container of an alcoholic drink shall be opened by anyone on the premises.
- No single bottles or cans of beer or cider below 500ml shall be available for sale from the premises

Kind regards

Consultant

Tel:
Mob:
E-mail:

From: Binya, Raymond raymond.binya@southwark.gov.uk
Sent: Monday, August 19, 2019 12:34 PM
To: Regen, Licensing
Cc:
Subject: Consultation - New premises - 16 Peckham High Street our ref 906464

Dear Licensing Team,

Application for a premises licence to be granted under the Licensing Act 2003

Application reference number: 869129

Address: Premier Peckham Local
16 Peckham High Street
London SE15 5DT

I wish to make a representation on behalf of Southwark Environmental Protection Team (EPT) in our capacity as Environmental Health Responsible Authority, about the likely effect of the grant of the premises licence on the promotion of the 'prevention of public nuisance' licensing objective.

New Premises application is for:

Late night refreshment outdoors 23:00-05:00 Mon-Sun
Supply of alcohol off the premises and Opening hours 00:00-00:00 Mon-Sun.

EPT have reviewed the above application and we are concerned that proposed licensing activities are likely to cause public nuisance if are to be carried out on the applied late night hours. The premises is within a Peckham CIP area, it is EPT 's opinion that the closing times will likely to have a cumulative impact on already busy area as a result of nuisance from patrons congregating outside the premises and/or further along on Peckham High Street and axillary road(s). We therefore object this application and recommend that the closing times should match those of the Licensing Policy for Off-Licences and alcohol sales in grocers and supermarkets i.e. 00:00 hours daily.

However, if the sub-committee is minded to grant this application, together with proposed conditions within applicant's operating schedule and the mandatory conditions, I would recommend the following conditions:

- a) Clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
- b) Suitably qualified or experienced persons shall be employed at all times, whilst licensable activity is being provided, and shall take all reasonable steps to ensure that patrons do not cause a nuisance in the vicinity of the premises.
- c) Sufficient waste bins must be provided at or near the exits, to enable the disposal of generated waste.

Kind Regards,

Raymond Binya
Principal Environmental Protection Officer



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 MD/21/133/19
reference:

Date: 19th August 2019

Dear Sir/Madam

Re:- Premier Peckham Local 16 Peckham High Street SE15 5DT

Police are in possession of an application from the above for a new premises licence. The general description as per the application is for a local convenience store.

The premises are situated in the Camberwell Cumulative impact Zone as designated by Southwark Council. The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'

Camberwell is subject to considerable problems with alcohol misuse and a continuing issue with street drinking. The area has been subject to considerable investment in the area to improve the local amenities. Kings College hospital and the Maudsley Hospital are situated in the area and have Alcohol treatment centres within both which attract alcohol dependent people to the area

This application seeks to supply alcohol to the public 24 hours a day 7 days a week in an area already saturated with licensed premises, a number of which are off licences.

The applicant has offered a number of control measures within the operating schedule, however there is nothing that in my opinion would counter the rebuttable presumption not to grant a premises licence.

The metropolitan police object to the granting of the licence in full, as any further premises selling alcohol will only add to the cumulative impact, attract alcohol dependent people, and undermine the prevention of crime and disorder licensing objective.

The Following is submitted for your consideration.

Yours Sincerely

PC Ian Clements 2362AS
Southwark Police Licensing Unit
Tel: 0207 232 6756
ian.clements@met.police.uk

From: McArthur, Wesley <Wesley.McArthur@southwark.gov.uk>
Sent: 29 August 2019 12:43
To: Clements Ian J - AS-CU <Ian.Clements@met.police.uk>
Subject: Application for a premises licence - Premier Peckham Local, 16 Peckham High Street, London, SE15 5DT (our ref: L1U 869129) - Rye Lane ward
Importance: High

Hi Ian,

Your representation refers to Camberwell Cumulative impact Zone.

Please confirm whether or not the representation was submitted in respect of the above application.

Regards,

Wesley McArthur

Principal Enforcement Officer
London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

Address: Licensing, Health & Safety, Hub 1, 3rd Floor, 160 Tooley Street, SE1 2QH
<https://www.southwark.gov.uk/community-safety/let-s-talk-about-women-s-safety>

From: Ian.Clements@met.police.uk [mailto:Ian.Clements@met.police.uk]
Sent: Thursday, August 29, 2019 1:10 PM
To: McArthur, Wesley
Subject: RE: Application for a premises licence - Premier Peckham Local, 16 Peckham High Street, London, SE15 5DT (our ref: L1U 869129) - Rye Lane ward

Hi Wesley

It would appear so and therefore an error on my part for referring to Camberwell. That part is obviously not relevant

Regards

Ian

MEMO: Licensing Unit

To	Licensing Unit	Date	23 August 2019
From	David Franklin	Telephone	020 7525 0396
Email	david.franklin@southwark.gov.uk		

Subject: Premier Peckham Local, 16 Peckham High Street, London SE15 5DT

I write to make representation with regard to the application for a premises licence submitted by Amuthalingam Krishnapillai under the Licensing Act 2003 for the premises Premier Peckham Local, 16 Peckham High Street, London SE15 5DT.

My representation is concerned with the licensing objectives for the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The premises is described by the applicant as:

“The premises has been operating as chicken takeaway for long time. This has been planned to convert into a local convenience Store.

The premises will be fitted newly with high security system in place.

The premises is situated on high street, and there are many local

Residents, the area is ongoingly developing into new accommodations for city workers.

The premises would form part of retail chain call premier group.

The premises would continue to offer healthy food takeaway in hot and cold. Coffee, tea would also be provided to take away.

It will be managed by applicant who has 10 years experience in managing retail store and take away food. He is already running a Morley’s fried chicken two doors away. He has converted this store to offer hot food, hot drinks and essential food store for locals.”

The application is for:

Sale of alcohol for consumption off the premises

Monday to Sunday 00:00 to 00:00 hours

Late night refreshment outdoors

Monday to Sunday 23:00 to 05:00 hours

Opening hours

Mon to Sun 00:00 to 00:00 hours

This premises is situated in the Peckham District Town Centre Area cumulative impact area where there is a presumption to refuse applications that have not adequately addressed this presumption. The classes of premises that the CIA policy applies to includes off-licences, grocers, supermarkets, convenience stores; and similar premises

The application offers some points within the operating schedule that can be converted to conditions, however they do not address how they may prevent the sale of alcohol from affecting crime and disorder and public nuisance in the area.

- I recommend that the presumption to refuse this new premises licence is applied with regards to the alcohol sales.
- That the late night refreshment finishes on Sunday to Thursday at 00:00 hours and for Friday and Saturday at 01:00 hours

Should members consider that the operating schedule proposed by the operators are sufficient to prevent patrons from the premises contributing to crime and disorder and public nuisance within the policy area then under section seven of the statement of policy on hours of operation will apply.

The premises is situated within the Peckham Major Town Centre Area, the hours applied for are exceed the guidance hours in the policy for this type of premises, which recommends the following closing times:

- Off-Licences and alcohol sales in grocers and supermarkets is 00:00 hours daily;
- Take-away establishment Sunday to Thursday is 00:00 hours and for Friday and Saturday is 01:00 hours

I therefore recommend the following hours of operation:

Sale of alcohol for consumption off the premises
Monday to Sunday 10:00 to 00:00 hours

Late night refreshment outdoors
Sunday to Thursday 23:00 to 00:00 hours
Friday and Saturday 23:00 to 01:00 hours

Opening hours
Mon to Sun 00:00 to 00:00 hours

I also recommend that that the following conditions are considered:

- That '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 should not be opened and consumed in the vicinity of the premises

The Southwark statement of licensing policy 2019–21 can be found on this web link:
<https://www.southwark.gov.uk/business/licences/business-premises-licensing/licensing-and-gambling-act-policy>

David Franklin
In the capacity of the Licensing Responsible Authority