

13/10/2020

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

Ref No. 1535794

Name of Applicant

Please enter the name(s) who is applying for a premises licence under section 17 of the Licensing Act 2003 and am making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

	Barcade Ltd
--	-------------

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the

entertainment is provided by or on behalf of the health care provider;

o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.

11. The application form must be signed.

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.

14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications

from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a

European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - o evidence of the applicant's own identity – such as a passport,

 - o evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

 - o evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;

(iv) any page containing the date of expiry; and

(v) any page containing information indicating the holder has permission to enter or remain in
the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Premises Details

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

Non-domestic rateable value of premises in order to see your rateable value [click here](#) (opens in new window)

£	0
	Band D and E only applies to premises which uses exclusively or primarily for the supply of alcohol for consumption on the premises

Premises trading name

	Four Quarters
--	---------------

Postal address of premises or, if none, ordnance survey map reference or description

Do you have a Southwark postcode?	Yes
Address Line 1	16 ASH AVENUE
Address Line 2	
Town	LONDON
Post code	SE17 1GQ
Ordnance survey map reference	
Description of the location	ADDRESS IS 20 ASH AVENUE - NOT 16
Telephone number	

Applicant Details

Please select whether you are applying for a premises licence as

	a person other than an individual (limited company, partnership etc)
--	--

If you are applying as an individual or non-individual please select one of the following:-

	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
--	--

Other Applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Personal Details - First Entry

Name	Barcade Limited
------	-----------------

Address - First Entry

Street number or building name	The Stables, Goblands Farm Business Centre
Street Description	Cemetery Lane
Town	Hadlow
County	Kent
Post code	TN110LT
Registered number (where applicable)	08274474

Description of applicant (for example, partnership, company, unincorporated association etc)	Limited Company
--	-----------------

Contact Details - First Entry

Telephone number	
Email address	

Operating Schedule

When do you want the premises licence to start?

--	--

If you wish the licence to be valid only for a limited period, when do you want it to end?

--	--

General description of premises (see guidance note 1)

	<p>Unit H5.R4 is the far corner unit on the new al fresco eating and drinking destination Ash Avenue, which is a pedestrianised road running across the new Elephant Park regeneration area.</p> <p>The unit is around 3300 sq ft and will be Four Quarters' 3rd site, providing top quality food, drinks and retro video gaming entertainment.</p>
--	---

If 5,000 or more people are expected to attend the premises at any one time please use the drop down below to select the number.

	Less than 5000
--	----------------

Note 1

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.

Operating Schedule part 2

What licensable activities do you intend to carry on from the premises?

	(Please see sections 1 and 14 of the Licensing Act 2003 and schedule 1 and 2 of the Licensing Act 2003)
--	---

Provision of regulated entertainment (Please read guidance note 2)

	b) films
	f) recorded music

Provision of late night refreshment

	i) Late night refreshment
--	---------------------------

Supply of alcohol

	j) Supply of alcohol
--	----------------------

In all cases please complete boxes K, L and M.

B- Films

Will the exhibition of films take place indoors or outdoors or both? (Please read guidance note 3)

	Both
--	------

Please give further details here (Please read guidance note 4)

	Our shopfront will have outside facing screens for entertainment purposes so we may occasionally show films to outside customers
--	--

Standard days and timings for Films (Please read guidance note 7)

Day	Start	Finish
Mon	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	01:00

Sat	11:00	01:00
Sun	11:00	00:00

State any seasonal variations for the exhibition of films (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed. (Please read guidance note 6)

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

F - Recorded Music

Will the playing of recorded music take place indoors or outdoors or both? (Please read guidance note 3)

	Indoors
--	---------

Please give further details here (Please read guidance note 4)

	Our speakers for recorded music will be located internally.
--	---

Standard days and timings for Recorded Music (Please read guidance note 7)

Day	Start	Finish
Mon	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	01:00
Sat	11:00	01:00
Sun	11:00	00:00

State any seasonal variations for playing recorded music (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed. (Please read guidance note 6)

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

I - Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? (Please read guidance note 3)

	Both
--	------

Please give further details here (Please read guidance note 4)

	The unit will have a fully fitted out kitchen serving high quality food to customers seated inside and outside. Food will only be prepared in the internal kitchen area
--	---

Standard days & timings for Late night refreshment (Late night start time is from 23.00, see guidance notes 7)

Day	Start	Finish
Mon	23:00	00:00
Tues	23:00	00:00
Wed	23:00	00:00
Thur	23:00	00:00
Fri	23:00	01:00
Sat	23:00	01:00
Sun	23:00	00:00

State any seasonal variations for the provision of late night refreshment (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed. Please list, (Please read guidance note 6)

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 23:00) and only give details for the days of the week when you intend the premises to be used for the activity. Start time begins from 23:00

J - Supply of Alcohol

Will the supply of alcohol be for consumption (Please read guidance note 8)

	Both
--	------

Standard days and timings for Supply of alcohol (Please read guidance note 7)

Day	Start	Finish
Mon	11:00	23:45
Tues	11:00	23:45
Wed	11:00	23:45
Thur	11:00	23:45
Fri	11:00	00:45
Sat	11:00	00:45
Sun	11:00	23:45

State any seasonal variations for the supply of alcohol (Please read guidance 5)

--	--

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed. Please list, (Please read guidance note 6)

	New Year's Eve until 03:30 the next day Bank holiday Sundays & the Thursday before good Friday until 00:45
--	---

Please download and then upload the consent form completed by the designated proposed premises supervisor

	Schedule-15-6-3-17-Consent-of-individual-to-being-specified-as-premise-SIGNED.pdf
--	---

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

Premises Supervisor

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor (Please see declaration about the entitlement to work in the check list at the end of the form)

Full name of proposed designated premises supervisor

First names	JOSEPH JULIAN
Surname	DOWLING

DOB

Date Of Birth	■■■■■
---------------	-------

Address of proposed designated premises supervisor

Street number or Building name	■■■■■■■■■■
Street Description	■■■■■■■■■■
Town	■■■■■
County	■■■■■
Post code	■■■■■

Personal licence number of proposed designated premises supervisor, if any,

Personal licence number (if known)	■■■■■
Issuing authority (if known)	SOUTHWARK

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (Please read guidance note 9)

	NO GAMBLING MACHINES WILL BE ON SITE. OUR MACHINES ARE ALL RETRO ARCADE MACHINES AND VIDEO GAME CONSOLES FOR ENTERTAINMENT PURPOSES ONLY
--	--

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

L - Hours premises are open to public

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Hours premises are open to the public (standard timings Please read guidance note 7)

Day	Start	Finish
Mon	11:00	00:00
Tues	11:00	00:00
Wed	11:00	00:00
Thur	11:00	00:00
Fri	11:00	01:00
Sat	11:00	01:00
Sun	11:00	00:00

State any seasonal variations (Please read guidance note 5)

--	--

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed. Please list, (Please read guidance note 6)

	New Year's Eve until 04:00 the next day Bank holiday Sundays & the Thursday before good Friday until 01:00
--	---

M - Steps to promote four licencing objectives

a) General - all four licensing objectives (b,c,d,e) (Please read guidance note 10)

	1) The premises will be the 3rd Four Quarters location but unlike the other two this site
--	---

	<p>will have more of an emphasis on food with a substantial and high quality food offer.</p> <p>2) Whilst no SIA requirement is proposed, the venue management have easy access to the site security team in the event of any incidents and site security is available 24/7, but the venue is aware that it is responsible for policing its own customers and does not rely on site security. The venue owners have very solid experience with this type of operation (Four Quarters East on the private 'Here East' development in E20). The operators are pro-active with regards to their licensing obligations and training of staff to adhere to compliance with licencing conditions and policy</p> <p>3) The premises does not fall within a Cumulative Impact Area and the proposed premises licence is in line with licencing policy regarding hours of operation in a town centre.</p> <p>4) The operation will offer something different within the district contributing to the wide-range of leisure and culture which the borough already offers. It will be one of the main anchor operators for the new Elephant Park destination and will support the regeneration of the area. The development will help make Elephant & Castle an exciting and vibrant area, contributing to tourism, providing employment and contributing to the local economy.</p> <p>5) The misuse of alcohol will not be encouraged. The hours and nature of the conditions which we are offering within the operating plan address any concerns and with proper management will not negatively impact on the amenity of local residents.</p>
--	---

b) the prevention of crime and disorder

	<p>1) The Premises Licence Holder shall ensure that the premises are equipped with a digital closed circuit television system. All entry and exit points will be covered to enable frontal identification of every person entering the premises in any light condition. The CCTV system shall continually record inside and in the outside areas whilst the premises is open for licensable activities and during times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.</p> <p>2) Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.</p> <p>3) A staff member from the premises who is knowledgeable with the operation of the CCTV system shall be available when the premises are open to the public. This staff member must be able to show a Police or authorised office recent data or footage with absolute minimum of delay when requested.</p> <p>4) An incident log book shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-</p> <ol style="list-style-type: none"> Any incidents of disorder Any seizures of drugs or offensive weapons Any ejections of patrons Details of any refused sales of alcohol <p>5) The management and premises will have an absolute zero tolerance policy towards drug misuse.</p> <p>6) There will be regular and effective staff training to ensure staff are aware of their responsibilities</p> <p>7) Substantial food will be available until at least 22:00</p>
--	--

c) public safety

	<p>1) The Premises Licence Holder will ensure that all staff involved in the sale of alcohol are trained and are conversant with the licensing objectives, and Premises Licence conditions. They will be fully trained to avoid underage sales or serving to intoxicated persons. Individual training records will be kept for all staff and made available to the Licensing Police or Council Licensing Officer on request.</p>
--	--

	<p>2) The capacity of the venue will be set in accordance with our Fire Risk Assessment and the management will ensure that accurate control of numbers/capacity is undertaken so this figure is not exceeded.</p> <p>3) Glassware will be cleared regularly and the venue will consider use of polycarbonate vessels at peak trading times</p> <p>4) Any customers taking drinks away from the premises will be given a polycarbonate or other non-glass vessel.</p> <p>5) Off sales of open containers will only be offered to customers who are staying within the Elephant Park development and will cease at 22:00, after which time off sales will be made in closed containers only</p>
--	--

d) the prevention of public nuisance

	<p>1) All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats</p> <p>2) Volumes from recorded music played within the premises will not exceed an overall level of 101DB LEQ5mins. This level has been deemed appropriate to avoid loss of amenity to local residents living in the flats above in an independent acoustic report by Sandy Brown, which is available on request.</p> <p>3) Noise from the plant, patrons and activities at the premises shall be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.</p> <p>4) Clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that customers should respect neighbors and leave the area quietly.</p> <p>5) The premises shall maintain a written dispersal and outside area management policy, which shall be made available to the Police or an authorised officer of the Council upon request.</p> <p>6) The Premises Management shall ensure that their staff are trained on and comply with their Policies.</p> <p>7) Ash Avenue is designed as an al fresco eating and drinking location. It is a private road facing the park. The outside area will be closed by 23:00 Mon-Sun, after which time only smokers will be allowed outside.</p> <p>8) Staff will monitor outside areas regularly from 23:00 to ensure customers are not causing a nuisance. Smokers are encouraged to return inside the venue once they have finished their cigarette and not loiter outside.</p> <p>9) There will be an effective staff presence at closing time to ensure patrons disperse from the area quietly.</p> <p>9) External waste handling, collections and deliveries shall only occur between the hours of 08:00 hours and 22:00 hours.</p> <p>10) Windows and doors will be kept shut after 23:00 and the venue will be adequately ventilated to ensure this is possible.</p> <p>11) The venue management can be contacted by any local residents who wish to make a complaint or provide feedback.</p>
--	---

e) the protection of children from harm

	<p>1) A strict Challenge 25 policy will be operated at the premises where the only acceptable forms of identification are photographic identification cards such as a driving licence or passport.</p>
--	--

	<p>2) The venue will continue to operate a strict policy that anyone under the age of 18 is not allowed to be on the premises unless accompanied by a responsible adult.</p> <p>3) There will be regular staff training to ensure staff are aware of their responsibilities.</p> <p>4) No gambling machines will be allowed, machines are for amusement purposes only.</p>
--	--

Guidance note 10

Please list here steps you will take to promote all four licensing objectives together.

Please upload a plan of the premises

	087-SK013-B-Plan-Option-B1-.pdf
--	---

Please upload any additional information i.e. risk assessments

	18039-R02-A-Elephant-Park-retail-acoustic-requirements-and-guidance.pdf
--	---

Checklist

	<p>I have enclosed the plan of the premises.</p> <p>I understand that if I do not comply with the above requirements my application
 will be rejected.</p> <p>I understand that I must now advertise my application (In the local paper within 14 days of applying</p>
--	---

Home Office Declaration

Please tick to indicate agreement

	<input type="checkbox"/> I am a company or limited liability partnership
--	--

Declaration

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership]

I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

I/We hereby declare the information provided is true and accurate.

I agree to the above statement

	Yes
PaymentDescription	
PaymentAmountInMinorUnits	
AuthCode	
LicenceReference	
PaymentContactEmail	

Please provide name of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If completing on behalf of the applicant, please state in what capacity.

Full name	JOSEPH JULIAN DOWLING
Date (DD/MM/YYYY)	13/10/2020
Capacity	Operations Manager

Where the premises licence is jointly held, enter the 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (guidance note 13). If completing on behalf of the applicant state in what capacity

Full name	
Date (DD/MM/YYYY)	13/10/2020
Capacity	

Contact name (where not previously given) an address for correspondence associated with this application (please read guidance note 14)

Contact name and address for correspondence	
Telephone No.	
If you prefer us to correspond with you by e-mail, your email address (optional)	

GUIDANCE NOTES

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.

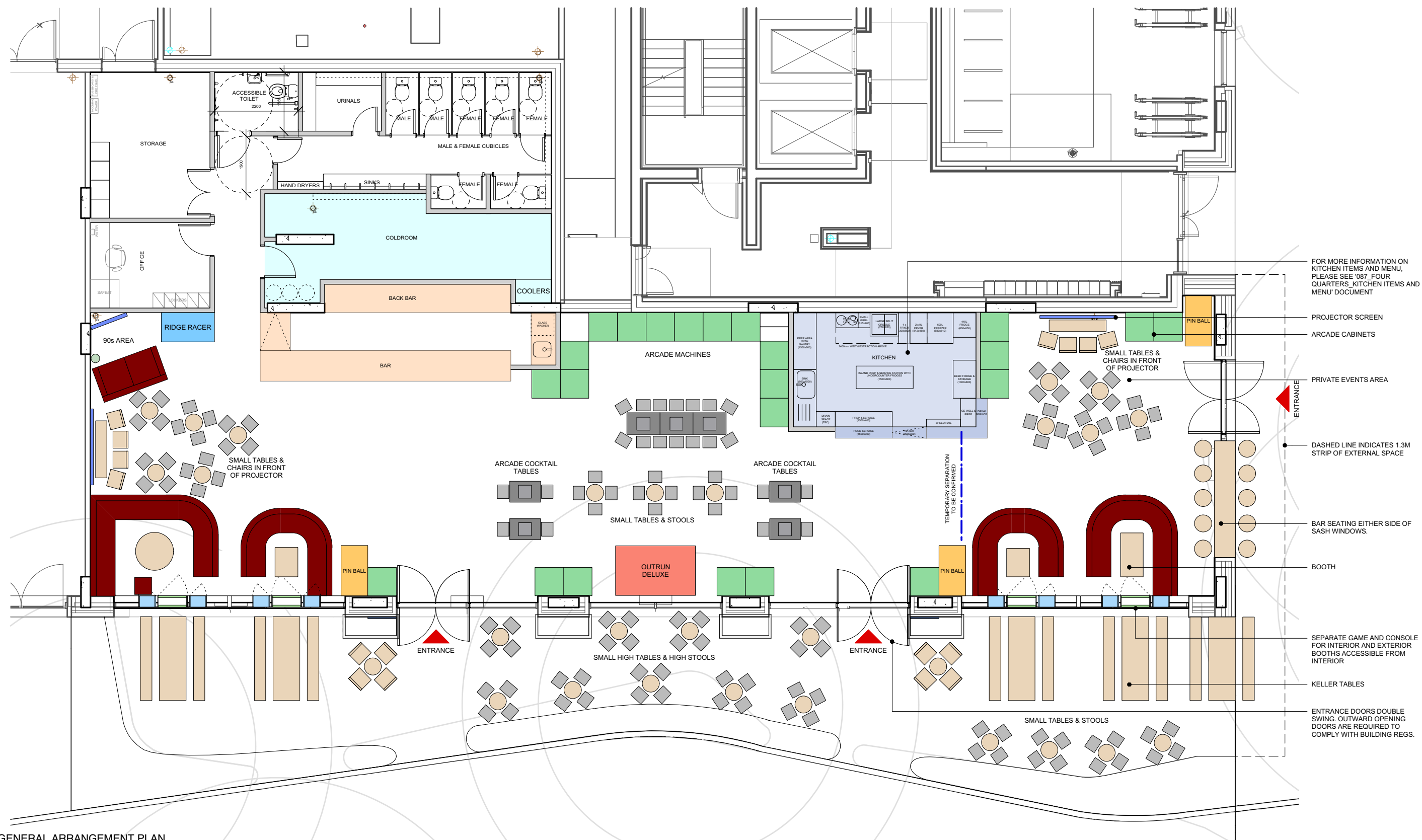
14. This is the address which we shall use to correspond with you about this application.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT

WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

The information you provide will be used fairly and lawfully and Southwark Council will not knowingly do anything which may lead to a breach of the Data Protection Act 1998.



1 GENERAL ARRANGEMENT PLAN
1:100

DRAWING: Plan - Option B1

CLIENT: Four Quarters
PROJECT: Four Quarters, Elephant Park

DRAWING NO: 087_SK013
SCALE: 1:100
DATE: 09.10.2020
REVISION: B

HONE :
First Floor,
11-13 Hatton Wall, London, EC1N 8HX
studio@hone-studio.co.uk T:02078339947

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

18039-R02-A

31 October 2019

Elephant Park retail

*Acoustics requirements and guidance for commercial/
retail tenants*

London, Manchester, Edinburgh, Birmingham, Belfast

Sandy Brown Associates LLP

Registered in England & Wales

No. OC 307504

post@sandybrown.com

www.sandybrown.com

Registered Office: 55 Charterhouse Street, London EC1M 6HA

SANDY BROWN

Consultants in Acoustics, Noise & Vibration

Version	Date	Comments	Author	Reviewer
A	31 Oct 19		Jason Swan	

Summary

Sandy Brown has been commissioned by Lendlease to provide acoustic advice to the tenants occupying the commercial and retail spaces at Elephant Park, located in Elephant and Castle, London SE17 within the administrative boundary of Southwark Council. This includes detailing the acoustic requirements specific to the site and providing relevant information and guidance on achieving these requirements and other acoustic related objectives.

While licenced A3 premises and D2 gym premises operate in ground floor spaces with residences directly above in many locations in London, it is always a difficult pairing that requires excellent management on the part of the retail establishment and building management as well as the reasonableness of the residents above.

At Elephant Park, it is desired for there to be many licenced premises and gyms with essentially nothing but residential above them. Care will be taken in choosing tenants that are serious about eliminating nuisance, are committed to being good neighbours, are willing to construct any necessary improvements to their spaces, and will limit the output of their sound systems.

The key acoustics issues include:

- Airborne sound insulation to the residences and other noise sensitive spaces above
- Airborne sound insulation to the retail and other spaces to the side
- Impact sound insulation to the residences and other noise sensitive spaces above
- Impact sound insulation to the retail and other spaces to the side
- Plant noise and vibration egress to the nearest noise sensitive receptors
- Sound system noise egress through the facade to the public areas
- Patron noise in units and in external seating areas to the residences above.
- Tenant management of noise

Guidance is given herein for each of the above, which shall form part of the lease covenants for Elephant Park. Tenants must assess whether their operation will exceed any of the limits and provide elements in their fit-out design to bring the levels within the criteria.

- Smaller tenants may simply need to follow this guidance to avoid complaints.
- Those adding plant will need to show Lendlease (and potentially Southwark) how their installation will achieve the required noise limits.
- Noisier tenants such as restaurants and gyms will need to provide an acoustic design that shows the requirements of this document will be achieved.

The help of an acoustic consultant will be necessary for some tenants, including those providing new mechanical services plant that requires planning permission, licenced A3 tenants, tenants providing outdoor seating areas, and D2 gym tenants.

Contents

1	Introduction.....	5
2	Key acoustic elements.....	5
3	The project.....	5
4	Acoustic criteria and requirements	7
4.1	Sound insulation to the residences	7
4.2	Wall sound insulation to adjoining commercial/retail units	9
4.3	Impact sound insulation.....	10
4.4	Facade sound insulation.....	11
4.5	External seating areas.....	13
4.6	Building services – external noise egress limits	14
4.7	Building services – Internal mechanical plant noise.....	15
4.8	Internal vibration limits	16
4.9	Soil and rainwater pipes.....	16
4.10	Reverberation	17
5	Specific guidance: Gyms, sports activities, exercise (D2 use).....	17
5.1	Requirements.....	17
5.2	Sound insulation recommendations.....	18
6	Additional relevant guidance.....	19
6.1	Southwark Statement of Licencing Policy 2016-2020	19
6.2	IOA <i>Good Practice Guide on the Control of Noise from Pubs and Clubs</i> , March 2003	19
	Appendix A – References and acoustic parameters.....	20

1 Introduction

Sandy Brown has been commissioned by Lendlease to provide acoustic advice in relation to the proposed development of retail areas at Elephant Park. The site location is in Elephant and Castle, London SE17 and within the administrative boundary of Southwark Council.

This report relays the project specific acoustic criteria required for the retails and commercial spaces and gives guidance to assess the impact of noise levels from retail and commercial spaces on the noise sensitive receptors directly above and nearby. It is understood this information will form part of the retail tenancy agreements.

For information, a non-technical summary of the relevant acoustic terminology can be found in Appendix A.

2 Key acoustic elements

The objective of this document is to ensure the following key acoustic elements can be handled in such a way as to minimise complaints from residents and neighbours:

- Airborne sound insulation to the residences and other noise sensitive spaces above
- Airborne sound insulation to the retail and other spaces to the side
- Impact sound insulation to the residences and other noise sensitive spaces above
- Impact sound insulation to the retail and other spaces to the side
- Plant noise and vibration egress to the nearest noise sensitive receptors
- Sound system noise egress through the facade to the public areas
- Patron noise in units and in external seating areas to the residences above.
- Tenant management of noise

Each of these elements is covered in subsequent sections.

3 The project

Elephant Park is part of the Heygate regeneration and is a residential development scheme in Elephant and Castle, SE17.

The site is located to the southeast of the central area of Elephant and Castle, within the administrative boundary of Southwark Council (SC). The A201 (New Kent Road) runs to the north of the site. The National Rail railway line runs north/south to the west of the site.

A plan showing the Elephant Park site and the location of the ground floor units is provided in Figure 1.



Figure 1 Elephant Park retail leasing plan (Lendlease A-MP-SK171, 07.11.2017)

Sandy Brown has been involved in the acoustic planning for the projects undertaken to date, beginning with Trafalgar Place and continuing with MP1 (H6, H10, H13, Energy Centre), MP2 (H2, H3), MP3 (H4, H5) and MP4 (H11a/b).

Retail spaces are planned primarily for the ground level of most plots on the site with a mixture of A1, A3 and D2 uses including licenced premises.

As part of the acoustic design for the base buildings, limits have been set for noise and a reasonable internal sound insulation has been provided for the retail spaces such that Southwark Planning Conditions can be achieved. A typical retail outlet should be able to occupy the units with little additional acoustic provision.

However, there are residents directly above these spaces with a single concrete slab between them. Most have balconies overlooking the areas in front of the retail units. Retail tenants that will be somewhat noisier (eg, have sound systems), have new plant (eg, kitchen extract fans), have external seating (eg, restaurants), or provide gym facilities will need to undertake careful acoustic assessments and upgraded constructions to ensure their fit out will achieve the building's acoustic limits and not disturb the neighbours.

4 Acoustic criteria and requirements

To reduce the potential for complaint, and to comply with Southwark planning conditions, it is necessary to control both the sound insulation between retail space and the residences as well as the noise within the retail spaces and in any external seating area.

The sound insulation provided by the base building in terms of walls, ceiling, floor, and shop front is adequate and reasonable for the majority of retail uses as long as they fall within the limits in the following sections. Any retail use that will make more noise than provided for shall be required as part of their fit-out to upgrade the existing constructions to ensure the requirements for noise in the adjacent and neighbouring spaces are met.

The acoustic criteria and requirements for the retail spaces is provided herein. Tenants must assess whether their operation will exceed any of the limits and provide elements in their fit-out design to bring the levels within the criteria.

- Smaller tenants may simply need to follow this guidance to avoid complaints.
- Those adding plant will need to show Lendlease (and potentially Southwark) how their installation will achieve the required noise limits.
- Noisier tenants such as restaurants and gyms will need to provide an acoustic design that shows the requirements of this document will be achieved.

The specific criteria and requirements are as follows:

4.1 Sound insulation to the residences

There are residences located directly above the concrete ceiling of most of the commercial/retail units at Elephant Park. Noise from the tenant's activities needs to be assessed to ensure the design of the tenant fit-out will be sufficient to keep noise from disturbing these residents.

4.1.1 REQUIREMENT: *The noise levels within the tenant's unit shall not cause the resulting noise level in any adjacent residence to exceed NR25.*

This is to ensure compliance with Southwark Council's Planning Condition 41 for the development.

Concrete slabs above the retail areas across the site vary with thickness but are never thinner than 225 mm of standard weight concrete (2400 kg/m³). They have been tested as part of the commissioning for the base building to be no less than $D_{nT,w} + C_{tr}$ 57 dB.

Based on these results, the sound level in the retail units must not exceed the levels found in Table 1.

Table 1 Maximum internal noise levels allowed in a retail unit with no additional sound insulation treatment

	Octave-band centre frequency (Hz)								Overall (dBA)
	63	125	250	500	1000	2000	4000	8000	
Maximum allowable noise level (dB, $L_{eq,5min}$) within retail space	95	87	89	95	96	95	93	91	101

If the noise levels in the tenant space are at or below those in Table 1, the noise level in the residential units above will be NR 25 or lower, thereby complying with planning condition 41. This assumes windows and doors to both residential units and commercial unit are closed.

These levels are generous for most retail uses, and it should be possible for many retailers to operate well within these limits.

However, retailers with louder amplified music, performances/events, exercise classes and larger numbers of patrons might exceed these levels, thus breaching the planning condition. These retailers shall provide additional sound insulation to ensure the planning condition is met. Sound insulating ceilings would be expected as a minimum. Particularly noisy uses by require isolated walls linings and secondary facade glazing.

Sound insulating ceilings would generally consist of multiple layers of sound rated plasterboard resiliently hung on springs at least 100 mm below the slab with mineral wool insulation in the ceiling void created. Noisier activities might require a more robust ceiling.

Particularly noisy uses may require the walls to be independently lined in addition creating a box in box (see Figure 2). A typical construction would be multiple layers of dense plasterboard on studs held independent of the concrete block wall with mineral wool insulation in the stud cavities.

Sound systems, if any, should be properly designed to minimise disturbance. Loudspeakers should not be mounted at the ceilings. It can be preferable to provide more speakers at a lower noise level closer to patrons than just a few powerful ones located farther away. Install sound regulatory devices (noise limiters) connected to all permanent music and public address equipment to ensure staff cannot turn the sound level up excessively such that noise limits are breached. These can be adjusted so that specific problem frequencies are reduced allowing the less problematic ones to remain higher.

4.1.2 TO SUBMIT

Where noise levels are expected to be within the limits in Table 1, provide the following for approval:

- A statement that noise levels shall be kept within the levels of Table 1.
- Details of any background sound system or the like showing how it will not be able to play sound above the levels in Table 1, such as with limited speaker size or an electronic sound limiter.

Where the tenant may make noise louder than the limits in Table 1, such as busy restaurants, retailers with louder sound systems, licenced activity, exercise classes and the like, provide the following for approval:

- Details of the realistic noise levels expected in the space
- Determination of an appropriate level of sound insulation
- Details of any construction enhancements provided to increase the sound insulation of the space (eg, contiguous barrier ceilings, independent wall/column linings, secondary facade glazing, floating floor slabs).
- An assessment/calculation of the resulting noise levels in the apartments above undertaken by a qualified acoustician.

4.2 Wall sound insulation to adjoining commercial/retail units

The walls between and around the commercial/ retail spaces are designed to provide a sound insulation of approximately R_w 50 dB, usually constructed of concrete block. Noisier tenants' activities may be a disturbance to the adjacent commercial/ retail spaces, which need to be addressed as part of the design.

4.2.1 REQUIREMENT: *The noise levels from the tenant's unit shall not disturb the neighbouring commercial/retail units.*

Noise from the retail tenant space in the adjacent retail/commercial units is not to exceed L_{Aeq} 40 dB.

Tenants whose internal noise levels are likely to exceed L_{Aeq} 80 dB will need to upgrade the wall accordingly, such as through independent linings and, in more extreme cases, barrier ceilings and floating floors.

A typical wall lining construction would include multiple layers of dense plasterboard on studs held independent of the concrete block wall with mineral wool insulation in the stud cavities.

Note that mounting board layers directly on to the concrete block with thin cavities (such as, with dabs or furring channels) will reduce the low frequency sound insulation performance of the concrete block, so should be avoided. Instead, provide deeper cavities or independently supported linings with mineral wool insulation with the advice of an acoustic consultant.

Particularly noisy uses may require the walls to be independently lined in addition creating a box in box (see Figure 2).

4.2.2 TO SUBMIT

Where noise levels in the tenant's space are expected to be within L_{Aeq} 80 dB, provide the following for approval:

- A statement that noise levels shall be kept within L_{Aeq} 80 dB.
- Details of any background sound system or the like showing how it will not be able to play sound levels above L_{Aeq} 80 dB, such as with limited speaker size or an electronic sound limiter.

Where the tenant's internal noise will be louder than L_{Aeq} 80 dB, such as busy restaurants, retailers with louder sound systems, licenced activity, exercise classes and the like, provide the following for approval:

- Details of the realistic noise levels expected in the tenant's space
- Determination of an appropriate level of sound insulation
- Details of any construction enhancements provided to increase the sound insulation of the space (eg, independent wall/column linings, contiguous barrier ceilings, floating floor slabs, secondary facade glazing).
- An assessment/calculation of the resulting noise levels in the adjacent commercial/retail spaces undertaken by a qualified acoustician.

4.3 Impact sound insulation

Even though the commercial/ retail spaces are primarily at ground level and located on ground bearing slabs consisting of reinforced concrete, impact sound traveling through the building structure can still be an issue in residences above the units, particularly in the case of gyms, but also with chair-scraping or cooking activities (eg, chopping, tapping out coffee grounds) in restaurants.

Impact noise control must be considered as part of the tenant fit-out design.

4.3.1 REQUIREMENT: *The impact sound levels in the residences from activities in the retail/ commercial unit shall not be higher than L_{Amax} 30 dB.*

At the very least, install an appropriate impact control layer under all hard-surface flooring with appropriate edge detailing to ensure the isolation is not bridged. This applies to mezzanines as well.

Isolate countertops and other work surfaces from walls such as with neoprene pads as appropriate.

Gyms will require an acoustic specialist to inform the fit-out to ensure these impact criteria can be achieved. (See Section 4.10.)

4.3.2 TO SUBMIT

Where the tenant is unlikely to generate atypical impact noise levels, provide the following for approval:

- Details of all impact control layers provided under the hard-surface floor finishes throughout the space.

Where the tenant will generate atypical impact noise levels (eg, all gyms, sports activity centres, climbing facilities), provide the following for approval:

- Details of the realistic impact noise generating activities in the tenant's space
- Details of any construction enhancements provided to increase the impact sound insulation of the space (eg, floating floors, specialist gym floors, exercise machine modifications and isolation).
- An assessment/calculation of the resulting impact noise levels in the residences above undertaken by a qualified acoustician.

4.4 Facade sound insulation

The facade sound insulation provided by the base building is designed to achieve at least $R_w + C_{tr}$ 26 dB.

This should be adequate to protect the tenant from external noise such as traffic breaking in through the facade, keeping background noise levels below L_{Aeq} 40 dB.

It should also be adequate to keep typical commercial/ retail noise breaking out of the facade from disturbing the neighbours above and nearby. Noisier tenants may need to upgrade this facade provision.

Note, noise transfer will increase when the door is opened or if the glazing is reconfigured as part of the fit-out to be openable, which must be addressed as part of the fit-out design.

4.4.1 REQUIREMENT: *The noise levels breaking out of the tenant's space through the facade shall not cause disturbance to the neighbours above or nearby.*

With the commercial/ retail facade closed and the windows of the residences above closed, it is a requirement that noise levels from the tenant space are not higher than NR 25 when measured inside the residence (Southwark planning condition requirement).

The existing facade sound insulation will be adequate for commercial/ retail noise levels up to those in Table 1.

If the commercial/ retail noise will be higher than this, an assessment will be required to determine what additional measures are necessary so that noise will not disturb the above residents.

Typical measure might include entry door lobbies and independent facade linings with secondary glazing. Adequate ventilation must be provided by alternative means to allow the facade to remain sealed.

Of the individual elements that make up the facade the door is often the weakest element and therefore the easiest transmission path for noise.

- Consider lobbied doors to avoid noise break out, placing them far enough apart that one will close before the other opens.
- Where this is not possible install a specialist door with an automatic door closer.
- Manage the front door to reduce the effects of noise when it is periodically opened.
- Ensure all doors including emergency doors are well sealed.
- *Install visual alarms which alert staff that doors or windows that should be kept closed are open.*

Where the facade is proposed to be reconfigured such that it can be opened, an assessment of the noise to the residences above and nearby must be undertaken to determine what measures are required to reduce disturbance. Any sound system in the commercial/retail unit should no longer be allowed to play.

Note external seating areas are covered in a later section, but the noise of both the external seating and noise through the open facade from the inside should be assessed together.

4.4.2 TO SUBMIT

Where noise levels in the tenant's space are expected to be within the limits in Table 1, provide the following for approval:

- A statement that noise levels shall be kept within the levels of Table 1.
- Details of any background sound system or the like showing how it will not be able to play sound above the levels in Table 1, such as with limited speaker size or an electronic sound limiter.

Where the tenant's internal noise will be louder than those in Table 1, such as busy restaurants, retailers with louder sound systems, licenced activity, exercise classes and the like, provide the following for approval:

- Details of the realistic noise levels expected in the tenant's space
- Determination of an appropriate level of sound insulation
- Details of any construction enhancements provided to increase the sound insulation of the space (eg, secondary facade glazing, lobbied entry doors, contiguous barrier ceilings, independent facade/ column linings).
- An assessment/calculation of the resulting noise levels in the adjacent commercial/ retail spaces undertaken by a qualified acoustician.
- If not lobbying the entry doors, a management plan detailing how the doors will be managed and monitored to ensure nuisance to the neighbours is reduced.

Where the facade is to be reconfigured to be openable, provide the following for approval:

- Details of the realistic noise levels expected in the tenant's space while the facade is in its open configuration.
- Details of any construction enhancements provided to reduce the potential nuisance to the residences above (eg, limited seating numbers, awnings).
- An assessment/calculation of the resulting noise levels inside the residence above undertaken by a qualified acoustician. This shall be in conjunction with the potential noise from external seating (see Section 4.5).

4.5 External seating areas

Where a restaurant will have external seating out the front of their unit, great care must be taken to keep from creating a nuisance to the residents above.

Possible noise sources associated with external seating areas include:

- Music breaking out from internal speakers/spaces (external speakers are not allowed)
- Speech from people seated outside of the retail/ commercial space
- Staff clearing away plates / glasses and other items from external seating areas
- Speech from people leaving and arriving at premises

4.5.1 REQUIREMENT: *Configure and manage external commercial spaces such that the noise level within any residential apartment does not exceed the NR 25 Southwark requirement.*

Calculations of noise levels arising from a typical restaurant external area indicate that the internal requirement of NR 25 can be met with up to 12 people speaking at normal level (60 dB at 1m) simultaneously. From this it is predicted up to 24 people could be seated outside, without exceeding the Southwark requirement of NR 25 in the closest residential apartment.

With 24 people seated outside the restaurant, the predicted ambient noise level at 1 m from the facade of the nearest residential receptor or on their balcony would be L_{Aeq} 59 dB. This would exceed the typical ambient noise levels in the area and on residential balconies but is unlikely to be considered a nuisance if external areas are supervised well.

If additional people will be allowed, and/or if the facade is to be reconfigured to allow it to open during certain times of the day, a separate assessment must be undertaken for approval by the landlord (and potentially Southwark).

A management plan for the external seating area must be implemented to reduce the likelihood of complaint.

4.5.2 TO SUBMIT

If an external seating area is planned, provide the following to the landlord for approval:

- Details of the external seating area: layouts, number of seats, configuration
- Management plan and how it will be implemented to include at least:
 - Hours of operation, closing earlier than 22:00
 - Plan to avoid queues of patrons awaiting admission
 - Supervision arrangements of external area to prevent nuisance/disturbance
 - No sound system or live performances
 - Suitable restrictions on smoking
 - Methods of delineating and restricting the size of the area
 - Arrangements with local taxi companies to prohibit honking
 - 'Leave quietly' signage
- Assessment of noise to the neighbouring residents, to include break-out from the restaurant where facades are reconfigured to open.

4.6 Building services – external noise egress limits

Environmental noise limits for building services plant have been set to protect the amenity of nearby noise sensitive premises in accordance with BS 4142: 1997 '*Rating industrial noise affecting mixed residential and industrial areas*' (established at Masterplan stage, before this standard was updated).

In line with BS 4142 guidance, Southwark Council, requires the cumulative noise level resulting from the operation of new building services plant, the rating level, to be at a level 10 dB(A) or more below the representative existing background noise level, when assessed at a distance of one meter from the facade of the nearest sensitive premises.

4.6.1 REQUIREMENT: All new externally located and externally connected plant must be attenuated such that the project noise egress limits are kept.

Plant that connects through louvres in the facade of the space must not exceed

- L_{Aeq} 37 dB at 1 m from the residential windows directly above during the day, and
- L_{Aeq} 32 dB at night.

Plant located within areas open to outside (eg, loading bays) must also achieve these levels at the residential windows directly above the opening.

These limits are cumulative and apply with all plant operating under normal conditions. Individual items of plant will need to achieve values lower than the collective limits above depending on how many plant items affect the residential window in a given situation.

Even if all limits are achieved above, noise from plant must not exceed a limit of L_{Aeq} 55 dB when measured at ear level on a pavement or other accessible public area no closer than 1 m from a plant item or facade opening.

4.6.2 TO SUBMIT

For all externally located or externally connected mechanical and electrical service plant, provide the following for approval:

- Details of the plant, including make, model, operating points, and 1/1-octave sound power level data
- Plans and elevations showing locations of each item.
- Details of attenuation measures provided.
- Assessment of noise to the nearest noise sensitive window undertaken by a qualified acoustician.

4.7 Building services – Internal mechanical plant noise

Control of the noise of new plant and machinery added inside the tenant's commercial/ retail unit is a matter for the tenant. However, noise from the plant and machinery must not disturb the residences above the unit.

4.7.1 REQUIREMENT: *All new internally located plant and machinery must be attenuated such that the resulting noise levels in any adjacent residence does not exceed NR25.*

All plant and machinery shall be carefully selected and installed so that the resulting noise level in the residences above shall not exceed NR 25.

The resulting plant noise in the residence shall not contain any distinguishable, discrete, continuous notes (whine, hiss, screech, hum etc) or distinct impulses (bangs, clicks, clatters or thumps) and shall not be irregular enough to attract attention. Where this is not possible, the total noise level shall be at least 5 dB lower than the criteria specified.

As with activity noise (see Section 4.1), building services plant and other machinery that is louder than the levels in Table 1 must be attenuated such as through enclosures, lagging, attenuators and such. It is noted that many times the noise from such plant will disturb the tenant's patrons first.

Note that vibration must also be controlled to ensure structure-borne re-radiated noise from the plant does not exceed NR 25 in the residence above. Anti-vibration mounts will likely be necessary. (See Section 4.8.)

4.7.2 TO SUBMIT

For all internally located mechanical and electrical service plant and other machinery, provide the following for approval:

- Details of the plant/machinery including make, model, operating points, and 1/1-octave sound power level data
- Plans/elevations showing locations of each item.

- Details of attenuation measures provided.
- Assessment of noise to the residence above undertaken by a qualified acoustician.

4.8 Internal vibration limits

Vibration from building services plant, machinery, sound systems and activities (eg, exercise, weight training) must be controlled to ensure there is not a disturbance to the residences above.

4.8.1 REQUIREMENT: *Control vibration from building services plant, sound systems and activities such that it does not exceed Vibration Dose Values (VDV) as given in BS 6472 Part 1: 2008 in the residences.*

Maximum permissible vibration amplitudes must not exceed Vibration Dose Value (VDV) of $0.2 \text{ m/s}^{1.75}$ during the day ($0.1 \text{ m/s}^{1.75}$ at night) as given in BS 6472 Part 1: 2008 'Guide to evaluation of human exposure to vibration in buildings: Part 1 Vibration sources other than blasting' in the residences.

Plant shall be placed on appropriate anti-vibration mounts, such as to achieve 95% efficiency, with resilient duct and pipe work hangers and flexible connections as appropriate.

4.8.2 TO SUBMIT

For all new plant and machinery, provide the following for approval:

- Details of the plant/machinery including make, model, operating points
- Plans/elevations showing locations of each item.
- Details of anti-vibration measures provided.
- Assessment of vibration to the residence above undertaken by a qualified acoustician.

4.9 Soil and rainwater pipes

Pipework for rainwater runoff, toilet connections, soil and vent pipes and wastes from residential units above may pass through the commercial/retail unit at high level and through to external column position to ground level.

The tenant must assess whether noise from these pipes will disturb their activities and take appropriate action. They must also assess whether these pipes will provide a flanking path for the tenant's noise to pass into the residences above.

4.9.1 REQUIREMENT: *Rainwater and soil pipes shall be wrapped and/or boxed in as appropriate to keep commercial/ retail unit noise from disturbing the residences above.*

For typical retail uses, we recommend soil and rainwater pipes are wrapped in specialist lagging (eg, Tap Mufti-Lag or CMS SuperLag), to reduce noise transfer to residences above.

Noisier tenants will want to wrap the pipes in 25 mm unfaced mineral wool insulation and box them in independently supported plasterboard (ie, two layers 15 mm sound-rated plasterboard), or more as appropriate.

The enclosures must still provide access for maintenance by the landlord.

4.9.2 TO SUBMIT

For rainwater and soil pipes, provide the following for approval:

- Details of the proposed treatment, boxing or lagging or both

4.10 Reverberation

There are no landlord requirements for control of acoustic reverberation in the commercial/retail space. Note, however, that reducing reverberation (eg, adding sound absorbing finishes) can sometimes be of help in reducing overall noise levels within the space, reducing somewhat the level of provision potentially needed for sound insulation to the spaces above and to the side of the unit.

5 Specific guidance: Gyms, sports activities, exercise (D2 use)

Spaces used for sports activities, exercise and gyms require special attention to ensure they can operate in a residential building without creating a nuisance.

Although ground floor gyms with apartments directly above is becoming more common in London, it is a difficult adjacency that requires specialist design and implementation to work. As well as particularly high sound insulation to mitigate the risk of noise transfer, vibration isolation is needed to mitigate the risk of structure borne noise transferring to the residences.

Operators must be committed to providing a suitable fit-out that allows their activities to take place without nuisance and be committed to managing the premise responsibly.

The suitability of the ground floor commercial unit must be assessed in more detail before it is leased, which is the responsibility of the commercial gym tenant.

An acoustic specialist will be required to assist with design of the space. A full noise and vibration assessment and analysis will be needed to determine what activities can take place in the space without exceeding Southwark Council's requirements.

The recommendations outlined in this section are general and provided as a basis for the degree of isolation and attenuation of noise and vibration likely to be required.

5.1 Requirements

The limits for noise are as set in Section 4 of this document.

5.2 Sound insulation recommendations

The sound insulation performance of the shell space provided by Lendlease must be improved by the tenant if it is to be used as a gym as follows:

5.2.1 Ceiling

With floor and ceiling slabs understood to be at least 225 mm of normal weight concrete, provide a sound insulation plasterboard ceiling within each gym and community room consisting of two layers of 15 mm sound-rated plasterboard (25 kg/m²) hung ≥ 100 mm below the slab with ≥ 100 mm mineral wall insulation in the ceiling void created. Note that noisier spaces within the gym such as aerobics studios may require a more robust construction.

No speakers can be mounted at the ceiling, not even if isolated.

Recessed lighting will require a separate “dummy” ceiling void.

5.2.2 Floor

Provide a sand/cement floating screen (ie, 65 mm screed on a suitably resilient layer such as 50 mm specialist crumb rubber gym underlays) above the concrete base slab.

Then each exercise machine or weight rack shall be individually isolated:

- Isolate treadmills using specialist isolation mats such as available from Pliteq
- Locate free weights on a padded area with minimum additional 25 mm thickness. Supervise patrons to keep them from dropping dumbbells from height
- Mount exercise machines and similar on rubber pads or turret mounts, or have their weight stacks isolated according to the manufacturer’s recommendations.

Vibration isolate any floor mounted loudspeakers.

5.2.3 Walls – independent linings

A typical construction would be two layers of 12.5 mm dense plasterboard (≥ 10 kg/m²) with no connection to existing wall (fixed with independent metal stud or similar) 50 mm cavity with 25 mm mineral wool insulation in the void. Note that noisier spaces within the gym such as aerobics studios may require a more robust construction.

5.2.4 Box in box constructions

A box in box type construction may be necessary to provide localised noise and vibration isolation for noisier spaces like aerobics studios. The internal floors, walls and ceiling are all independent of the main structure. The walls of the box are formed off of the internal floor. A typical box in box design is presented in Figure 2.

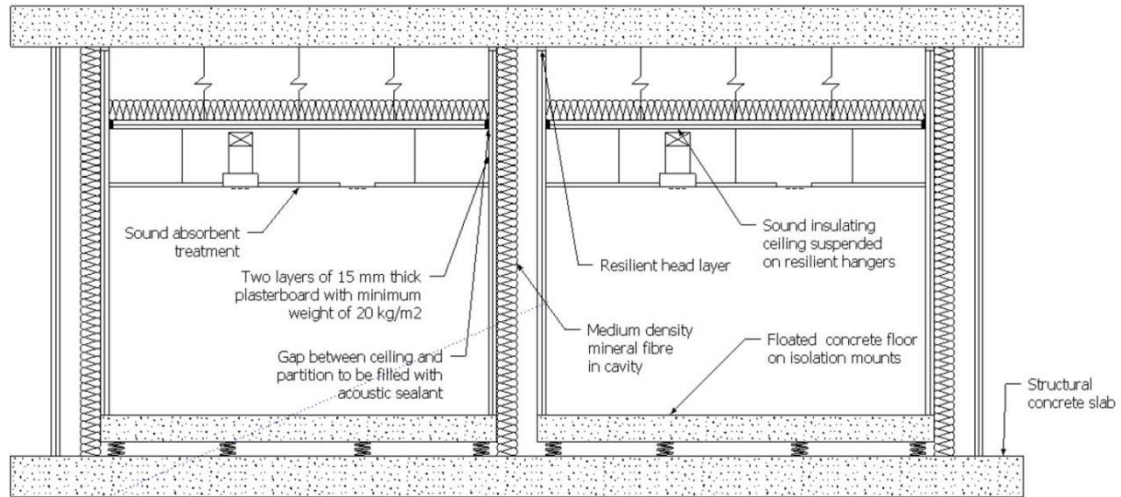


Figure 2 Box in Box principle

6 Additional relevant guidance

6.1 Southwark Statement of Licencing Policy 2016-2020

Licensed premises must comply with Southwark policies and guidance for such premises

6.2 IOA *Good Practice Guide on the Control of Noise from Pubs and Clubs*, March 2003

Provides useful guidance that can be applied to noisier restaurants.

Appendix A – References and acoustic parameters

Codes and standards – references

- (1) BS 8233 – British Standard 8233: 2014 ‘Sound insulation and noise reduction for buildings – code of practice
- (2) BS 4142 – British Standard 4142: 2014 ‘Methods for rating and assessing industrial and commercial sound’
- (3) ADE2003* - Approved Document E (2003 Edition including 2004 and 2015 amendments) to the Building Regulations 2000 ‘Resistance to the passage of sound’
- (4) CfSH – Code for sustainable homes ‘A step change in sustainable home building practice’ (December 2006)
- (8) HQM – Home Quality Mark, technical manual, SD232, issue 1.0 (August 2016)
- (9) BREEAM – BREEAM UK New Construction 2014

Acoustic parameters

L_{Aeq} – the ‘average’ noise level over a particular time period.

L_{AFmax} – the ‘maximum’ noise level over a particular time period. The L_{ASmax} is essentially the same thing, but is measured with a ‘slow’ time response.

$D_{nT,w}+C_{tr}$ – an on-site measure of airborne sound insulation. The C_{tr} correction is a spectrum adaptation term which ‘penalises’ low frequency noise.

R_w – a laboratory measure of airborne sound insulation.

$L'_{nT,w}$ – this is a measure of on-site impact sound. It is used to represent the protection a floor provides against impact sound transmission.

Both the $D_{nT,w}+C_{tr}$ and R_w parameters are measures of noise reduction across an element, and as such, the higher the figure, the better the element is performing.

The $L'_{nT,w}$ parameter is a measure of how much noise is heard in the room below, and as such, the lower the figure, the better the element is performing.