

## Licensing Sub-Committee

June 29 2009

2.00 pm

Town Hall, Peckham Road, London SE5 8UB

### Membership

Councillor Abdul Mohamed  
Councillor Althea Smith  
Councillor Ian Wingfield

### Reserves

Councillor Eliza Mann

---

### INFORMATION FOR MEMBERS OF THE PUBLIC

---

#### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

#### Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

#### Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: [www.southwark.gov.uk](http://www.southwark.gov.uk) or please contact the person below.

#### Contact

Sean Usher / 0207 525 7222 / [sean.usher@southwark.gov.uk](mailto:sean.usher@southwark.gov.uk)

---

Members of the committee are summoned to attend this meeting

**Annie Shepperd**

Chief Executive

Date: June 19 2009



## Licensing Sub-Committee

Monday June 29 2009  
2.00 pm  
Town Hall, Peckham Road, London SE5 8UB

### Order of Business

Item No.	Title	Page No.
----------	-------	----------

#### **PART A - OPEN BUSINESS**

**1. APOLOGIES**

To receive any apologies for absence.

**2. CONFIRMATION OF VOTING MEMBERS**

A representative of each political group will confirm the voting members of the committee.

**3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

**4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

**5. LICENSING ACT 2003 - APPLICATION FOR REVIEW OF THE PREMISES LICENCE IN RESPECT OF BACON'S COLLEGE, TIMBER POND ROAD, SE16 6AT**

1 - 52

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

<b>Item No.</b> 5	<b>Classification:</b> Open	<b>Date:</b> June 29 2009	<b>MEETING NAME:</b> Licensing Sub-Committee
<b>Report title:</b>		Licensing Act 2003 – Application for review of the premises licence in respect of Bacon’s College, Timber Pond Road, SE16 6AT	
<b>Ward(s) or groups affected:</b>		Surrey Docks	
<b>From:</b>		Strategic Director of Environment & Housing	

## RECOMMENDATION

1. That the committee determines the application made under the Licensing Act 2003 by an interested party, Mr Namik Tumkan ( a local resident) for a review of the premises licence held by Mr Anthony James Perry in respect of the premises known as Bacon’s College, Timber Pond Road, London SE16 6AT.
2. Note : The application for the review of the licence is supported by one other local resident and there is also a letter of support for the premises Bacon’s college from the ward Councillor.

## BACKGROUND INFORMATION

3. The Licensing Act 2003 came into effect on 25 November 2005. The introduction of the Act provided a new licensing regime for the following licensable activities:
  - The retail sale of alcohol;
  - The provision of regulated entertainment; and
  - The provision of late night refreshment.
4. Under the Act a premises user wishing to provide any of the stated licensable activities must firstly secure a premises licence from the local licensing authority for the area in which the business concerned is located. Where the retail sale of alcohol is involved, the application must name a designated premises supervisor (DPS) who holds responsibility for authorising alcohol sales under the licence. The DPS must, in turn, hold a personal licence issued by the local authority for the area in which he / she lives.
5. A premises licence once issued remains valid for the life of the business unless it is surrendered or revoked. However, section 51(1) of the Act provides for any responsible authority or interested party to apply to the local licensing authority for a review of the premises licence where there are concerns regarding one or more of the four stated licensing objectives. These relate to:
  - The prevention of crime and disorder;
  - Public safety;
  - The prevention of nuisance; and
  - The protection of children from harm.

## KEY ISSUES FOR CONSIDERATION

### The application under consideration

6. On 8<sup>th</sup> May 2009 an application was received from Mr Namik Tumkan, a local resident for a review of the premises licence in respect of the premises known as Bacon’s

College, Timber Pond Road, London, SE16 1AG. The review application relates to the licensing objectives regarding public safety and the prevention of public nuisance. The application for a review of the licence is supported by one other local resident.

7. A full copy of the review application is attached as appendix a to this report. The application requests that the alcohol sales are withdrawn from the licence, strict management of all user groups, the car park cleared by 11.00pm, all church user groups limited in size to contain parking and noise levels reduced. Attached to the review application was a six page petition, however the details of the grounds for petition were only completed on three of the pages and it is only those pages that are attached to the review application.
8. A copy of the supporting documents from the other local resident is attached as appendix b to this report.
9. A letter of support for the premises from a ward councillor is attached as appendix c to this report.

### **The premises licensing history**

10. The premises previously held a public entertainments and liquor licence under the old licensing regime. An application was made in July 2005, which was during the transitional period under 'Grandfather rights' for a new premises licence. No variation was sought from what was previously held by Bacon's College.
11. The premises were granted a licence for plays, films, indoor sports, live and recorded music, performance of dance, facilities for making music and dancing, late night refreshment and the sale of alcohol to be consumed on the premises. The hours of operation were from 09.00am to 23.00pm on Sunday to Friday and to midnight on Sunday, and with alcohol sales from 10.00am on Monday to Saturday to 23.00pm, and on Sunday from 12.00 until 22.30pm.
12. On 25 May 2006 an application to vary the premises licence so as to extend the hours of licensable activity on Friday and Saturday to 01.00am on the day following and to increase the opening hours on Friday and Saturday to 01.30am on the day following. No representations were received and the licence was duly granted. A copy of the current premises licence is attached as appendix d to this report.
13. The premises were subjected to an inspection on 27<sup>th</sup> January 2009 and conducted by officers from the licensing team. The premises were found to be operating in compliance with terms, conditions and restrictions of the premises licence.
14. On 4<sup>th</sup> March 2009 a letter of complaint regarding Bacon's college was made to the licensing unit from the applicant for this review, Mr Tumkan. A copy of that complaint is attached to this report as appendix e. In the acknowledgement to Mr Tumkan he was informed of the review process and advised to keep a diary to log any further disturbances.
15. A copy of the complaint was forwarded to Bacon's College and they were also advised of the review process open to residents who are being disturbed. Mr Nisbeth the Director of Finance and Administration for Bacon's College responded to this complaint on 16<sup>th</sup> March 2009 and a copy of his response is attached as appendix f to this report.

16. The Environmental Protection Team have responded to the review application stating that they do not support the review as they have no evidence regarding the public nuisance objective. A copy of their response is attached as appendix g to this report.

### **The local vicinity**

17. A copy of a map of the local area is attached as appendix h.

### **Southwark Statement of Licensing Policy**

18. The Southwark Statement of Licensing Policy was originally approved by council assembly on 8 December 2004 with the latest revision receiving approval on 8 November 2008.
19. Sections of the statement that are considered to be of particular relevance to this application are
- Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives;
  - Section 4 which sets out the arrangements for the administration, exercise and delegation of functions, including the determination of licence reviews;
  - Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence;
  - Section 6 which details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998;
  - Section 7 which provides general guidance on dealing with crime and disorder and licensing hours; and
  - Section 10 which provides general guidance on the protection of children from harm.
20. The purpose of Southwark's Statement of Licensing Policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the committee when considering those applications. However, the committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

### **Community Impact Statement**

21. The power of licence review is one of the major new provisions contained within the 2003 Act intended to help secure the four licensing objectives. The promotion of the licensing objectives is key to ensuring that licensed premises are responsibly managed providing a basis for a successful business venture that makes a positive contribution to the local community in which it is based.
22. Each application, including applications for reviews of licences, are required to be considered upon their own merits with all relevant matters taken into account.

### **Resource Implications**

23. No fee is payable in respect of licence review applications. The cost of administering the review process are borne by the service.

### **Consultation**

24. The review application has been advertised in accordance with the 2003 Act and regulations by way of a public notice exhibited in the vicinity of the premises.

### **Equal Opportunities Implications**

25. Each application is required by law to be considered upon its own merits with all relevant matters taken into account.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

26. The Sub-Committee is asked to determine, under Section 52 of the Licensing Act 2003, an application, made under Section 51 of the same act, for a review of premises licence. At any stage, following the grant of a premises licence, a responsible authority or an interested party may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

### **PRINCIPLES FOR MAKING THE DETERMINATION**

27. The principles, which Sub-Committee members must apply, are set out below.

The licensing authority must hold a hearing to consider an application for review of a premises licence where -

- (a) the application is properly made in accordance with Section 51 of the Act.
- (b) the applicant has given notice in accordance with Section 51(3) of the Act.
- (c) the advertising requirements provided for under Section 51(3) of the Act are satisfied.
- (d) the licensing authority has considered the ground(s) of review not to be frivolous, vexatious or repetitious.
- (e) the licensing authority has considered the ground(s) of review to be relevant to one or more of the licensing objectives.

The four licensing objectives are -

- The prevention of crime and disorder.
- The protection of public safety.
- The prevention of nuisance.
- The protection of children from harm.

Each objective must be considered to be of equal importance

The authority must, having regard to the application and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are to-

- modify the conditions of the licence by altering, omitting or adding any condition.
- exclude a licensable activity from the scope of the licence.
- remove the designated premises supervisor.
- suspend the licence for a period not exceeding three months.
- revoke the licence.

For the purpose of determining a relevant representation under section 52 of the Act a "relevant representation" means representations which -

- (a) are relevant to one or more of the licensing objectives.
- (b) are made by the holder of the premises licence, a responsible authority or an interested party within the prescribed period
- (c) have not been withdrawn
- (d) if made by an interested party (who is not also a responsible authority), that they are not, in the opinion of the relevant licensing authority frivolous or vexatious.

Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.

The authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

In deciding what remedial action if any it should take, the authority must direct its mind to the causes or concerns that the representations identify. The remedial action should generally be directed at these causes and should always be no more than a necessary and proportionate response.

It is of particular importance that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

### **Reasons**

28. Where the authority determines an application for review it must notify the determination and reasons for making it to –
- (a) the holder of the licence.
  - (b) the applicant
  - (c) any person who made relevant representations
  - (d) the chief officer of police for the area (or each police area) in which the premises are situated

### **HEARING PROCEDURE**

29. Subject to the Licensing Hearing regulations, the Licensing Committee may determine its own procedures. Key elements of the regulations are that
- The hearing shall take the form of a discussion led by the authority. Cross-examination shall not be permitted unless the authority considered that it is required for it to consider the representations
  - Members of the authority are free to ask any question of any party or other person appearing at the hearing
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to
    - Address the authority
    - If given permission by the committee, question any other party.
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant
    - to the particular application before the committee, and
    - the licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so

outweighs the public interest in the hearing, or that part of the hearing, taking place in private.

- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

30. This matter relates to the review of a Premises Licence under section 51 of the Licensing Act 2003. Regulation 26(1) (a) requires the Sub-Committee to make its determination at the conclusion of the hearing.

### **THE COUNCILS MULTIPLE ROLES AND THE ROLE OF THE LICENSING SUB-COMMITTEE**

31. Sub-Committee members will note that, in relation to this application, the Council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the Council as authority responsible respectively for environmental health, trading standards, health, and safety and as the planning authority.

32. Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Licensing Law, Guidance, and the Council's Statement of Licensing Policy.

33. As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

34. The Licensing Sub-Committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, and working or engaged in normal activity in the area concerned.

35. Members will be aware of the Council's Code of Conduct, which requires them to declare personal and prejudicial interests. The Code applies to Members when considering licensing applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.

36. The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities.



Interested parties must live in the vicinity of the premises. This will be decided on a case-to-case basis.

37. Under the Human Rights Act 1998, the Sub Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The Sub-Committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Borough.

38. Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

### **GUIDANCE**

39. Members are required to have regard to the DCMS Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 Secondary regulations DCMS Guidance to the Act Case file HLS/Costcutter Express	Health Safety & Licensing Unit, C/O The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Kirty Read Phone number: 020 7525 5748

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix A	Review application submitted by Mr Namik Tumkan (local resident)
Appendix B	Supporting letter to the review from Ms Rhian Pamphilion (a local resident)
Appendix C	Letter from a ward Councillor supporting Bacon's College
Appendix D	Map of the local area

### **AUDIT TRAIL**

<b>Lead Officer</b>	Strategic Director of Housing & Environment
<b>Report Author</b>	Rosanna Keogh, Principal Licensing Officer
<b>Version</b>	Final
<b>Dated</b>	16 <sup>th</sup> June 2009
<b>Key Decision?</b>	No

<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director for Legal and Democratic Services	Yes	Yes
Finance Director	No	No
List other officers here		
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>		May 1 <sup>st</sup> 2009

APPENDIX A

RECEIVED Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

08 MAY 2009 PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

- .... Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I MR N. TUMKAN  
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

#### Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>BACONS COLLEGE</u> <u>TIMBER POND ROAD</u>	
Post town <u>ROTHERMITH</u>	Post code (if known) <u>SE16 1AQ</u>
Name of premises licence holder or club holding club premises certificate (if known)	
Number of premises licence or club premises certificate (if known)	

#### Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

- 3) a member of the club to which this application relates (please complete (A)  below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

Surname

TUMKAW

First names

NAMIK

I am 18 years old or over

Please tick yes



Current postal address if different from premises address

17 TIMBER POND ROAD  
LONDON

Post town

ROTHERHITHE

Post Code

SE16 6AR

Daytime contact telephone number

H - 0207 231 6604 - M - 0794071326

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

MRT. W. PUTTICK  
1 KEEL CLOSE  
LONDON  
SE16 6BX

Telephone number (if any)

020 7231 9551

E-mail address (optional)

tputtick@aol.com



## (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)  
Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 1)

1. UNACCEPTABLE NOISE LEVELS AND ANTI-SOCIAL BEHAVIOUR OUT OF NORMAL SCHOOL HOURS, MOSTLY AT WEEKENDS AND SOMETIMES UNTIL BEYOND 2.00 AM, INCLUDING LETTING OFF FIREWORKS, CAR ALARMS AND HORNS SOUNDING, EXCESSIVE VOLUME FROM CAR STEREO'S, LOUD SHOUTING & FIGHTS ETC.
2. DOUBLE PARKING AND RESTRICTING JUNCTIONS, WHICH IS A PUBLIC SAFETY ISSUE AND IS AN ACCIDENT WAITING TO HAPPEN.
3. LITTER LEFT BEHIND - DUMPED FROM CARS - IN STREETS
4. RESIDENT PARKING BAYS AND DRIVEWAYS BLOCKED BY PEOPLE ATTENDING FUNCTIONS.
5. THE FACILITIES ARE BEING USED EARLY ON SUNDAY MORNINGS, WITH EXCESSIVE NOISE BEING EMITTED FROM BUILDING, PA & MUSIC BLARING OUT. THIS IS NOT ACCEPTABLE, ESPECIALLY AFTER BEING KEPT AWAKE UNTIL THE EARLY HOURS THE NIGHT BEFORE.
6. WITH THE EXPANSION TO THE SPORTS FACILITY AND CURRENT EXPERIENCE, THING WILL ONLY GET WORSE.

Please provide as much information as possible to support the application  
(please read guidance note 2)

PLEASE NOTE THE ATTACHED PETITION WHICH HAS BEEN SIGNED BY LOCAL RESIDENTS.

SEVERAL OF THE RESIDENTS HAD A MEETING WITH BARONS COLLEGE A NUMBER OF MONTHS AGO AND ALTHOUGH THEY GAVE ASSURANCES THINGS WOULD IMPROVE, IN REALITY THINGS HAVE GOT WORSE.

THESE ARE JUST SOME OF THE NOTED PROBLEMS:-

30<sup>th</sup> & 31<sup>st</sup> JAN - 2 4.5 AM CAR HORN SOUNDING, DRUNKS SHOUTING.

SAT 21<sup>st</sup> FEB 2.00 AM NOISY GROUP LEAVING BARONS

SAT 28<sup>th</sup> MARCH 1.45 AM TAXIS SOUNDING HORNS TO PICK-UP PARTY GOERS FROM BARONS.

SAT 11<sup>th</sup> APRIL VERY NOISY CHURCH GROUP ALL DAY UNTIL 1.30 AM.

THESE ARE A SAMPLE OF SERIOUS DISTURBANCES FACED AT WEEKENDS, WHICH GO ON AFTER MIDNIGHT.

DISPITE BEING ASSURED THAT NO FUNCTION GOES ON PAST 11.00 PM AND THE CAR PARK SHOULD BE CLEARED PROMPTLY - WE HAVE FOUND THE OPPOSITE IS TRUE.

THE NUMBER OF LOCAL RESIDENTS WHO HAVE SIGNED THE PETITION WANT TO SEE AN END TO THE MISERY BARONS IS INFLECTING ON US.

WE WOULD APPEAL FOR A TOTAL WITHDRAWAL OF THE DRINK LICENSE AND STRICT MANAGEMENT OF ALL USER GROUPS. THE CAR PARK SHOULD BE CLEARED BY 11.00 PM. ALL CHURCH USER GROUPS, LIMITED IN SIZE TO COMMAN PARKING AND NOISE LEVELS REDUCED.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them



Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature *[Handwritten Signature]* *[Handwritten Signature]*

Date *6/5/09* *5/5/09*

Capacity *ON BEHALF OF THE LOCAL RESIDENTS WHO HAVE SIGNED PETITION.*

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.





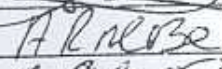

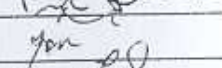
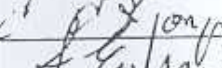





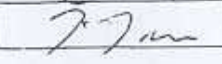


# Petition against functions held at Bacon College, Timber Pond Road, London SE16

This petition will be presented to Southwark Council by local residents protesting about the following:

1. Unacceptable noise levels and anti-social behaviour, out of normal school hours, mostly at the weekends and sometimes until beyond 2am, including letting off fireworks, car alarms & horns sounding, excessive volume from car stereos, loud shouting, fights etc.,
2. Double parking and restricting junction access along Lagado Mews and Timber Pond Road. This is an accident waiting to happen and should not be allowed to result in a serious injury before the Council takes action.
3. Litter left behind.
4. Resident parking bays and driveways blocked by people attending functions, especially in Hull Close.
5. The facilities are being used early on Sunday mornings with the windows open and the noise from PA system and music blaring out, is not acceptable, especially after being kept awake the previous night until the early hours of the morning.

The above happens nearly every weekend and on week day evenings when the school itself has open evenings. The quality of the resident's lives has been badly affected and it should not be allowed to continue. Bacon College has just spent a fortune on expansion, which will only make matters worse once the work is complete.

Please help us let Southwark Council know how residents feel by signing the petition below.

	Name	Address	Signature
1.	T ORTZEN	1 DOCK HILL AVENUE SE16	
2.	D KENDALL	14 TIMBERPOND RD	
3.	G Colyer	21 Dock Hill Ave	
4.	A R MORSE	18 DOCK HILL AVE	
5.	A R MORSE	18 DOCK HILL AVE	
6.	R E HENRY	17 DOCK HILL	
7.	MRS THOMPSON	16 DOCK HILL AVE	
8.	T EYLES	14 DOCK HILL AVE	
9.	J EYLES	14 DOCK HILL AVE	
10.	Miss N C Sanderson	13 DOCK HILL AVE	
11.	d. Sanderson	13 DOCK HILL AVENUE	
12.	C Buckley	13 DOCKHILL AVE SE16	
13.	BRESLIN MR	11 DOCK HILL AVE SE16	
14.	SAM SPRING	17 RADLEY COURT	
15.	Joanne Stronger	12 DOCKHILL AVENUE SE16	
16.	Olga Grew	6 DOCKHILL AVENUE SE16	
17.	Janice-Jakes	29 Timberpond Rd. SE16	



# Petition against functions held at Bacon College, Timber Pond Road, London SE16

This petition will be presented to Southwark Council by local residents protesting about the following:

1. Unacceptable noise levels and anti-social behaviour, out of normal school hours, mostly at the weekends and sometimes until beyond 2am, including letting off fireworks, car alarms & horns sounding, excessive volume from car stereos, loud shouting, fights etc.,
2. Double parking and restricting junction access along Lagado Mews and Timber Pond Road. This is an accident waiting to happen and should not be allowed to result in a serious injury before the Council takes action.
3. Litter left behind.
4. Resident parking bays and driveways blocked by people attending functions, especially in Hull Close.
5. The facilities are being used early on Sunday mornings with the windows open and the noise from PA system and music blaring out, is not acceptable, especially after being kept awake the previous night until the early hours of the morning.

The above happens nearly every weekend and on week day evenings when the school itself has open evenings. The quality of the resident's lives has been badly affected and it should not be allowed to continue. Bacon College has just spent a fortune on expansion, which will only make matters worse once the work is complete.

Please help us let Southwark Council know how residents feel by signing the petition below.

	Name	Address	Signature
1.	LISA MOORE	26 TIMBER POND ROAD	[Signature]
2.	HOW BILDERMAN GEORGE DUNK	2. DEAN CLOSE ROTHERHAM SE16 SPA	[Signature]
3.	L SEARLE	28 BREWHOUSE WALK	[Signature]
4.	J SEARLE	28 BREWHOUSE WALK	[Signature]
5.	J. BUTLER	30 HULL CLOSE	[Signature]
6.	R. MORRIS	13 HULL CLOSE	[Signature]
7.	P JACKSON	1 GREENACRE SQ	[Signature]
8.	Ann Twillett	1. Greenacre Sq	[Signature]
9.	WARREN WIMFEL	1 HULL CLOSE, SE16	[Signature]
10.	NAMIK TUMKAN	17 TIMBER POND RD SE16	[Signature]
11.	DAVID TYLER	1 TIMBER POND RD SE16	[Signature]
12.	S JONES	35 Gabriel HSE	[Signature]
13.	A Vella	20 ALORWAY GATE SE16	[Signature]
14.	DAVID NEALE	33 BACTIC COURT, TIMBER POND RD	[Signature]
15.	PETER KILLICK	25 RUSSELL DOCK RD	[Signature]
16.	KEVIN TAYLOR	35 GABRIEL HSE	[Signature]
17.	AARON COOK	18 Timberpond Rd.	[Signature]



# Petition against functions held at Bacon College, Timber Pond Road, London SE16

This petition will be presented to Southwark Council by local residents protesting about the following:

1. Unacceptable noise levels and anti-social behaviour, out of normal school hours, mostly at the weekends and sometimes until beyond 2am, including letting off fireworks, car alarms & horns sounding, excessive volume from car stereos, loud shouting, fights etc.,
2. Double parking and restricting junction access along Lagado Mews and Timber Pond Road. This is an accident waiting to happen and should not be allowed to result in a serious injury before the Council takes action.
3. Litter left behind.
4. Resident parking bays and driveways blocked by people attending functions, especially in Hull Close.
5. The facilities are being used early on Sunday mornings with the windows open and the noise from PA system and music blaring out, is not acceptable, especially after being kept awake the previous night until the early hours of the morning.

The above happens nearly every weekend and on week day evenings when the school itself has open evenings. The quality of the resident's lives has been badly affected and it should not be allowed to continue. Bacon College has just spent a fortune on expansion, which will only make matters worse once the work is complete.

Please help us let Southwark Council know how residents feel by signing the petition below.

	Name	Address	Signature
1.	Temy Pitted	1 Keel Close	[Signature]
2.	J. Adams	8 Keel Close	JA
3.	H. KRATZ	7 KEEL CLOSE	[Signature]
4.	B. DeFalco	18 KEEL CLOSE	[Signature]
5.	K. GARNETT	2 Hull Close	[Signature]
6.	MRS & MR Connolly	24, TIMBER POND ROAD	[Signature]
7.	Mr GREG DYZMA	25 TIMBER POND ROAD	[Signature]
8.	MRS TAN OICP	11 MIDSHIP CLOSE	[Signature]
9.	Lee Lay	10 Midship Close	[Signature]
10.	[Signature]	19 SUZAN ROAD	[Signature]
11.	T. BEKHII	16 LAGADO MEWS	[Signature]
12.	[Signature]	14 LAGADO MEWS SE16	[Signature]
13.	ARINA MAYTENKO	10 LAGADO MEWS SE16	[Signature]
14.	WENDY MO	8 LAGADO MEWS	[Signature]
15.	A. OJURANYI	6 LAGADO MEWS	[Signature]
16.	S. RICHARDS	2 LAGADO MEWS	[Signature]
17.	J. S. J. J. J.	2 LAGADO CLOSE	[Signature]



APPENDIX B

Hull Close  
London SE16 6BY

5 June 2009

Southwark Council  
Licensing Unit,  
Chaplin Centre,  
Thurlow Street,  
London SE17 2DG

Dear Sir

Review of Premises Licence for Bacons College, Timber Pond Road, SE16 on June 29, 2009 -  
Licence Number: 829714

As an interested party living in the vicinity of Bacons College, I would like to provide additional information to be considered by the Licensing Committee in the review of License number 829714.

In summary, I propose that:

- **The Bacons College building is not of suitable soundproof construction to enable the College to meet the condition of having "no music played in the licensed premises is audible at or within the site boundary"**. Despite efforts to resolve this detailed below and in attached documentation, amplified music and amplified speaking is still audible way beyond the site boundary into Hull Close and Keel Close, and I have heard sound from the College over in Gunwhale Close near to Surrey Water in the last few weeks.
- **The calibre of the management staff, procedures and proactive preparation for events at Bacons College are not sufficiently robust to ensure that the conditions of the license are adhered to.** Despite efforts to resolve this detailed below and in attached documentation, issues with parking, public disturbance, public safety and general control of the activities have not significantly improved, and the lives of residents in the vicinity continue to be severely impacted.

I have lived at 9 Hull Close since November 1997 and the environmental impact of events being run at Bacons College has been present over all those years. There were many occasions in previous years when I rang Southwark Council Noise Team who attended the premises, asked the event organizers to contain the noise, and close the windows to prevent it travelling. I know that I am not the only resident who has taken these actions, both recently and over the years. I am delighted to support the formal review request from my neighbour, Mr. Tumkan, and I will be present at the hearing to provide further details in person.

As residents, we have tried to work with the College to resolve these issues. For example, after a particularly noisy and disturbing Easter weekend in April, many complaints were made to the College and my neighbour from 14 Timber Pond Road managed to talk on the phone to David Cooke, Operations Manager at the College, who invited her and other interested parties in for a face to face meeting to discuss the issues. Since it was short notice, I was the only other person available to attend. After the meeting, we typed out comprehensive notes as an accurate factual record of what was discussed, a copy of which is enclosed. These notes were emailed to Mr. Cooke afterwards so that he had an opportunity to correct any misrepresentation, which he did not.

Since there had been many other complaints in the past, and similar meetings with other residents in the area, Mr. Cooke did not seem particularly surprised by the issues we were raising and acknowledged that he already knew of these problems. He has also continually assured us that, if there are any problems, we are welcome to ring the College. This strategy has not proved effective in curtailing the problems in the past and it is one which, in my opinion, indicates that the College management style is that of waiting for a problem to impact the residents and for them to complain about it, rather than pro-actively managing the activities within the terms of the license in the first place.

Following that meeting, I have been corresponding with Mr. Cooke by email (a copy of the emails between us is also enclosed) and had another discussion with him by phone, trying to resolve one of the issues in particular: that of disturbance from amplified sounds from religious groups using the college on a Sunday.

After many weeks and discussions, the issue is still not resolved, even though Mr. Cooke assured me on the phone that he had moved the groups into different parts of the college building where the sound would not leak beyond their boundaries.

The issue of noise on Sundays from religious groups is just one of many – and one would have assumed was a simpler one to resolve given that these are simply worship gatherings and not full-blown entertainment events with alcohol being sold. Those events are another subject altogether, with noise and disturbance continuing well beyond the license limit of 1.30am (which Mr. Cooke told us in the meeting was 1am with everyone away from the premises by 1.15am)

The notes of the meeting are self-explanatory and detail much more about the continual and continuing noise, parking and behavioral issues associated with the activities at the College. These constitute a serious public safety and public nuisance issue in what is otherwise a very peaceful and tranquil residential area.

I implore the Licensing Committee to consider the impacts of the current Bacons College license very seriously and to restrict the terms accordingly to avoid future public safety and public disturbance issues.

Yours faithfully,



Rhian Pamphilon (Mrs).



Meeting notes 16 April 2009 – page 1 of 7

**Notes from a meeting on Thursday 16<sup>th</sup> April 2009 between:**

- **David Cooke, Operations Manager, Bacons College**
- **Rhian Pamphilon (Resident, 9 Hull Close)**
- **Delia (Resident, 14 Timber Pond Road)**

**Purpose of the meeting**

Over a period of time, there has been increasing activity during evenings and weekends at Bacons College. Following a number of complaints over the Easter period, an invitation from Bacons College had been extended to local residents to meet at short notice to discuss the issues.

These notes serve to outline the facts of the discussion at the meeting and the main actions agreed.

**1. David Cooke's responsibilities at Bacons College**

- Sports Centre
- Bar
- Function facilities

(e.g he is not responsible for any academic operations or running of the school / college).

**2. Objectives of Bacons College**

As well as running an academic institution, Bacons College also aim to make their facilities available for the benefit of the community and have set up limited companies and registered charity status to do this and to make the facilities profitable for future investment and the benefit of the community.

**3. Impact of community activities in the area and resident communications**

David Cooke was already aware that there were environmental issues with the college activities and outlined his perception of the main ones as:

- Noise
- Parking

He advised that he had already had a meeting with two other local residents to discuss these. He did not specify when that discussion took place. Rhian and Delia agreed that noise and parking were the main areas of concern for discussion at this meeting.

Meeting notes 16 April 2009 – page 2 of 7

Rhian and Delia then queried why, despite being aware of the environmental impacts of their activities, the College had not consulted or involved the community more widely regarding plans and actions to resolve these issues.

David Cooke agreed that Bacons College had not communicated enough with local residents and that he would consider this for the future. He suggested that the residents could form a committee with himself as a member. Rhian and Delia did not dismiss this but suggested that the majority of the issues had been raised repeatedly over many years and could be addressed simply by Bacons College paying attention to the stipulations of their licenses, rather than place additional burden on local residents to monitor their activities.

However, Rhian and Delia suggested that Bacons College could publish a regular newsletter to local residents and that the College could organise a community meeting in the next few months in order to diffuse current frustration with the environmental impact of the current and perceived future activities at the College.

David Cooke stated that the College does not market its facilities and that business comes via word of mouth.

#### 4. Bacons College licences

- **Entertainment licence** – enables Bacons College to hold events with up to 300 invited guests. David Cooke stated that the entertainments licence stipulates that any noise from any event should not extend beyond the boundary of Bacons College premises and that, if local residents do hear it, then the music / volume needs to be turned down. However, there is no agreed procedure stipulated and published for notifying the College that the noise from events has exceeded their boundaries. Rhian and Delia commented that, in their experience, even if Bacons College staff on site are notified directly by phone or in person that there is a problem, action is not necessarily taken to resolve the issue.
- **Bar licence** – there is a bar facility within the building and the bar licence allows Bacons College to contract to keep the bar open up until 1am for functions (though many functions have bars which finish earlier). This is not a special licence application. Rhian and Delia commented that they had heard that the College was applying for a 2am bar license. David Cooke denied that this was the case.

#### 5. Parking Issues

David agreed that parking issues had been bad recently but this had been caused largely by the building works for Mellish Fields, which had taken up space at the side of the Bacons College site which would normally have been available for parking on site. The site has just been cleared and made available for parking again, and lighting for that area reinstated.



Meeting notes 16 April 2009 – page 3 of 7

Points noted regarding parking:

- Parking on site for events should now be sufficient for parking cars up to the entertainment licence stipulation of 300 invited guests for the main hall. David Cooke did not stipulate that the car parking would be sufficient if additional events and sporting activities were taking place simultaneously.
- With the opening of new sports facilities at Mellish Fields, David Cooke advised that the impact of the additional associated parking for people using those sports facilities on the overall situation is yet to be experienced and monitored by Bacons College.
- Regarding events, the person contracting with the college for the use of the facilities at any time of the day, is expected to inform their invited guests that parking is on site and not on the road (or pavement). The contracted person is also expected to take action on any contravention by their guests of their contractual obligations.
- David Cooke stated that it is the responsibility of the person contracting for the use of the facilities to monitor their guests parking and to make them aware of the need to park on site. Bacons College staff could raise these issues with the person contracted, but did not have jurisdiction over parking on the roads surrounding the College, which was an issue for Southwark Council / Metropolitan Police.

Rhian and Delia stated that:

- Parking has indeed been a problem in the roads surrounding Bacons College during their contracted events, to the extent that it is a health and safety issue for car drivers, cyclists and pedestrians, with cars parked right up to and around junctions and long stretches of pavement parking.
- A number of minor car accidents have been observed due to reduced visibility created by undisciplined parking in the roads surrounding Bacons College during their contracted events, particularly at the junction of Hull Close and Timber Pond Road. Frequently during these contracted events, pedestrians have to manoeuvre around cars parked on the pavement.

London Marathon parking in the Bacons College playground:

This has been offered as a service to local residents who may need to park their cars in a place where they can get the cars out.

This is a one-off annual activity, but should be managed carefully by Bacons College to avoid impact on nearby residents. In particular, Delia stated that overnight security personnel were in 2008 parked in vans with diesel engines running all night, and were clearly not being monitored by Bacons College staff in terms of their noise impact on people living nearby.



Meeting notes 16 April 2009 – page 4 of 7

## 6. Noise issues

Rhian and Delia stated that, having both lived in the area for many years and, having spoken with a number of residents within the area, issues with activities at Bacons College include:

- Loud amplified music which can be heard way beyond Bacons College boundaries, even into nearby residents' living rooms and bedrooms with windows closed.
- Car horns being sounded in the street, both from taxi firms picking people up from events and event attendees themselves leaving in their cars and attracting the attention of their friends with the car horn. Loud car stereos.
- People shouting, singing, arguing, speaking loudly on their mobile phone in the road while leaving the premises.
- Fireworks being let off in the road and in the park / woodlands behind.
- Unsupervised children from events (daytime and evening) wandering in the road and making noise (also a safety issue but for themselves rather than residents).

Noise issues around various types of activities were discussed and fell into the following categories:

- a) **Functions without a bar licence which take place under the terms of the entertainments license.**
- b) **Daytime functions, particularly on Sundays.**
- c) **Functions which involve the bar license.**
- d) **Sports facilities including new Mellish Fields Sports Facility.**

The specific issues discussed regarding these different types of events follow. David Cooke stated that:

### a) Functions without a bar licence which take place under the terms of the entertainments license.

#### Evening events

- A contract is drawn up with the "owner" of the event who has to put up a damages deposit in case of problems during the event. The "owner" is expected to control their guests in terms of noise and behaviour.
- Bacons College will communicate with the "owner" of the event on a number of occasions before the event to make sure that plans and logistics are in order and that they understand their obligation to take responsibility for their guests adhering to the terms of the Bacons College licence.

Meeting notes 16 April 2009 – page 5 of 7

- Under the terms of the entertainments licence, music must be turned off at 10.30pm (recently reduced from 11pm). Attendees must then leave the premises by midnight.
- At these events, Bacons College have up to 4 members of staff present and 1 security guard (employed by an external contracted company).
- Signs are put up within the Bacons College premises to remind attendees to leave the site quietly.
- The entertainments licence stipulates that, if you can hear music at the Bacons College boundary, then the music is too loud and needs to be turned down.
- The music at the boundary and asking for it to be turned down should be policed and addressed by the staff at Bacons College. David Cooke stated that the staff undertakes regular patrols to check this.
- Even for events where a Bacons College bar license is not required, people contracting to have an event there can bring in their own alcohol.
- Bacons College does not contract for 18<sup>th</sup> or 21<sup>st</sup> birthday parties – in fact they refuse milestone birthday celebrations below the age of 25.
- Bacons College staff (up to 4 for functions plus a contracted security guard) control and patrol the area and should ensure that contract owners are meeting their obligations regarding noise, behaviour, parking etc.

#### **b) Daytime functions, particularly on Sundays**

The daytime events which were discussed mainly involved meetings regularly taking place on Sundays. However, the discussions also apply to any type of event taking place in the daytime, either at weekends or in school holidays.

David Cooke stated that:

- “Several” churches have currently drawn up agreements to meet within the Bacons College premises during the day on Sundays. This has been happening for the last 18 months – 2 years period.
- Meetings also take place throughout the week.
- The college site is open for setup at 8am on Sundays and the services / meetings start at 9am. Groups then come and go throughout the day (i.e. this is a number of groups at different times, not one group with different meeting times).
- On Sundays, Rhian and Delia stated that there is noise throughout the day from 8am and sometimes before, from amplified music within the college premises which can be heard beyond the boundaries. There is also noise in the surrounding streets throughout the day with attendees coming and going from events.
- Rhian and Delia stated that there is also noise from 8am and earlier on Sundays from unsupervised children both at the front of the college premises and in Timber Pond Road. David Cooke mentioned partnerships with junior football clubs for the Mellish Fields site and the possibility of organising activity groups for the children of parents attending religious groups, perhaps inter-related with the junior football clubs. Delia suggested a “Sunday School” group for children



Meeting notes 16 April 2009 – page 6 of 7

whose parents are attending an event at the College. David Cooke confirmed that options are being considered for entertaining children at these events, which may be a joint effort between the college and the group concerned.

- On Sundays, Rhian and Delia stated that there have been issues with the noise of gates opening and closing. This is an issue at the Mellish Fields end of the site and also for residents near to the Bacons College playground gates (opposite the rear of 9 Hull Close) which are used for access for delivery vehicles and parking.
- Concern was expressed by Rhian and Delia that more and more church groups will come to Bacons College. David Cooke stated that no more church groups are being considered for meetings at Bacons College at the moment until the effect of the opening of the Mellish Fields Sports facilities is known (see following section on Sports facilities including new Mellish Fields Sports Facility).

**c) Functions which involve the bar licence.**

For these events, comments under section a) apply. In addition David Cooke stated:

- An existing bar licence at Bacons College allows the bar to be open until 1am. Many events do not contract to use the licence until 1am, instead finishing at 12 midnight or 11am. "Last orders" are called half an hour before the bar closes.
- As an example of the latest possible environmental impact, if the event has a bar licence until 1am, then "last orders" are called at 12.30. The bar will then serve until 1am. The music finishes when the bar finishes (i.e. 1am). The aim of Bacons College is then to have attendees off the premises by 1.15am and the site closed up.  
Rhian and Delia stated that this is rarely the case because the worst offending events cause considerable environmental impact via noise from the site and on the streets until 2am and beyond with cars leaving, hooting, and people in the streets shouting and behaving badly, creating impact on the local environment.
- David Cooke stated that there are around 12 events per year which utilise the bar licence and, of these, only 4 or 5 events use the 1am licence. Others finish earlier.

**d) Sports facilities including new Mellish Fields Sports Facility**

David Cooke stated that this is a joint project between Bacons College and Southwark Council.

There are currently partnerships for the use of this site with 2 junior football clubs:

- Docklands Junior Football Club
- Griffin Junior Football Club

The parking needs caused by the opening of this new facility are being monitored and, at the moment, no more church group meetings are being accepted for Sunday bookings until the impacts of Mellish Fields are known. Floodlights on the pitches are on a timer system and turn off automatically at 10pm.

Meeting notes 16 April 2009 – page 7 of 7

Sports facilities at the Dockhill Avenue end of the site also stop operating at 10pm, though mostly the latest bookings are 8-9pm. Lights should not be left on after the pitch is being used. Bacons College are looking into timers for these lights as they are about to be changed anyway to a more eco-friendly solution.

#### 7. Agreed actions from meeting

David Cooke stated that he would address the immediate issues of:

- Noise
- Parking

Rhian and Delia agreed but were also concerned by the additional issue of the bar license until 1am and the managers of events being allowed to bring their own alcohol into the premises for functions even if the bar license is not utilised. However, addressing noise and parking issues should identify whether Bacons College needs to take further action on the subject of the bar licence and alcohol rules.

David Cooke, Rhian and Delia agreed to keep communicating and see how these actions progressed.

- END -



Rhian

-----Original Message-----

From: Dave Cooke [mailto:cooke@baconsctc.co.uk]  
 Sent: 12 May 2009 13:37  
 To: Rhian Pamphilon  
 Cc: Mathew Earp  
 Subject: RE: Bacons College meeting / activity over weekend

Hi Rhian,

Thank you for your time today regarding the issues you have raised. I have taken the time to walk the College and consult with colleagues who work of a weekend managing the church groups. I have visited the roadside your house overlooks to establish where noise could travel from to cause such disturbance to you and can only assume the this could only become from one section of the College. I have asked my on site Sunday supervisor to meet with the group using the area and move them to the back of the College. It appears this is the last church group at the front of the building that could generate the noise you speak of. Secondly just so you are aware we have taken the following steps to help control the issues you have reported to us.

- 1) All users have been contacted in writing and their full cooperation has been requested.
- 2) I will be putting in place a number of checklist designed to monitor and control noise and capacity.
- 3) As we spoke at our last meeting the fire door leading out of the dining room have now been put onto fire alarm control which will prevent the door from opening unless in an emergency.
- 4) As of this Sunday all church users will have been/be moved into the centre of the College. The windows and entrance doors will be closed to help contain potential noise.
- 5) All users have been instructed to keep noise to a minimum.
- 6) I am currently looking into manning our main car park to direct cars into parking bays in order to maximise space and to reduce any overspill on immediate roads that we have no control over.
- 7) I will be reviewing with one of my managers the booking which is due to take place on 30th/31st May 09.

For your information my on site Sunday supervisor is a lady call Margaret. Should you find the need to speak to Margaret on the day of an event then please do not hesitate to contact her directly on the main College number 020 7237 1928. Press opt 0 for the operator.

I am interested to see where progress has been made since we last spoke and would like to report back to the College on where we are. Please could you take some time to offer some feedback on progress made to date? As I explained today, I and the College do take your comments seriously and will work relentlessly to resolve the issues you have raised. I would also like to thank you for your time and apologise for any disturbance you have encountered.

Kind regards

Dave Cooke  
 Operations Manager

-----Original Message-----

From: Rhian Pamphilon [mailto:rhian.pamphilon@baconsctc.co.uk]  
 Sent: 11 May 2009 08:21  
 To: Dave Cooke  
 Cc: Mathew Earp  
 Subject: RE: Bacons College meeting / activity over weekend

Hi Dave

I haven't heard any more from you since this email so trust that you managed to resolve your PC issues, opened the minutes of the meeting and have no further additions to the

items which Delia and I discussed with you at you at our meeting on 16th April.

I am disappointed to report that the issues with the Sunday church groups' impact on the community continue unresolved, with amplified music and speaking clearly audible beyond your boundaries yesterday from 09.30 in the morning onwards. As I left my house at 11.00, I also noticed that the college car park was fairly full and that there were many cars parked along Timber Pond Road that would not normally have been there at the weekend, including cars parked around your gate area. I don't know how many people were present in your building at that time but the assertion that there is enough car parking on site to accommodate 300 people attending would appear not to be true.

I was especially disappointed on Sunday in the light of having received an A4 leaflet through my door on Saturday, advertising the visit of one "Melvin Banks" under the sponsorship of the "Charismatic Renewal Ministries" in the Dining Room at Bacons College on Saturday 30th May and Sunday 31st May. The promoters are stating that "due to great demand to see him everywhere, it would be advisable to reserve free seats".

In the light of the continued impact on the community from the regular group activities on a Sunday, can you please advise me how widely this event is being publicised, how many people are expected and contracted for with the College, and what processes and management actions you have in place to ensure that these events do not impact on the community?

Thank you in advance for your reply.

Rhian

-----Original Message-----

From: Dave Cooke [mailto:cooke@baconsctc.co.uk]  
Sent: 01 May 2009 17:26  
To: Rhian Pamphilon  
Cc: Mathew Earp  
Subject: Re: Bacons College meeting / activity over weekend

Hi Rhian,

I trust you are well?

Thank you for coming back to me with the minutes of our last meeting. I am sorry but I am having some PC issues and cant open these at present, however ill get our IT boys to look into this on Tuesday.

With regards to our license I will be looking into this and reviewing how we operate our services in accordance to this. I will come back to you shortly with how I feel our event will be managed affectively in the future as discussed.

I am pleased the parking situation has improved and appreciate your positive feed back, I hope to continue to with this and maintain the management of our parking facilities.

Your comments on Sunday Church users will also be appreciated. We have done a lot of work in this area. Mathew Earp has meet with all church groups to explain the issues with noise and parking and we have had a very positive response from them. All groups are now aware of their impact on our community and wish to operate so not to cause disturbance. Mathew has also made several changes to facilities which have been booked which we hope will continue to reduce noise.

I have started to set up a feedback method for everyone who wish to comment on our service, in fact it will be more then that but a policy and commitment from the College that we have clear procedures, guidelines and communication links for everyone to access. I am calling this our community. This will include sending out information to residents, a path for feedback to be communicated and a general method of building links with you our community.

Please continue to remain in contact with me. I will continue to work on the areas of



concern and keep you updated on progress.

Have a great weekend.

Regards

Dave

On 01/05/09 16:46 , "Rhian Pamphilon" <rhian@baconsctc.co.uk> wrote:

David - sorry for the delay in replying to you and sending the notes from our meeting as I had promised.

I have now attached them after verification and amendment by Delia.

In the meantime, I found licensing details for the college on the Internet, which seems to indicate that the license can run to 01.30 for many activities on a Friday and Saturday.

Am I looking at the latest licensing details? I found them here:

<http://licensing.southwarksites.com/licpremisesgranteddetails.asp?systemkey=9831>

The parking situation does indeed seem to have improved since the building works were cleared on your site. I am around all weekend so I will see how the church activities are progressing on Sunday.

Thanks,

Rhian Pamphilon

-----Original Message-----

From: Dave Cooke [mailto:cooke@baconsctc.co.uk]  
Sent: 22 April 2009 22:27  
To: Rhian Pamphilon  
Cc: Mathew Earp  
Subject: Re: Bacons College meeting / activity over weekend

Hi Rhian,

Sorry for the delay in responding to you, however my move to new Mellish Fields offices hasn't gone as planned, however I am now in operation.

Anyway, thank you for attending the meeting. I feel it was positive and we got many points covered. Following on from the meeting and the two areas I have said I will be looking into I have despite being officeless made progression and some changes. You will be pleased to note I visited site on both Saturday and Sunday of last week to inspect that things were as I had instructed.

1. I noted that music from the dining room was a little loud to my liking, despite this not being heard at the boundary of the college. I have provided further training to my staff and security on this matter and spoke directly to the Pastor of the church groups who have been most helpful and made several changes to their set up and music times to help be more community aware.

2. I have spoken to my colleague Mathew Earp who looks after the function and church use of the College for me and we have agreed to move some groups into the centre of the building which should help reduce travelling noise.

3. Mathew is currently away on annual leave but upon his return will be reviewing contract agreements for both church groups and normal wedding type events. Mathew will

make stronger points on noise control. He will also write to all Church Pastors advising them of the impact of their services on the local community, this to include music, speaking, entering and vacating the College.

4. I have organised with Mathew Earp, my manager who oversees functions, bar and church use for regular spot checks during large functions and Sunday church use.

Thank you for your points in your email. I will look into how these can be put in place and will look to improve signage around the site to aid users getting into the College without causing excessive noise.

I am sorry but I haven't had much chance to look at the parking issues you have raised, but will do so at my earliest convenience. I will be planning regular site visits to ensure my team are doing their jobs, and ensuring our clients abide by contract agreement in place.

Please lets keep this line of communication open. I am looking to see how I can communicate to the local residents on a more global basis but hope that with my comments in the meeting and my actions to date shows that I am trying to manage our service in a way that it causes minimum impact on the community and that I do take you views and comments seriously.

Kind regards

Dave Cooke  
Operations Manager

On 20/04/09 09:14 , "Rhian Pamphilon" <rhian.pamphilon@baconscollege.com> wrote:

Hi David

A quick note to say thanks for meeting with Delia and me on Thursday to discuss the environmental impact of Bacons College activities. I have typed up my notes from the meeting and will check with her that I didn't miss anything before sending you a copy.

A short report on activities over the weekend - I was away from Friday evening until Saturday evening around 9pm, and on my return there seemed to be no external disturbance from the theatre group meeting you had advised was taking place.

On Sunday at 8am and before, there was no amplified music noise, so presumably the first group meeting had taken action to control the volume. However, there was a blast of amplified music noise between 10 and 10.30am, and then again between 11 and 11.30am. I didn't notice any further noise until 1.15pm - when there was a group of young boys (probably early teens) making a lot of vocal noise (arguing maybe?) outside the college and sitting on the railings for about 20 minutes. There was also a lot of car hooting at the same time, and a driving school car pulled up next to these youths (presumably to pick up someone for a driving lesson) as did another saloon car that was hooting. I took a couple of photos from my back garden of these activities. All seemed quiet for the rest of the day.

These previous comments were made in the context of hearing / seeing things from my house (9 Hull Close, back garden facing your playground gate).

I also took a walk along the road on Sunday to see the parking arrangements for myself and noticed that cars for the meetings at the college don't always spot the college gate and drive on, then turning round either in Hull Close or further along. One suggestion I could make to try and streamline visitors into the college parking is to insist that the groups meeting there have a large temporary sign on the gate (similar to the one I have seen before for Stagecoach meetings) so that they know they have reached the right place - and park there.

Keep us posted on any developments from your end. Do you have anything specific planned for next weekend?



**Keogh, Rosanna**

---

From: Parkins, Richard  
 Sent: 15 June 2009 08:50  
 To: Keogh, Rosanna  
 Subject: Fw: Bacons college licensing application

-----  
 Sent from my BlackBerry Wireless Handheld

"Southwark Council does not accept liability for loss or damage resulting from software viruses.

The views expressed in this e-mail may be personal to the sender and should not be taken as necessarily representing those of Southwark Council.

The information in this e-mail and any attached files is confidential and may be covered by legal and/or professional privilege or be subject to privacy legislation. It is intended solely for the individual or entity to which it is addressed. If you are not the intended recipient, the retaining, distribution or other use of any transmitted information is strictly prohibited.

E-mails are transmitted over a public network and Southwark Council cannot accept any responsibility for the accuracy of a message that may have sustained changes in transmission".

----- Original Message -----

From: Hook, Jeffrey  
 To: Parkins, Richard  
 Sent: Sun Jun 14 20:41:57 2009  
 Subject: Bacons college licensing application

Richard

I write in support of bacon colleges recent application.

The College serves the community in a wide range of activities from junior football academies, badmington, tennis five a side football to weddings and local church groups.

I understand the main objection from residents is the parking and noise levels;

to this end I have been advised that bacons have put in place magnetic locks on doors to stop them being opened to reduce noise levels and they are reducing their closing time for parties from 01:00 to midnight and they have 80 parking spaces, they cannot stop people parking along Timber pond road as there are no yellow lines. The introduction of these should be considered by highways.

Regards  
 Jeff hook  
 Councillor - rotherhithe ward  
 Mayor of southwark

"Southwark Council does not accept liability for loss or damage resulting from software viruses.

The views expressed in this e-mail may be personal to the sender and should not be taken as necessarily representing those of Southwark Council.

The information in this e-mail and any attached files is confidential and may be covered by legal and/or professional privilege or be subject to privacy legislation. It is intended solely for the individual or entity to which it is addressed. If you are not the intended recipient, the retaining, distribution or other use of any transmitted information is strictly prohibited.

E-mails are transmitted over a public network and Southwark Council cannot accept any responsibility for the accuracy of a message that may have sustained changes in

# Licensing Act 2003 Premises Licence

APPENDIX D  
Southwark  
Council

Environmental Health & Trading Standards  
Licensing Unit  
Chaplin Centre  
Thurlow Street  
London SE17 2DG

Premises licence number

7099

## Part 1 - Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Bacons College Timber Pond Road London SE16 6AT	
Ordnance survey map reference (if applicable), 179975 535977	
<b>Post town</b> London	<b>Post code</b> SE16 6AT
<b>Telephone number</b> 020-7237-1928	

Where the licence is time limited the dates

**Licensable activities authorised by the licence**

EA Plays  
EC Indoor Sporting Event  
EE Live Music  
EF Recorded Music  
EG Performance Of Dance  
EH Entertainment Similar to EE, EF,EG  
EI Facilities for Making Music  
EJ Facilities for Dancing  
EK Entertainment Similar to EI,EJ  
LR Late Night Refreshment  
RA Sale by retail of alcohol to be consumed on premises

**The opening hours of the premises**

For any non standard timings see Annex 2

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies**  
ON SUPPLIES

**The times the licence authorises the carrying out of licensable activities**

For any non standard timings see Annex 2



Plays	Monday	09:00	23:00
Plays	Tuesday	09:00	23:00
Plays	Wednesday	09:00	23:00
Plays	Thursday	09:00	23:00
Plays	Friday	09:00	23:00
Plays	Saturday	09:00	00:00
Plays	Sunday	09:00	22:30
Indoor Sporting Event	Monday	09:00	23:00
Indoor Sporting Event	Tuesday	09:00	23:00
Indoor Sporting Event	Wednesday	09:00	23:00
Indoor Sporting Event	Thursday	09:00	23:00
Indoor Sporting Event	Friday	09:00	23:00
Indoor Sporting Event	Saturday	09:00	00:00
Indoor Sporting Event	Sunday	09:00	22:30
Live Music	Monday	09:00	23:00
Live Music	Tuesday	09:00	23:00
Live Music	Wednesday	09:00	23:00
Live Music	Thursday	09:00	23:00
Live Music	Friday	09:00	23:00
Live Music	Saturday	09:00	00:00
Live Music	Sunday	09:00	22:30
Recorded Music	Monday	09:00	23:00
Recorded Music	Tuesday	09:00	23:00
Recorded Music	Wednesday	09:00	23:00
Recorded Music	Thursday	09:00	23:00
Recorded Music	Friday	09:00	23:00
Recorded Music	Saturday	09:00	00:00
Recorded Music	Sunday	09:00	22:30
Performance Of Dance	Monday	09:00	23:00
Performance Of Dance	Tuesday	09:00	23:00
Performance Of Dance	Wednesday	09:00	23:00
Performance Of Dance	Thursday	09:00	23:00
Performance Of Dance	Friday	09:00	23:00
Performance Of Dance	Saturday	09:00	00:00
Performance Of Dance	Sunday	09:00	22:30
Entertainment Similar to EE, EF,EG	Monday	09:00	23:00
Entertainment Similar to EE, EF,EG	Tuesday	09:00	23:00
Entertainment Similar to EE, EF,EG	Wednesday	09:00	23:00
Entertainment Similar to EE, EF,EG	Thursday	09:00	23:00
Entertainment Similar to EE, EF,EG	Friday	09:00	23:00
Entertainment Similar to EE, EF,EG	Saturday	09:00	00:00
Entertainment Similar to EE, EF,EG	Sunday	09:00	22:30
Facilities for Making Music	Monday	09:00	23:00
Facilities for Making Music	Tuesday	09:00	23:00
Facilities for Making Music	Wednesday	09:00	23:00
Facilities for Making Music	Thursday	09:00	23:00
Facilities for Making Music	Friday	09:00	23:00
Facilities for Making Music	Saturday	09:00	00:00
Facilities for Making Music	Sunday	09:00	22:30
Facilities for Dancing	Monday	09:00	23:00
Facilities for Dancing	Tuesday	09:00	23:00
Facilities for Dancing	Wednesday	09:00	23:00
Facilities for Dancing	Thursday	09:00	23:00
Facilities for Dancing	Friday	09:00	23:00
Facilities for Dancing	Saturday	09:00	00:00
Facilities for Dancing	Sunday	09:00	22:30

Entertainment Similar to EI,EJ	Monday	09:00	23:00
Entertainment Similar to EI,EJ	Tuesday	09:00	23:00
Entertainment Similar to EI,EJ	Wednesday	09:00	23:00
Entertainment Similar to EI,EJ	Thursday	09:00	23:00
Entertainment Similar to EI,EJ	Friday	09:00	23:00
Entertainment Similar to EI,EJ	Saturday	09:00	00:00
Entertainment Similar to EI,EJ	Sunday	09:00	22:30
Late Night Refreshment	Monday	23:00	23:30
Late Night Refreshment	Tuesday	23:00	23:30
Late Night Refreshment	Wednesday	23:00	23:30
Late Night Refreshment	Thursday	23:00	23:30
Late Night Refreshment	Friday	23:00	23:30
Late Night Refreshment	Saturday	23:00	23:30
Sale by retail of alcohol to be consumed on premises	Monday	10:00	23:00
Sale by retail of alcohol to be consumed on premises	Tuesday	10:00	23:00
Sale by retail of alcohol to be consumed on premises	Wednesday	10:00	23:00
Sale by retail of alcohol to be consumed on premises	Thursday	10:00	23:00
Sale by retail of alcohol to be consumed on premises	Friday	10:00	23:00
Sale by retail of alcohol to be consumed on premises	Saturday	10:00	23:00
Sale by retail of alcohol to be consumed on premises	Sunday	12:00	22:30

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Anthony James Perry  
 Bacons College  
 Timber Pond Road  
 London  
 SE16 6AT  
 020 7237 1928

**Registered number of holder, for example company number, charity number (where applicable)****Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

ANTHONY JAMES PERRY  
 74 Teignmouth Road  
 London  
 NW2 4DX

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licence No. 149754  
 Authority code 00AE Authority L B Brent 149754

Licence Issue date 14 September 2005



Environmental Health and  
 Trading Standards Manager  
 Chaplin Centre  
 Thurlow Street  
 London SE17 2DG  
 020 7525 5748  
 licensing@southwark.gov.uk

**Annex 1 - Mandatory conditions**

**1000** No supply of alcohol may be made under the Premises Licence -

- a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

**1001** Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence.



## Annex 2 - Conditions consistent with the operating Schedule

**2000** Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10.00.a.m. to 11.00.p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30.p.m.
- c. On Good Friday, 12 noon to 10.30.p.m.
- d. On Christmas Day, 12 noon to 3.00.p.m. and 7.00.p.m. to 10.30.p.m.
- e. On New Year's Eve, except on a Sunday, 10.00.a.m. to 11.00.p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30.p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit;

- i) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- ii) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- iii) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- iv) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- v) The ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- vi) The sale of alcohol to a trader or club for the purposes of the trade or club;
- vii) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- viii) The taking of alcohol from the premises by a person residing there; or
- ix) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by the persons so supplied; or
- x) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises.

**2001** No statutory regulations for music and dancing shall apply so as to require any licence for the provision in the premises of public entertainment by the reproduction of wireless (including television) broadcasts or of programmes included in any programme service (within the meaning of the Broadcasting Act 1990) other than a sound or television broadcasting service, or of public entertainment by way of music and singing only which is produced solely by the reproduction of recorded sound is permitted.

**2002** This licence provides for the provision of private music and dancing entertainment that is promoted for private gain;

**2500** No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies



- a. He is the child of the holder of the premises licence
- b. He resides in the premises, but is not employed there
- c. He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to and from which there is no other convenient means of access or egress
- d. The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition 'bar' includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as ancillary to their table meals.

**2800** Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- a. With and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- b. For consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- c. To a canteen or mess.

**4000** The premises shall not open to the public before 9.00 a.m. On Sundays, Good Fridays and Christmas Day the premises shall not open before 2.00 p.m. for the performance of plays.

**4001** The premises shall not be kept open after 11.00 p.m. for music, music and dancing, boxing, wrestling or indoor sports or after midnight for plays and film exhibitions

**4002** a. The relevant licence or a copy of it shall be prominently exhibited in a position where the public can easily read it. For the purpose of this condition the licence shall be interpreted to mean the licence document containing the conditions specific to the premises, including any accommodation limits.

b. A copy of the standard licence conditions shall be readily available to the Duty Manager.

c. The premises shall not be used for any purpose for which a licence is required unless specifically licensed for that purpose.

**4003** Authorised officers who carry written authorizations and proof of identity, which they will produce on request, shall be admitted immediately to all parts of the premises at all reasonable times.

**4004** The Licensee shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This condition does not apply to exhibitions given under the provisions of Section 2(1a) and 5 of the Hypnotism Act 1952.

**4011** a. The Licensee shall not permit an entertainment that involves special risks except with consent.

b. The Licensee shall not permit any performances especially for children except with consent.

c. The licensee shall not permit explosives or highly flammable substances to be brought onto the premises except with consent.

**4012** a. The Licensee shall not permit the use of special effects, except with consent.

b. The Licensee shall give to the Council at least 10 days notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.

**4013** Compressed or liquefied gases shall not be used except with consent. At least 10 days notice in writing shall be given to the Council of any proposal to bring storage cylinders into the premises

**4014** a. The Licensee shall ensure that the premises continue to comply with the Council's Technical Regulations.



b.No alterations shall be made to the approved arrangements without consent.

c.The Licensee shall, except with consent, retain control over all parts of the premises.

d.Either the licensee or the Duty Manager shall be in charge of and within the premises whenever the public are present. However, the Licensee remains responsible for the observance of all licensing conditions.

**4015** The Licensee may authorize in writing a Duty Manager, who shall be at least 18 years old, to deputise for him. This written authorization shall be kept on the premises and shall be readily available for examination by any Authorised Officer. The Licensee must be satisfied that anyone appointed as a Duty Manager understands the need to comply with the conditions of the licence and is competent to perform the functions of Duty Manager.

**4016** The Licensee (if an individual) and any Duty Manager shall

a.Have undertaken an approved training course leading to the possession of the BIIAAB Level 2 National Certificate for Entertainment Licensees, or

b.Possess an equivalent qualification, for example for concert halls, the National Vocational Qualification in Cultural Venue Administration (Level 3) or

c.Be able to demonstrate to the satisfaction of the Council that he possess all relevant knowledge and experience

**4017** a.The Licensee / Duty Manager shall ensure that he has sufficient trained staff on duty to ensure the safe evacuation of the premises in an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the Licensee or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.

b.A nominated member of staff in addition to the Duty Manager shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.

c.No Door Supervisor shall be employed at premises outside London except with consent. Any employment shall be in accordance with additional conditions set by the Council.

d.Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role. The Licensee / Duty manager shall, once he is satisfied as to the competence of each member of staff, record this in the Fire log book.

**4018** a.The Licensee shall cause a Fire log-book to be kept.

b.Any authorized officer shall be entitled to obtain a photocopy of any page(s) of the log-book.

**4019** The Licensee / Duty manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. This register shall be produced immediately on the request of an Authorised Officer. This Condition does not apply to any premises that are being used for a closely seated audience.

**4020** Dancing shall be restricted to the areas designated by the Council.

**4021** a.The Licensee / Duty Manager shall ensure that no nuisance is caused by noise

emanating from the premises or by vibration transmitted through the structure of the premises.

b.If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

**4022** 1.The approved arrangements shall be maintained in good condition and in full working order. Fire fighting equipment, the fire alarm warning system and any smoke ventilators shall be maintained as follows:-

i)Fire Fighting Equipment.

a)The approved fire-fighting equipment shall be kept in the approved positions and be maintained in satisfactory working order, unobstructed and available for immediate use;



b) All fire fighting equipment shall be checked weekly. Note: The Council may consent to the variation of the frequency of checks where the premises are used infrequently and this will not endanger safety;

c) Portable fire-fighting equipment shall be inspected at least once a year in accordance with BS 5306-3 and recharged where necessary in compliance with the manufacturer's instructions. The date of inspection shall be clearly marked on the appliance or a stout tab securely attached to it and recorded in the fire log book;

d) Hose reels, drenchers and sprinklers shall be inspected in accordance with BS 5306 once a year to ensure that they are in working order. The date of the inspection shall be clearly marked on the control valves and recorded in the fire log book; and

e) For details of the certificates to be provided see condition 4045.

ii) Fire-alarm warning system

a) Any fire-alarm warning system shall be maintained in satisfactory working order;

b) The system shall be tested weekly. Note: The Council may consent to the variation of frequency of tests where the premises are used infrequently and this will not endanger safety;

c) All checks, tests and inspections shall be recorded in the fire log book; and

d) For details of the certificates to be provided see condition 4045.

iii) Smoke ventilators

a) Any smoke ventilators shall be maintained in satisfactory working order;

b) Any smoke ventilators shall be tested at least every 3 months;

c) For details of the certificates to be provided see condition 4045.

2. No alterations (including temporary alterations) shall be made except with the consent of the Council.

**4023** The Licensee shall ensure that all performances or activities minimize any danger to the public.

**4024** The Licensee / Duty manager shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of those arrangements.

**4025** The Licensee / Duty Manager shall ensure that all necessary safety checks have been carried out before the admission of the public. Details of the checks shall be entered in the Fire log-book; this may be by use of a separate check list.

**4026** a. All escape routes and exits including external exits shall be maintained

unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.

b. All exits door shall be available and easily operable without the use of a key, card, code or similar means. Only approved fastenings shall be used.

c. Any removable security fastening shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in the approved positions.

d. If required, exit doors shall be secured in the fully open position when the public are present.

e. All fire-doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.

f. Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.

g. The edges of treads of steps and stairways shall be maintained so as to be conspicuous.

**4027** a. Hangings, curtains and temporary decorations shall be maintained fire-retarded

b. Any upholstered seating shall continue to meet the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS5852:1990

**4028** a. Any scenery shall be maintained flame-retarded in accordance with Additional Conditions S

b. Temporary decorations shall not be provided except with consent. When seeking consent for temporary decorations the Licensee shall advise the Council of the period for which it is desired to retain them

c. Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

**4029** The Licensee / Duty manager shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any authorized officer immediately on request.

**4030** Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade can be summoned, shall be prominently displayed and shall be protected from damage or deterioration.

**4031** The fire brigade shall be called at once to any outbreak or suspected outbreak of fire, however, slight, and the details recorded in the fire log-book.

**4032** The Licensee / Duty manager shall have readily available the telephone number of the local Fire Control Centre. The Licensee / Duty Manager shall notify the local Fire Control Centre as soon as possible if he is aware that the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut-off or restricted.

**4033** Refuse receptacles shall be emptied regularly.

**4034** Access for emergency vehicles shall be kept clear and free from obstruction.

**4035** a. The Licensee / Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.

b. If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.

**4036** a. Toilet accommodation shall be provided free of charge and be kept clean and in proper working order.

b. An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.

**4037** Where free drinking water is provided for the public, it shall, except with the consent of the Council, only be provided in a supervised area.

**4038** a. Heating apparatus shall be maintained in a safe and functioning condition.

b. Portable heating or cooking appliances shall not be used except with consent.

**4039** If required, a competent person shall be in charge of the electrical or other installation.

**4040** a. In the absence of adequate daylight the management lighting in any area accessible to the public shall be fully in operation whilst the public are present.

b. Except as permitted under d. below there shall be adequate illumination to enable people to see their way out of the premises

c. Fire safety signs shall be adequately illuminated except as permitted under d. below.

d. of essential to the entertainment and subject to consent, the management lighting in the entertainment area may be reduced or extinguished provided



- (i) the lighting be controlled from a position with a clear view of the entertainment area; and
- (ii) An operator remain by the controls whilst the lighting is reduced or extinguished; and
- (iii) The operator restore the management lighting at once in the event of any emergency; and
- (iv) The escape route signs remain adequately illuminated.

**4041 a.** The emergency lighting battery shall be fully charged before the admission of the public.

**b.** The emergency lighting battery shall be fully charged before the admission of the public

**c.** In the event of failure of the normal lighting

(i) If the emergency lighting battery has a one hour capacity the public shall leave the premises within 20 minutes unless within that time the normal lighting has been restored and the battery is being re-charged; or

(ii) If the emergency lighting battery has a 3 hour capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the battery is being re-charged.

**d.** The public shall not be re-admitted to the premises until the normal lighting has been fully restored and the battery fully recharged except

(i) Where the emergency lighting battery has a one hour capacity and if the failure of the normal lighting was fully rectified within 20 minutes of failure and the battery is being re-charged; or

(ii) Where the emergency lighting battery has a 3 hour capacity and if the failure of the normal lighting was fully rectified within one hour of failure and the battery is being re-charged.

**4042 a.** Temporary electrical wiring and distribution systems shall not be provided without notification being given to the Council at least 10 days before the commencement of the work.

**b.** Temporary electrical wiring and distribution systems shall be inspected and certified before they are put in use. A copy of the certificate shall be sent to the Council as soon as possible.

**c.** Temporary electrical wiring and distribution systems shall be provided only for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and inspection report being submitted to the Council at the end of each 3 month period.

**4043 a.** The premises shall be effectively ventilated.

**b.** Where the ventilation system is designed to maintain a positive air pressure within that part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.

**4044 a.** Ventilation ducting and other shafts shall be kept clean.

**b.** Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.

**c.** All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat and at least once per year.

**d.** Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as required.

**4045 a)** The following certificates shall be submitted to the Council at least once a year unless stated otherwise below. Note: Where a certificate covers a period of more than one year it will be sufficient to submit a photocopy of the certificate each year that the certificate remains valid.

i) Battery - The emergency lighting battery (including any self contained units) and associated control equipment. The inspection of the battery and control equipment shall be in accordance with BS 5266-1. The certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with consent, another competent person.



ii) Electrical installation - The entire electrical installation (including the emergency lighting installation but excluding any battery). The inspection shall be in accordance with Guidance Note 3 to BS 7671. In large or complex premises the electrical installation shall be visually inspected once a year and at least 20% of the installation tested in accordance with a programme approved by the Council such that the whole installation is tested every 5 years. The certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with consent, another competent person.

iii) Boilers and calorifiers - Any steam boiler, any electrode boiler working on a closed water system or any calorifier incorporating a steam receiver. A boiler insurance company shall issue the certificate of thorough examination and test;

iv) Fire alarm warning system - Confirmation from a fire alarm company or, with consent, another competent person that the fire alarm warning system continues to satisfy the requirements of BS 5839;

v) Fire fighting equipment - All portable fire-fighting equipment together with any hose reels or sprinklers in accordance with BS 5306;

vi) Mechanical installations - Any passenger lifts or escalators. All lifting equipment and permanently suspended equipment (These certificates should be copies of the records of examination provided under the Lifting Operations and Lifting Equipment Regulations 1998. Any permanently suspended loads, such as permanently installed stage lighting luminaires or loudspeakers or flown cinema screens, shall be treated as forming part of the lifting equipment installation and be examined by the competent person making the examination). The safety curtain, its operating gear and controls, the smoke ventilators and drencher. Any other mechanical installation (for example, stage, orchestra or organ lifts, revolving or moving platforms) if required.

vii) Lasers - Any permanently installed lasers, other than Class 1 and Class 2 lasers;

viii) Special effects - Permanently installed smoke machines, fog generators and strobe lighting;

ix) Ceilings - Ceilings and ornamental plaster; and

x) Gas installation - Any gas installation and gas appliances, if required. A member of the Council for registered Gas installers (CORGI) shall complete the certificate.

**4300** The Licensee shall not permit conduct on the premises that is likely to cause disorder or a breach of the peace or drug misuse. In particular the licensee shall ensure that none of the following shall take place

a) indecent behaviour, including sexual intercourse, except as permitted by the Theatres Act 1968;

b) the offer of any sexual or other indecent service for reward;

c) acts of violence against person or property and / or the attempt or threat of such acts; and

d) unlawful possession and / or supply of drugs controlled by the Misuse of Drugs Act 1971.

**8002** That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner

**9501** Intoxicating liquor shall be sold or supplied only to;

a) persons attending a private or organised function or sporting event held at the premises

b) persons employed in the premises or having bona fide business with the college and their bona fide guests

**9502** That the three doors between the main hall and the lobbies to the concourse and to the corridor next to the toilets together with the doors from the concourse to the dining room be locked in the fully open position during the whole of the time that the premises are in use under the licence

**9503** That a notice be displayed stating that the three doors as described in condition 9503 are to be kept locked back in the fully open position whilst entertainment is being provided.

**9504** That the total number of persons accomodated in the main hall at any one time shall not exceed 300

**4100 a)** Unless the Council requires or approves otherwise the number of attendants on each floor or tier in a closely seated auditorium shall be as set out on the table below:

Number of members of public /attendants present on a floor or tier  
 1-100 one 101-250 two 251-500 three 501-750 four 751-1000 Five

b) And one additional attendant for each additional 250 persons (or part thereof)

c) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of any emergency or entail their absence from the floor, tier, or auditorium where they are on duty.

d) Any attendant shall be readily identifiable to the public.

**4101 a)** The premises shall not be used for a closely seated audience, except in accordance with the approved seating plan(s), a copy of which shall be kept available at the premises and shall be shown to any Authorised Officer on request.

b) No article shall be attached to the back of any seat which would reduce the clear width of seat ways or cause a tripping hazard or obstruction.

c) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any Authorised Officer on request.

**4102 a)** Sitting on floors shall not be permitted except with consent

b) Waiting and standing shall not be permitted except in areas designated by the Council

c) In no circumstances shall anyone be permitted to sit in any gangways; or stand or sit in front of any exit; or stand or sit on any staircase including any landings

**4103 a)** Except with consent, no drinks shall be sold to or be consumed by a closely seated audience except in approved plastic or paper containers.

**4104 a)** Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

**4600 a)** All scenery shall be maintained flame-retarded to the Council's satisfaction. Note: Where non-durably flame-retarded fabrics have been approved, these shall be tested for flame-retardency at intervals as required and be re-treated as necessary;

b) On a seperated stage, scenery made of the following materials may be used subject to any requirements the Council may impose in any particular case

i) materials acceptable on an open stage;

ii) flame-retarded fabrics;

iii) plywood, hardboard or similar boards; and boards under 6mm thick shall be treated by a process of impregnation which meets at least class 2 when tested in accordance with BS 476-7;

iv) any other materials approved by the Council.

c) On an open stage, scenery made of the following materials may be used subject to any requirements the Council may impose in any particular case



- i) non-combustible material;
  - ii) inherently flame-retarded fabrics;
  - iii) durably flame-retarded fabrics;
  - iv) fabrics rendered and maintained flame-retarded to the Council's satisfaction by a non-durable process;
  - v) timber, hardboard or plywood treated by a process of impregnation which meets class 1 when tested in accordance with BS 476-7;
  - vi) timber framing of minimum 22mm nominal thickness;
  - vii) medium-density fibreboard (MDF) plywood or chipboard not less than 18mm in thickness;
  - viii) plastics material subject to special consideration by the Council;
  - ix) any other materials approved by the Council.
- d) The use of plastics or polystyrene shall be avoided whenever possible; and
- e) decorative items such as statues made of expanded polystyrene shall be enclosed by a non-combustible skin of, for example, plaster and care shall be taken that this skin is maintained undamaged.
- 4601** a) Curtains, drapes and new soft furnishings, shall be maintained flame-retarded; and
- b) Any carpets and other textile floor coverings and underlays when tested appropriately in accordance with BS 4790 shall either not ignite or have the effects of ignition limited to a radius of 35mm on both upper and under surfaces
- 4500** When performances are specially presented for children an attendant shall be stationed in the area(s) occupied by the children in the vicinity of each exit provided that, on each level occupied by children, the minimum number of attendants on duty shall be one attendant per 50 children or part thereof
- 4501** Standing shall not be allowed, except in the stalls if permitted by the Council.
- 4700** At least 10 days notice in writing shall be given to the Council of any proposal to use the premises for any sports entertainment.
- 4701** The Council shall approve the arrangements for the premises including all seating and standing areas for spectators which shall minimise any risk to spectators, participants or staff
- 4702** Reasonable and practicable steps shall be taken to minimise any risk to spectators, participants or staff from any equipment used in the entertainment.
- 4704** Dressing room accommodation and washing facilities for participants shall be provided to the satisfaction of the Council.
- 4705** The ring shall be sited, constructed and supported to the satisfaction of the Council. Any material used to form a skirt around the ring shall be flame-retarded to the satisfaction of the Council.
- 4706** At wrestling or other entertainments of a similar nature members of the public shall not occupy any seat within 2.5m of the ring.
- 4707** Staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the water at all material times. The Council shall approve the number of such staff. Note: The Council will normally accept the number of such staff as recommended in Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Commission and Sport England

Annex 3 - Conditions attached after a hearing by the licensing authority

**Annex 4 - Plans**

As attached



338663

APPENDIX E.  
RAP.

RECEIVED

04 MAR 2009

Namik Tumkan  
17 Timber Pond Road,  
London  
SE16 6AGRepresenting himself and  
the local residents.

27 February 2009

Dear Richard Parkin,

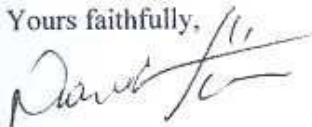
As you are the head of the licensing department I would like to make a formal complaint regarding Bacon's College having license to hold events in their premises and serving alcohol. Unfortunately due to this constant disturbance we are being made unhappy in our own homes and ask that the events on weekends to be permanently discontinued as soon as possible for the following reasons:

- As visitors are leaving Bacons premises on Saturdays we have being faced with continuous loud noise lasting as long as 3 hours after the event is finished e.g. 11-2pm. The visitors hang around the car park & street in front of our houses.
- Parking on Timber Pond Road & Lagado Mews is unbearable, the road is full of cars on both sides and passing through is impossible, because of this we have cars bibbing late evening & early morning.
- Rubbish is being left around including: bottles of alcohol, take-aways, tissues, plastic containers and cans.
- Men urinate in front of our homes which have been witnessed on more than one occasion by local residents.

We would therefore like you to appreciate that we have small children and some of us have to work on weekends. After all, this is meant to be a school in a quiet residential area not a nightclub. Please can you help us to withdraw their license so we can have a peaceful, clean environment to live in.

We will be collecting a petition from the local residents and will forward this to yourselves in due course.

Yours faithfully,



Namik Tumkan

APPENDIX F

Rosanna Keogh  
Principal Enforcement Officer  
Southwark Council  
Chaplin Street  
London SE17 2DG

16 March 2009

Dear Ms. Keogh

Re: THE LICENSING ACT 2003-  
BACOM'S COLLEGE TIMBER POND RD SE16



Timber Pond Road  
Rotherhithe  
London SE16 6AT  
Tel: 020 7237 1928  
Fax: 020 7237 4501  
www.baconsctc.co.uk

Principal:  
Tony Perry B.Sc. Hons.

I write in response to your letter dated 10<sup>th</sup> March 2009 addressed to Mr. M. Hassett in connection with the above to which you have advised us of complaints received from a local resident. I should advise you that this comes as no surprise to us due to the fact that we have had numerous representation from a resident raising similar complaints as listed in your letter. We as a college take very seriously the license that has been granted to us which enables us to meet one of our main objectives in providing access to the community at large. We have considered our local residents and have tailored our programmes to ensure that there is the minimum of inconvenience to residents nearby. The resident with whom we have had contacts with has made racist comments as to his objections to our programmes. The majority of the users of our facilities are of a West African and Asian origin and this resident has made it clear that he objects to these people being in the area. The College does not accept this. The ethos of the college and its community programme is based on inclusivity and not exclusivity based on ethnicity, gender, religious or sexual orientation. Whilst the college will take seriously any genuine complaints it refutes without hesitation the four points of complaints listed in your letter. I shall attempt to address them as follows:

1. An undertaking was given when the license was granted that all efforts will be made to ensure a quiet departure from the premises after a function has ended. This is evident by visible signs being placed in the reception area and announcements. It is incorrect to state that visitors hang around the car park and street for up to 3 hours after the event finishes. This is not the case as the premises is cleared by 12 midnight and after this time there are no reasons why anyone should be hanging around their cars talking loudly.
2. We have taken the issues raised in the pass concerning parking. As a direct result of the joint development of Mellish Fields with Southwark Council and Bacon's College parking spaces have become restricted which has forced some visitors to park outside the boundaries of the college, however we have taken measures to limit any inconvenience to the local residents by engaging additional staff to control parking, we have also opened additional areas of the college's ground to allow additional parking. Our staff has not reported any noise or bibbing of car horns as they control the departure from the college's car park.
3. The impression being created by the complainant is that of people leaving a football ground after a match. It is wholly inaccurate to describe the departure of our visitors in this way i.e. Rubbish being left, bottles of alcohol, take-aways, plastic containers and cans. The main users of the facility are of a religious nature and in most cases no alcohol is consumed and when alcohol is served from the bar all drinks are consumed on the premises. There are no logical reasons why drinks should be taken off the premises. We are dealing with responsible adults and not teenagers, further more we do not provide take-away service. Our visitors are on site to

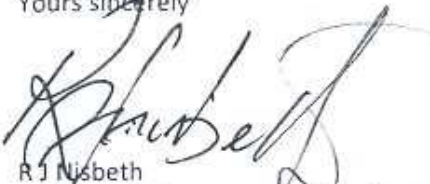


celebrate a wedding and as part of that celebration they are served a meal at a table. The complainant is portraying a personal stereotypical view of the behavior of Afro-Asian community. This is clearly demonstrated in the final point.

4. It is beyond belief why grown men would leave a premise which has ample toilets at their disposals and choose to go to the complainant's door to urinate. There are toilets catering for disabled and able men and women throughout the college. The complainant it seems is happy to conjure up an impression of uncivilized behavior due to an overwhelming dislike of people of other cultures that uses the college's facility.

As stated above the college takes very seriously the license that has been granted and will continue to consider the local residents in our endeavors. We are happy to meet those residents with genuine complaints so that we can address them in a positive manner that would serve our best interests.

Yours sincerely



R J Nisbeth  
Director of Finance and Administration



829714

APPENDIX G

## MEMO: Environmental Protection Team

---

<b>To</b>	Regen Licensing	<b>Date</b>	13 May 2009	
<b>Copies</b>	File			
<b>From</b>	Debbie Lawless	<b>Telephone</b>	020 7525 5759	<b>Fax</b> 020 7525 5728
<b>Email</b>	debra.lawless@southwark.gov.uk			

---

**Subject**      **Licensing Act 2003-Review of Premises Licence -Bacons College,  
Timber Pond Road, London SE16 6AT Ref: 364894**

I have reviewed the documents submitted for the premises licence review and researched the Council's database for complaints received which contravene the licensing objectives.

A complaint was received by the Environmental Enforcement Team on 13 April 2009; regarding noise coming from Bacons College, the complainant did not require a visit by the Environmental Enforcement Team, therefore no action could be taken.

The Council has no evidence regarding the contravention of the public nuisance licensing objective. Therefore the Environmental Protection Team does not support the review of the premises licence at this time.

**Debbie Lawless**  
**Enforcement Officer**  
**Environmental Protection Team**



(c) Crown copyright. All rights reserved (0)100019252 2009





<b>Distribution List</b>  <b>Open</b>  <b>Licensing Sub-Committee</b>	<b>MUNICIPAL YEAR 2009-10</b>  <b>Date of Meeting: 29.06.2009</b>  <b>Time: 2.00pm</b>
<b>Note:</b> Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.	
<b>Councillors (1 Copy Each)</b>	<b>Applicants and Interested Parties</b>
<p>Councillor Abdul Mohamed  Councillor Althea Smith  Councillor Ian Wingfield</p> <p>Councillor Eliza Mann (Reserve)</p> <p><b>Officers</b></p> <p>Wesley McArthur – Licensing Unit  Rosanna Keogh – Licensing Unit  Felix Rechtman – Legal Services  Debbie Lawless – Environmental Protection</p> <p><b>Ward Councillors – Surrey Docks (By email)</b></p> <p>Councillor David Hubber  Councillor Paul Noblet  Councillor Lisa Rajan</p> <p><b>Ward Councillors – Rotherhithe (By email)</b></p> <p>Councillor Jeff Hook</p> <p><b>Total Copies to be printed: 22</b></p> <p><b>PLEASE BRING YOUR PAPERS TO THE MEETING.</b></p>	<p>Mr Cooke Bacon’s College, Timberpond Road, London SE16 1AG</p> <p>Mr Puttick, 1 Keel Close, London SE16 6BX</p> <p>Mr Namik Tumkan, 17 Timber Pond Road, London SE16 6AG</p> <p>Mrs. Rhian Pamphilon, 9 Hull Close, London, SE16 6BY</p> <p><b>Total copies to be circulated: 15</b></p> <p><b>All spares to be delivered to Constitutional Team.</b></p> <p><b>Day of Despatch 19.06.2009</b></p>