

APPENDIX C

OTHER PERSONS OTHER PERSON A

From: [REDACTED]
Sent: Thursday, March 17, 2022 1:39 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: [REDACTED]
Subject: Licence no 877017 Trading name and address: Chill Out Restaurant & Bar Arch 148, Eagle Yard Hampton Street SE1 6SP

Dear sir or madam

I understand the above premises has applied for an extension of its operating hours as laid out in application.

<https://app.southwark.gov.uk/Licensing/LicPremisesAppliedDetails.asp?systemkey=877017>

However, I understand that when proprietor asked for planning permission for change of use of premises it was stipulated by council as one of conditions that change of use was granted that-

<https://planning.southwark.gov.uk/online-applications/applicationDetails.do?keyVal=QHF5FIKBIFW00&activeTab=summary>

LBS Registered Number: 20/AP/2809

5. HOURS OF USE

The use hereby permitted for purposes shall not be carried on outside of the hours of: 10am - 11pm ; on Monday to Thursdays; 10am - 12am; on Saturdays, and; 10am - 11pm; on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

6. The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014. Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

As far as I am aware planning permission has not been sought or granted to change their hours in accordance with permission granted in 29 January 2021.

I wish to object very strongly to extension of hours to above premises.

Background to my objections

I am resident of Draper Estate and live about 100 yards from premises. I am also a member of draper tenants and residents association.

The extension of hours of to up to 3:30 am at weekend is completely unacceptable in residential area in close proximity to this premises. There are over 600 flats and houses within 30 to 100 yards of licensed premises. The effect on them of people leaving premises at 3:30am would be extremely detrimental in terms noise disturbance and sleep deprivation.

The tenants on the estate have really suffered in the last 6 months from anti social behaviour from licensed premises in Maldonado walk. Including myself.

This has included fights outside premises, numerous instances of people shouting and playing loud music in cars when leaving premises. Then in July 2022 we had a very serious stabbing incident. This culminated in a murder happening in one of licence arches on 14 December 2021.

Even on Christmas Day 2021 there was a serious fights between various men outside of an establishments with police attending.

Police quite often attend premises because of fights.

This a general objection to another licence extension in Maldonado walk because of all the problems we are having with alcohol licences premises already here. We do not want any further problems by having another licences premises.

Crime and disorder

On so many numerous occasions, I have seen people taking drugs outside the various establishments.

I have witnessed on numerous occasions people leaving the establishments and having verbal arguments while extremely drunk.

I have witnessed on numerous occasions, people completely drunk and completely incapable of walking because of the amount of alcohol they have consumed.

We have had a serious stabbing and murder related to arches premises.

Anti social behaviour

We had people from arches premises letting off large industrial style fireworks in the car park in November. This nearly caused a major fire in our block because of close proximity of fireworks to our block.

On so many numerous occasions I have been woken up by people, shouting and arguing with each other while leaving the premises.

On numerous occasions, I have seen and heard, music emanating from persons cars who have left arches and getting into their cars parked outside of clubs/arches. Then, sitting for long periods of time with music on high volume.

However, I also understand that when proprietor asked for planning permission for change of use of premises it was stipulated by council as one of conditions that change of use was granted that-

<https://planning.southwark.gov.uk/online-applications/applicationDetails.do?keyVal=QHF5FIKBIFW00&activeTab=summary>

LBS Registered Number: 20/AP/2809

5. HOURS OF USE

The use hereby permitted for purposes shall not be carried on outside of the hours of: [10am - 11pm](#) ; on Monday to Thursdays; [10am - 12am](#); on Saturdays, and; [10am - 11pm](#); on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

6. The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance

with the methodology of BS4142:2014. Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

As far as I am aware planning permission has not been sought or granted to change their hours in accordance with permission granted in 29 January 2021.

Health and safety

On numerous occasions, I have seen men urinating after leaving the club. The area stinks of urine behind Crossways church.

People on the estate fear for their safety when arches are open because the area has become a centre for crime and anti social behaviour, since various arches have been given alcohol licences.

Protection of children from harm

The constant noise and anti social behaviour from arches, is making difficult for children to sleep at night, I have been told by neighbours.

For the sake of our health and safety please can you reject another alcohol licence in an extremely small area at the back of our estate.

They have got absolutely no respect for the local residents and have made no attempt whatsoever to contact the local community to liaise with us re any problems.

I also urge the committee, see photos of area which show the very close proximity of arches to residential areas, and consider a saturation policy for immediate area. Strictly limiting licensing hours for this area of Eagle Yard/ Maldonado walk.

If you feel that alcohol licence can be granted-

please restrict to serving alcohol with a substantial meal.

License to midnight at weekend.

That owners must actively move people away from premises after leaving away from residential area.

██████████
██████████

OTHER PERSON B

From: [REDACTED]
Sent: Monday, March 14, 2022 9:54 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Objection to application 877017

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I would like to object to licence application 877017.

The area the bar is located in is already a magnet for anti-social behaviour and disturbance and so I am concerned about the proposed late opening of this venue to 3.30am.

This is a residential area, with residents already dealing with the dispersal of premises that have a flagrant disregard for those living nearby. Regardless of dispersal policies, crowds congregate in the car park yelling and shouting, urinate on the back of the church and take substantial time to move on. A late opening of this type is not commensurate with the fact this is a residential area or with the adjoining bars, none of which thankfully have such a late opening hour.

I appreciate that a blanket dismissal is not likely due to the precedent set by other venues but with the acknowledgement of issues in this area by both the police and local councillors, I hope that at least the opening hours provision could be revisited.

Bw,

[REDACTED]

OTHER PERSON C



Sunday 27 March 2022

Dear Sir/Madam,

Re: licence application 877017

I write in connection with the application by Chill Out Billiards Pool Limited for a new premises licence.

I object to the application, primarily in connection with the third licensing objective: namely, the prevention of public nuisance.

I live in Draper House. My flat is on the [REDACTED] floor and on one side it faces the servicing yard at the rear of the Strata SE1 tower, with Maldonado Walk (Eagle Yard) on the far side. I have lived at this address for more than seven years.

In recent years - especially during summer months - I have been disturbed on multiple occasions by noise associated with late night activity at the venues in the arches on Maldonado Walk.

The noise sometimes comes from patrons gathered outside having loud conversations and disputes with raised voices, and sometimes from staff dealing with rubbish - including bottles - after the premises have closed.

The acoustic qualities of the space mean that even when customers are standing directly next to the railway arches, noise travels across the yard and causes a disturbance to neighbouring residents.

Patrons from the venues in the arches often shout, argue, fight and urinate in the yard and around the Crossway Church building.

Seven of the eight full-size arches along Maldonado Walk are currently (or have been until recent times) in food and drink use, some with more than one outlet sharing the same arch. If you include the currently-closed Ivory Arch, that makes 10 hospitality businesses in the space of 85 metres.

Licensing sub-committees convened by the council have in the past 18 months considered several applications relating to premises in Maldonado Walk, and have revoked one licence and refused to grant another.

I have been in contact at least three times (in 2019, 2020 and 2021) with the North Walworth councillors regarding the problems with noise from venues under the railway arches, and have made representations on several licensing and planning applications.

More recently, residents from the Draper Estate and Strata have been cooperating to respond to the problems caused by customers at the Maldonado Walk venues.

The murder that took place in one of the arches in December 2021 has focussed the attention of the police, councillors and various council departments on the issues in Maldonado Walk, and renewed the resolve of residents to seek a constructive and harmonious relationship with our business neighbours, with give and take on both sides.

The application form describes the premises as a "tapas cafe restaurant" - I suggest therefore that it is appropriate to apply the timings indicated in the Southwark Statement of Licensing Policy for restaurants, given that the words 'club' or 'bar' are not used in the description.

For a restaurant in a major town centre location, the suggested closing time is midnight, or 1am on Saturday nights. The applicant has applied for hours considerably in excess of those set out in the council's policy.

The council's licensing policy encourages applicants to have planning permission in place for the activities and hours they wish to trade before seeking a premises licence. This is not the case here.

Chill Out benefits from planning permission (see 20/AP/2809) until 11pm on Sunday to Thursday nights and until midnight on Friday and Saturday, so would not lawfully be able to trade under the hours applied for in this licence.

Whilst recognising the quite proper separation between the planning and licensing regimes, I would like to draw attention to a couple of paragraphs from the planning officer's report on the application for this premises, which show that the council's planning division has recognised the issues relating to the venues in this location:

"The nature of the Sui Generis Use Class is such that it will involve a large number of patrons seated, standing, eating and playing snooker. Therefore, it is considered that an 11pm closing time is necessary for weeknights to protect the amenity of local occupiers. On weekends, Patrons will need to leave via the back entrance on Hampton Street after 11pm to minimise the noise resulting from leaving where they are likely to walk to the nearby Elephant and Castle tube station or to Walworth Road where there are numerous late-night buses.

"The applicant has been advised that the council will not support hours beyond midnight due to the recurrence of noise issues on Maldonado Walk from patrons leaving bars and restaurants in this area. There is also a lot of litter and general anti-social behaviour in this area of public domain situated directly outside the Strata Tower. In order to address this, a trader's association for local bars and restaurants could be established to address noise issues through security and CCTV as well as sharing the cost of litter control."

I would ask the council to set suitable conditions on the licence to protect the amenity of residential neighbours. These should include a formal dispersal policy (similar to the requirement on neighbouring licences) which should consider the cumulative impact of dispersing customers from all the venues in Maldonado Walk.

As residents, our primary issue is with the way that customers disperse (or fail to disperse) from the premises, rather than with nuisance from what takes place inside the venue.

For neighbouring venues, conditions as to the times at which rubbish can be processed and placed outside have been imposed by the council, and I would ask that this is also considered here.

I would also like to ask the sub-committee to add the same conditions to the licence as were added at the previous hearing for this premises in March 2021, namely:

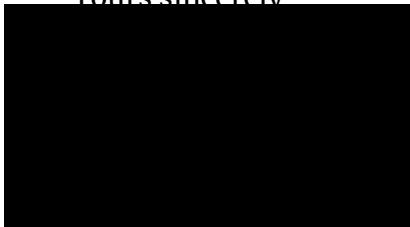
- i. That there is an accommodation limit of 120 including staff.
- ii. That a dispersal policy be held at the premises with the premises licence and is made available upon request. All staff will be trained in respect of the dispersal policy.

- iii. That the dispersal policy is amended that patrons are encouraged to use public transport and taxis should be directed to Hampton Street and the same is included on all relevant publicity material.
- iv. That the dispersal policy shall be amended to reflect the hours imposed by this licensing sub-committee.
- v. That there shall be no off sales of alcohol.
- vi. That a telephone number shall be provided to local residents and tenant's association(s).
- vii. That there shall be no dancing after 23:00.
- viii. That all windows and doors shall remain closed with the exception of ingress and egress when licensable activity takes place.
- ix. That there shall be 80 seats downstairs in the premises.
- x. That food shall be served at all times when licensable activities take place.
- xi. That the rear outside area shall be closed at 21:00 with the exception of smoking. The number of smokers shall be limited to a maximum of 10 at any one time, after 21:00.
- xii. That all bottling, refuse collection and deliveries shall only take place between 08:00 and 20:00.
- xiii. That there shall be no hiring of the premises to external third parties or for externally promoted events.

I am not aware of any changes since the May 2021 hearing that would make these conditions any less relevant or desirable.

Please keep me updated on the progress of this application. I would like to attend any sub-committee meeting.

Yours sincerely



OTHER PERSON D

From: [REDACTED]
Sent: Sunday, March 27, 2022 9:39 AM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Licence Number: 877017

Hi,

Concerning the current application to extend opening hours by Chill Out Billiards Pool Limited

I object to this application on the grounds that we have longstanding issues with noise creating nuisance for neighbours along this strip because it is overlooked by hundreds of bedrooms in private residences. See, for example, my recent emails about license breaches when the council granted TENS licences nearer to Strata. This nuisance is sadly a certainty, not a possibility.

I would in particular ask that:

- Any licence should curtail hours to no more than present, and include a dispersal policy as this is one of the most problematic aspects of this stop of properties.
- I have also suffered from interruption by bottles being emptied/smashed at unsociable hours, and indeed from waste being dumped by commercial operators in the row using our residential bins, resulting in overflowing. Please ensure it is clear in any license that this is unacceptable.

Kind regards,

[REDACTED]