



The Licensing Unit  
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160 Tooley Street  
London  
SE1 2QH

**Metropolitan Police Service**  
**Licensing Office**  
Southwark Police Station,  
323 Borough High Street,  
LONDON,  
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD/21/106/22

**Date:** 6<sup>th</sup> July 2022

Dear Sir/Madam

**Re:- 57-59 Camberwell Road, London SE5 0EZ**

Police are in possession of an application for a review of the above premises licence in relation to the following licensing objectives.

The prevention of crime and disorder, public safety, the prevention of public nuisance

The application provides details of the concerns they have with regard to the operation of the premises, the continued noise and nuisance disturbance caused by patrons most weekends and allegations of potential crime and disorder associated with the premises.

The police have the following comment to make in relation to this application to review the premises licence.

I have carried out searches on the police intelligence and recording systems and found the following in the last three years.

An inspection was carried out on the 12<sup>th</sup> June 2022 and as a result the premises was issued with a notification of offences (see attached) for breaches of the premises licence.

In May 2021 a complaint was received from a local resident, I am unaware if it is the same resident that has submitted the review. The complaint is about fighting in the street, shouting and crowds of people causing disturbances.

On the 18<sup>th</sup> September 2020 police officers attended the premises and found that the premises was operating in breach of the Covid regulations in force at the time.  
(Statement attached)

Two crime reports for Common Assault have been reported associated with people either at or outside the premises. The first in June 2020 and the second in January 2022.

I found a number of calls and incidents in the locality of the premises but could not directly link them to the operation of 57-59 Camberwell Road as a number of premises operate in the area.

This is submitted for the information of the licensing subcommittee.

The Following is submitted for your consideration.  
Yours Sincerely

**PC Graham White 2288AS**

Southwark Police Licensing Unit

Tel: 0207 232 6756

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

**Statement of**      Mark Lynch Pc 2246AS .....      URN:      

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Age if under 18      Over 18 .....      (if over 18 insert 'over 18')      Occupation:      Police Officer .....

This statement (consisting of: ..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: .....      Date:      24/09/2020.....

Tick if witness evidence is visually recorded  (supply witness details on rear)

On Friday 18<sup>th</sup> September 2020 I was on duty in plain clothes in the company of Pc Ducker 2494AS, we are attached to the Night Time Economy team and my duties were to visit licensed premises to ensure that they are complying with their premises licence and current Health Protection Regulations 2020. At 0103hrs we visited a venue by the name of SOUTHBANK nightclub 57-59 Basement Camberwell Road SE5 0EZ, as we entered the venue and walked down the stairs there was loud amplified music coming from the basement, on reaching the bottom and walking into the club area there were at least 2 people dancing on a dance floor area and there were also flashing coloured lights and a DJ operating from a small booth area. We walked through the venue and noted groups of males and females sat together and some tables were intermingling. We requested to speak to the manager and were joined by [REDACTED], we attempted to speak to him however the music level was so high that we had to shout so we asked him to join us outside. We all went outside and we informed [REDACTED] that he cannot operate as a nightclub due to current covid legislation and that even if operating as a pub or bar there are restrictions as to amplified music and social distancing to which he stated he understood, he was advised that he cannot operate as a night club and that if he continued to do so he would be issued with a prohibition notice. [REDACTED] took on board the advice and we left the venue.

Signature: .....      Signature witnessed by: .....

**Witness contact details**

Home address: .....  
 ..... Postcode: .....  
 Home telephone number ..... Work telephone number .....  
 Mobile/pager number ..... Email address: .....  
 Preferred means of contact: .....  
 Male / Female (delete as applicable) ..... Date and place of birth: .....  
 Former name: ..... Ethnicity Code (16+1): ..... Religion/belief: .....

**Dates of witness non-availability** .....  
 .....

**Witness care**

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes  No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: ..... Print name: .....  
 Signature of parent/guardian/appropriate adult: ..... Print name: .....  
 Address and telephone number if different from above: .....

Statement taken by (print name): ..... Station: .....

Time and place statement taken: .....



# Notification of alleged offences under the Licensing Act 2003

Venue Name: ESTACION (SOUTH BANK NIGHTCLUB) REF: (CAD/CRIS etc.) \_\_\_\_\_

Address: 57-59 CARBONATE ROAD \_\_\_\_\_

Date: 120822 Time: 0100

Details of person in charge at the relevant time: \_\_\_\_\_

DPS  Personal Licence Holder

### Summary of alleged offences identified

- Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- Section 57 (7) Failure to produce a premises licence or a certified copy. ✓
- Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- Section 109 (8) Failure to produce a TEN to a police officer.
- Section 135 (4) Failure to produce a personal licence to a police officer.
- Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y  No )
- Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y  No )
- Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y  No )
- Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- Section 146 (1) Selling alcohol to an individual aged under 18.
- Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

Details of alleged offence(s) including relevant Cad and Crime report details:

286-289-353 - CCTV NOT RECORDING.

311 - NO STAFF TRAINING RECORDS.

361 - NO SIGAUS -

367 - NO CHALLENGE 25 ASKS.

Issuing officer: \_\_\_\_\_ Print: \_\_\_\_\_

I acknowledge receipt of this form: (venue) \_\_\_\_\_

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001

# MEMO: Environmental Protection Team

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**To** Regen.licensing;                      **Date** 06/07/2022

**Copies** ████████████████████████████████

**From** Ken Andrews                      **Telephone** 020 7525 54258                      **Fax** 020 7525 5728

**Email** ken.andrews@southwark.gov.uk

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**Subject** **La Estacion, 57-59 Camberwell Road SE5 0EN- CMU 977724**

Environment Protection Responsible Authority (EPRA) has considered an application for a review of a premises licence or club premises certificate under the Licensing Act. Ref No. 1849267 for the above address.

The review relates to the prevention of crime and disorder and the prevention of public nuisance.

EPRA review this application concerning the prevention of public nuisance licencing objectives. The Regulatory Services records show that there have been several complaints of public nuisance from noise from the music, patrons and incidents. Below are some of the complaints the Noise and Nuisance team received.

CMU reference	Date of complaint	Details of complaint	Officers comments
973635	28/ 3/2022	Public nuisance complaint	No Nuisance witnessed
967217	29/11/2021	Query sound proofing	No Nuisance witnessed
967180	28/11/2021	Assessed from bedroom. Audible but can cause a nuisance if continuous	Query soundproofing
963071	27/09/2021	Public nuisance complaint	No Nuisance witnessed
955641	05/07/2021	Public nuisance complaint	No Nuisance witnessed
913472	27/10/2019	Public nuisance complaint	No Nuisance witnessed
895516	15/2/2019	Public nuisance complaint	No Nuisance witnessed

The noise and nuisance team officers investigated the complaints but could not witness noise or disturbances that constituted a public nuisance. However, on one occasion, the officer indicated that music was audible from within the premises on the second floor, but the

level of noise was not considered a nuisance. They also suggested that perhaps the sound insulation can be improved.

Based on the file notes, EPRA cannot deduce that the venue is causing a public nuisance

Kind regards

Ken

Ken Andrews - Principal Environmental Health Officer

# MEMO: Licensing Unit

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**To** Licensing Unit                      **Date** 6 July 2022  
**From** Jayne Tear                      **Telephone** 020 7525 0396  
**Email** [jayne.tear@southwark.gov.uk](mailto:jayne.tear@southwark.gov.uk)

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**Subject** Re Southbank Nightclub (t/a La Estacion), 57-59 Camberwell Road,  
London, SE5 0EZ - Application to review the premises licence

I write with regards to the above application to review the premises licence submitted by an Other Person under the Licensing Act 2003.

The application is submitted under the prevention of public nuisance; the prevention of crime and disorder and public safety and the grounds for the review are concerned with:

*'Continued noise on weekends not only in our places of home but on Walworth Road. The noise has become so unbearable that I often have to move out on weekend nights as I cannot sleep through it. The noise has prevented me from renting my flat for market rate. The presence of the nightclub has prevented me from selling my flat to a buyer that requires a mortgage, as lenders now do not want to take the risk of lending above a nightclub (the reason we want to sell is due to the nightclub) Antisocial behaviour including fights breaking out in the street most weekends. As a young female, I feel very unsafe to attempt to stop said antisocial behaviour and fights. We wake up to find smashed bottles, litter, defecation on our entrance way on most weekends. There is a safety threat on our cars which are parked outside - we frequently see smashed wing mirrors and windscreens which we assume is a result of drink-driving from club-goers. There is often rubbish dumped in the entrance alleyway. The nightclub hugely affects our community - the quality of our living, ability to sleep. I would like to emphasis the distress, increase in crime, loss in earnings and future earnings and impact on mental health that this ongoing issue has caused. The issue is not with the length of the license per say but the nightclub license itself. Therefore, I do not think the issues will be resolved by changing the licence to stop at 3am rather than 5am for example. I would like the licence to be revoked in its entirety.'*

My representation is concerned with the prevention of crime and disorder and the prevention of public nuisance licensing objectives and has regard to the Southwark Statement of Licensing policy 2021 – 2026.

There have been numerous complaints to the council regarding noise and antisocial behaviour from the patrons of the premises. Furthermore officers working on the Night Time Economy Team (NTET) have witnessed breaches of the premises licence conditions. Licensing officers are currently investigating recent complaints received and I shall provide further information regarding the complaints at a later stage.

In spite of the management of the premises being given advice and warnings from council officers and the police it would appear that the premises have not rectified these issues.



I therefore submit this representation in full support of the applicant as I have no confidence that the management of the premises are promoting any of the licensing objectives.

I will provide further supporting information to this representation at a later stage.

Jayne Tear

Principal Licensing Officer

In the capacity of the Licensing Authority as a Responsible Authority