

**NOTICE OF ADJOURNMENT**

**LICENSING SUB-COMMITTEE – 2 AUGUST 2022**

**SECTION 51 LICENSING ACT 2003: SOUTHBANK NIGHTCLUB T/A/ LA ESTACION – 57-59 CAMBERWELL ROAD, LONDON SE5 0EZ**

**Decision**

That the council's licensing sub-committee has agreed to adjourn this matter to be reconvened at 10:00 hours on 18 August 2022.

**Reasons**

This licensing sub-committee having heard the evidence from the applicant, the Metropolitan Police Service and having part heard the evidence of the environmental protection team have agreed to adjourn this meeting to be reconvened at 10:00 hours on 18 August 2022 for the environmental protection team officer to provide the following information:

1. A copy of all the alleged complaints made about the premises, appropriately redacted.
2. Clarification on whether the attached table is an accurate representation of the alleged complaints made from 2019 until the present day.
3. In relation to the twelve complaints during 2021 and 2022, confirm how many were corroborated/witnessed by an officer of the council.
4. Of the complaints witnessed, how many resulted in being assessed as either a statutory noise nuisance or public nuisance in accordance with the Environmental Protection Act 1990 and the Licensing Act 2003.
5. In 2020, there appears to be only two dwellings complaining about unwanted noise coming from our client's premises. The officer is asked to confirm whether these dwellings are in the same building and if so, are the dwellings directly above the premises or on an upper floor (and at which level)?
6. When the officers attended the premises, did they stand at either the front or the rear of the premises? Did they witness noise break out which would result in a statutory noise nuisance and/or public nuisance?
7. Has the premises licence holder been written to regarding each complaint made in 2021 and 2022? There were eight alleged complaints in 2021 and four alleged complaints in 2022. What engagement has the Environmental Health department of the local authority had with the premises for a gradual approach to enforcement to ever establish the cause

of concern and/or any causal connection with the premises regarding the alleged unwanted noise and noise nuisance?

8. Mr Ken Andrews, the Principal Environmental Health Officer, says in his letter of representation dated 6 July 2022 amongst other things that, based on the file notes, EPRA could not deduce that the venue has caused a public nuisance. Can Mr Andrews confirm that this statement is true? If the statement is not correct, a full explanation as to why Mr Andrews' opinion has changed is required.

### **Appeal rights**

There is no right to appeal to this notice of adjournment.

Issued by the Constitutional Team on behalf of the Director of Legal Services

Dated 2 August 2022