



The Licensing Unit
Floor 3
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/21/120

Date: 10/08/2022

Dear Sir/Madam

Re: Studio 68 Railway Arch 68 Ewer Street SE1 0NR

Police are in possession of an application from the above for a new premises licence, the operating schedule describes itself as a dance studio with the addition of events such as Live Music, Musicians, DJ recorded music linked to such dance events. The terminal hour as requested are outside the guidelines set out in the Southwark Statement of Licensing for events venues and falls within that of night club hours. The premises are located within the Bankside cumulative impact area and as such has created a rebuttable presumption that new or variations to existing licences will be refused, unless the applicant can demonstrate the new premises will not add to the cumulative impact. The type of premises this relates to are Night Clubs, pubs, bars, off licences, grocery stores, supermarkets and anything similar.

A minimal enforceable control measures have been offered by the applicant within the operating schedule, and the application. The Home office guidance issued under Sec 182 of the licensing Act 2003 'General principles' state that it is important in setting the parameters within which the premises may operate. Conditions must be precise and enforceable.

I object to this granting of this licence as the applicant has not fully addressed the licensing objectives or cumulative impact, in particular the prevention of crime and disorder licensing objective.

Submitted for your consideration.
Yours Sincerely

PC Mark Lynch 2246AS
Southwark Police Licensing Unit
Tel: 0207 232 6756

TRADING STANDARDS

From: Moore, Ray <Ray.Moore@southwark.gov.uk>

Sent: Thursday, August 18, 2022 9:58 AM

To: [REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: Application for a new premises license, Tamara Elena Kramer, T/A "Studio 68", Railway Arch 68, Ewer Street, London, SE1 0NR Ref: 878133

These representations are intended to replace the previously submitted representations.

Trading Standards as a responsible authority are in receipt of a new premises license application from Tamara Kramer in respect of a premises at Railway Arch 68, Ewer Street, London, SE1 0NR. Trading Standards as a responsible authority are making representation in respect of this application under all the licensing objectives, but primarily the protection of children from harm.

In the general description this is to be:-

“The premises primarily operates as a dance studio, and has done for the past 11 years. The applicant is seeking to add licensable activities by way of sale of alcohol, and hot food after 23:00 hours. The premises does fall within the Borough and Bankside CIA, but the applicant believes this to be an exception to the policy as the licensable activities are ancillary to the main purpose of the premises/ business, which is that of a dance studio. The premises will not be either food or alcohol or entertainment led.”

Trading Standards note that the dance business is run as Tamara Kramer Ltd (Company number 11417932) and this application is simply in the name of Tamara Kramer Trading as “Studio 68”. Trading Standards do not understand that this matters although it is a little confusing.

The opening hours are to be:-

Monday to Thursday 12:00hrs to 00:30hrs
Friday and Saturday 12:00hrs to 03:30hrs
Sunday 12:00hrs to 00:00hrs

The hours for alcohol sales are to be:-

Monday to Thursday 12:00hrs to 00:00hrs
Friday and Saturday 12:00hrs to 03:00hrs
Sunday 12:00hrs to 23:30hrs

The application is for on sales of alcohol although there are other forms of activity on the application including plays; films (“on occasion the applicant will put on a performance that involves both dancers and actors, performing in a play for the

benefit of spectators. Up to 23:00 hours this is no longer licensable. Plays will take place either on Fridays or Saturdays (2300hrs to 03:00hrs); films ("On occasion the applicant may wish to provide the screening of films for the entertainment of the customers. This will not take place every day and or evening, but the hours provide the flexibility for the premises to offer this form of entertainment as required.") (same hours as for alcohol); live music ("This request is to allow live singers, and musicians to perform at the premises. The majority of these events will take place on Friday and/ or Saturday night. These activities could normally be linked to dance competitions that are held at the premises on Fridays and/or Saturdays. These dance competitions do not usually begin until 22:00 to 22:30 hours, hence the late hour.") (same hours as for alcohol); recorded music ("***This request is to allow DJ recorded music to be played at the premises. the majority of these events will take place on Friday and/ or Saturday night. These activities could normally be linked to dance competitions that are held at the premises on Fridays and/or Saturdays. These dance competitions do not usually begin until 22:00 to 22:30 hours, hence the late hour.***") (same hours as for alcohol). Performance of dance ("The premises operates primarily as a dance studio, so dance exhibitions will take place at the premises, as well as being linked to plays, for an audience.") (same hours as for alcohol) and late night refreshments ("To allow the sale of hot food to continue beyond 23:00 hours as required") (same hours as for alcohol).

The intended Designated Premises Supervisor is to be Tamara Kramer with a personal license from Brent

WRT the licensing objectives it states:-

a) General:

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol.

All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

Training to Include:

preventing underage sales of alcohol

preventing proxy sales of alcohol to underage persons

preventing sales of alcohol to a person who is drunk

The premises will close 30 minutes after the licensing activities have ceased, to allow

customers to finish their drinks and food and leave in a quiet and orderly manner.

Alcohol will only be served as ancillary to activities consistent with a dance studio.

b) the prevention of crime and disorder

The premises shall install and maintain a CCTV system as per the requirements of the

Police Licensing Team.

All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

The CCTV system shall continually record whilst the premises is open for licensable activities and will include the external area immediately outside the premises entrance.

All recordings shall be stored for a minimum period of 31 days with date and time stamping.

Viewing of recordings shall be made available immediately upon the request of Police

or authorised officer throughout the entire 31-day period.

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

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent

CCTV images or data with the absolute minimum of delay when requested.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

c) public safety

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

The means of escape provided for the premises shall be maintained unobstructed, free

of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

d) the prevention of public nuisance

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times

No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day

e) the protection of children from harm

A Challenge 25 proof of age scheme shall be operated at the premises where the only

acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

A record shall be kept detailing all refused sales of alcohol. The record should include

the date and time of the refused sale and the name of the member of staff who refused

the sale. The record shall be available for inspection at the premises by the police or an

authorised officer of the Council at all times whilst the premises is open.

This goes some way in dealing with the licensing objectives. **However, this is in the Borough and Bankside Cumulative Impact Area and is in a very residential area within that. The hours are still far outside those that would be acceptable and there is no attempt to state how the business would prevent this from adding to the cumulative impact.**

Furthermore, whilst suggesting this is initially to allow for some drinks for customers and their guest a 3am license appears to go beyond that.

During COVID restrictions and closures this premises was the subject of numerous complaints from local residential properties about noise and whether the premises should be operating. Advice from Trading Standards about the operation of the premises when it was required to be closed was often disputed or even ignored. These same issues of public nuisance are not addressed in any way in the application in spite of the applicant being only too aware of these issues with neighbouring domestic properties.

Trading Standards will be submitting information with these representations about issues during the coronavirus restrictions in due course but these will require a considerable amount of redacting first.

There are many questions about whether it would be appropriate to issue a 3am license to this business which would imply a major change of use. Trading Standards would ask that this application is refused; if not refused then with severely limited hours and the agreement of conditions from all relevant responsible authorities. If the license were to be granted then Trading Standards as a responsible authority would ask that the applicant agrees to these matters around the protection of children from harm be tidied up into the following conditions.

4AA - The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.

4AB - All staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.

4AC - Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required.

4AI - A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council authorised officers or the Police.

This authority can provide suitable training records and training materials for the business upon request at no cost. An easy to use refusals register can also be provided – again at no cost to the business. I attach electronic versions of these for the business that can be used.

Ray MOORE

Principal Trading Standards Enforcement Officer

From: Prickett, Mark <Mark.Prickett@southwark.gov.uk>

Sent: Tuesday, September 6, 2022 2:45 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc: [REDACTED]

Subject: EPT rep - premises licence application, Arch 68 Ewer Street

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the new premises licence for Studio 68 London, Railway Arch 68, Ewer Street, SE1 0NR.

The premises is described as a dance studio. The application seeks the following licensable activities:

- Plays (indoors) – Fridays & Saturdays - 23:00 – 03:00 the following morning. *“On occasion the applicant will put on a performance that involves both dancers and actors, performing in a play for the benefit of spectators.”*
- Films (indoors) – Sundays to Thursdays – 12:00 – 23:00, Fridays and Saturdays – 12:00 – 03:00 the following morning. *“On occasion the applicant may wish to provide the screening of films for the entertainment of the customers.”*
- Live music (indoors) - Sundays to Thursdays – 23:00 – 00:00, Fridays and Saturdays – 23:00 – 03:00 the following morning. *“This request is to allow live singers, and musicians to perform at the premises. The majority of these events will take place on Friday and/ or Saturday night. These activities could normally be linked to dance competitions that are held at the premises on Fridays and/or Saturdays. These dance competitions do not usually begin until 22:00 to 22:30 hours, hence the late hour.”*
- Recorded music (indoors) - Sundays to Thursdays – 23:00 – 00:00, Fridays and Saturdays – 23:00 – 03:00 the following morning. *“This request is to allow DJ recorded music to be played at the premises. the majority of these events will take place on Friday and/ or Saturday night. These activities could normally be linked to dance competitions that are held at the premises on Fridays and/or Saturdays. These dance competitions do not usually begin until 22:00 to 22:30 hours, hence the late hour.”*
- Performance of Dance (indoors) - Sundays to Thursdays – 23:00 – 00:00, Fridays and Saturdays – 23:00 – 03:00 the following morning. *“The premises operates primarily as a dance studio, so dance exhibitions will take place at the premises, as well as being linked to plays, for an audience.”*
- Late night refreshment (indoors) - Sundays to Thursdays – 23:00 – 00:00, Fridays and Saturdays – 23:00 – 03:00 the following morning. *“To allow the sale of hot food to continue beyond 23:00 hours as required”*
- Sale of alcohol (on the premises) - Sundays to Thursdays – 12:00 – 00:00, Fridays and Saturdays – 12:00 – 03:00 the following morning.
- Opening hours – Mondays to Thursdays - 12:00 – 00:30, Fridays and Saturdays – 12:00 – 03:30 the following morning, Sundays 12:00 – 00:00.

From reviewing Studio 68 London's website, it would appear opening hours at present are to 10pm Monday – Saturday and 9pm on Sundays.

<https://studio68london.net/contact/>

Planning permission

Planning permission 18/AP/0135 consented the 'Continued use of railway arch as a dance studio and health and fitness centre (Use Class D2), together with the retention of the existing front and rear facades of the railway arch' on 11th April 2018. The decision notice is attached for reference.

Condition 2 from the 18/AP/0135 consent limits the opening hours to the following:

- The use hereby permitted for D2 Use Class purposes shall not be carried on outside of the hours 07:00 to 23:00 Mondays to Saturdays, and Sundays and Public Holidays 10:00 to 20:00.

Southwark's Statement of Licensing Policy 2021-2026 details the relationship between the Licensing & Planning regimes in section 101, where it is stated "this Authority will look to ensure proper integration with the planning regime" and "it is strongly recommended that applications for premises licences for permanent commercial premises should normally be from businesses with relevant planning consent for the property concerned."

Existing planning permission is in place that restricts opening hours to safeguard the amenities of neighbouring residential properties.

EPT stance

Section M part d) of the application has been reviewed.

The first measure states "No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance", however there is no details or supplementary information advised on how this can be practically achieved.

There are no details provided with regards to noise, expected levels of noise from the licensable activities proposed and what the predicted noise levels will be at the closest noise sensitive receptors compared to existing background levels. Furthermore there are no details on the existing insulation/makeup of the arch and whether it will be able to contain the noise from the licensable activities sought.

There is no dispersal policy put forward showing how late night visitors will leave the area quietly and not cause public nuisance to the closest residents.

The amount of licensable activities sought until 03:00 on Fridays and Saturdays, with no practical measures proposed to prevent public noise nuisance causes EPT serious concerns. EPT therefore make representation against this application.

There is also existing planning permission in place for the use that restricts the terminal hour to 23:00 Monday to Saturday and 20:00 on Sundays.

Kind regards,

Mark Prickett
Principal Environmental Protection Officer
Environmental Protection Team

TP(Permit)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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PLANNING PERMISSION

Applicant Miss Kramer

LBS Registered Number 18/AP/0135

Date of Issue of this decision 11/04/2018

Planning Permission was GRANTED for the following development:

Continued use of railway arch as a dance studio and health and fitness centre (Use Class D2), together with the retention of the existing front and rear facades of the railway arch.

At: RAILWAY ARCH 68, EWER STREET, LONDON, SE1 0NR

In accordance with application received on 17/01/2018 08:05:14 **Your Ref. No.:**

and Applicant's Drawing Nos. SITE LOCATION PLAN; DESIGN AND ACCESS STATEMENT; 17 - 173.1 REV A - EXISTING FLOOR PLANS; 17 - 173.2 REV A - EXISTING SECTIONS AND ELEVATION

For the reasons outlined in the case officer's report, which is available on the planning register

Subject to the following two conditions:

Time limit for implementing this permission and the approved plans

1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

17 - 173.1 REV A - EXISTING FLOOR PLANS; 17 - 173.2 REV A - EXISTING SECTIONS AND ELEVATION

Reason:

For the avoidance of doubt and in the interests of proper planning.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

2 The use hereby permitted for D2 Use Class purposes shall not be carried on outside of the hours 07:00 to 23:00 Mondays to Saturdays, and Sundays and Public Holidays 10:00 to 20:00.

Reason:

To safeguard the amenities of neighbouring residential properties 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.

Continued overleaf...

TP(Permit)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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PLANNING PERMISSION

LBS Reg. No. 18/AP/0135

Date of Issue of this decision 11/04/2018

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The Council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

The application was assessed and a recommendation formed within the 8 week deadline.

Signed *Simon Bevan*

Director of Planning

Your attention is drawn to the notes accompanying this document

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Director of Planning, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to planning.applications@southwark.gov.uk

UPRN: 200003493488

TP/RLY/12/BK1

PLANNING PERMISSION

LBS Registered Number: 18/AP/0135

Date of issue of this decision: 11/04/2018



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IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pcs. You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk. The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or

floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

IMPORTANT: This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

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