

From: [REDACTED]
Sent: 13 June 2010 18:52
To: Regen, Licensing
Cc: [REDACTED]
Subject: Objections to licensing application

Dear Sirs

Licensing Act 2003 Hearing
Monday 28 June
The Grand Union 26 Camberwell Grove London SE5

Further to my objections to Licence number 831932, application to extend the licensing hours at these premises. I append documentation in the way of notes taken at the times stated together with my observations, as requested by yourselves in the letter to me dated 3 June 2010. I am asking that my representative at the hearing, [REDACTED], be permitted to refer to this documentation in the course of his own representations at the hearing on 28 June 2010.

Grand Union, Grove Lane SE5

Background

In the week beginning 31 May 2010, residents of Grove Lane and Camberwell Grove were alarmed to see a double-sided notice board outside the Grand Union advertising late nights until 3 am, with music and dancing, on one Saturday in every month beginning with 5 June 2010 until December 2010.

The residents of Grove Lane were anticipating monitoring the expected noise and disturbance, an old problem at this premises whenever a licence has been granted.

Things turned out a little differently. The following are the notes I made on the morning of 5 June. Based upon notes taken at the time during the previous evening, Friday 4 June, into the early hours of Saturday 5 June 2010.

Yesterday evening. Friday 4 June, there was a huge amount of noise, lots of people outside, loud DJ music and so on.

The back door on to the alley was propped open with a chair at 22.40.

Inside it was full, with dancing and so on; while outside there were around three dozen people, sitting at tables and standing around, on both sides of the pub.

As I went in to see what was happening a large man told those outside he was closing the back door to the alley, which he did.

An hour later, 23.41, I went over again: the back door was open again. There were around two dozen people outside, and a row beginning near the front door.

Inside, drinks were still being served. Music was going full blast.

Outside, some tables were stacked up against the tennis club wall, some were left in place beside the wall of the Grand Union, and were being used.

At 23.50 I came back again, as the noise had increased: I asked two young men to close the back door, which they did.

At 00.08 I went back to the pub. There were about 12 people still outside.

I went inside and talked to the manager. He said that 'they' (the police? The Council?) had told him the licence extension was for this night, Friday 4 June, and not the Saturday, 5 June, and so they were staying open until 3 am.

He agreed to lock the door on to the alley and claimed he had a doorman who had been moving people inside: evidently, not very successfully. The manager volunteered to turn the music down.

The manager said that there no plans to hold this kind of event tonight, Saturday 5 June, as well.

Back home, at 12.30 am the music was still reverberating and the noise of talking and shouting very loud. There was still shouting outside at 4 am.

This experience shows that the objections we have made in the past to these extensions still apply. Then (May 2006 and earlier), the conditions were not enforced and they still are not: for example, clearing the tables away so that they cannot be used; moving customers inside at 11 pm; and keeping doors and windows closed after that time. All these are at best partially observed.

The long hours involved mean that we have to suffer the continuing sound and vibrations of the music and the shouting and accompanying disturbance outside for an intolerable length of time and at entirely unsocial hours.

The serious nuisance continues *throughout* the hours involved, from the time it begins (this particular evening was well under way at 21.30, having begun 'warming up' outside in the alleyway before 20.00) until well *after* the time it all technically ends at the very late hour of 3 am.

Continued

**Now follow observations based upon notes taken on the evening of Saturday 5
June**

19.50 hrs. Music loud in Grand Union, the doors open, the back door actually propped open, the sound reverberating through the alley in to Grove Lane. We like to be able to use the front of our house, which faces across towards the Grand Union, and, on a warm evening like this, to have the windows open. We had to close them and move to the back of the house, and then into the back garden.

22.10 Lots of noise continuing at the Grand Union, and the doors still open. Tables were propped against the tennis court wall in the alley, but not on the wall beside the Grand Union, where they were being used by customers. I met Kevin (as he told me) the assistant manager, who was closing the back door (did he see me coming, I wondered?). Then Rob the manager (as I discovered) came out. By now Kevin had told me that they had 'personal licences' for twelve monthly events at a weekend, for Friday *and* Saturday, to stay open for music and dancing as well as serving alcohol until 3 am. They had a licence in any event until 12 midnight every night of the week.

We discussed the disturbance. They told me they were aware of how sensitive it all was. They offered to give me their mobile numbers so that we could call them, if we needed to. This seems reasonable, but of course is intolerable. Why should we be poised to pick up the telephone to complain when we might reasonably be expecting be going about our daily lives in peace and quiet.

The manager asked me whether things had been better the previous night after the door was locked. I said it was better, but that the vibrations of the music were still to be felt and it made it very difficult for us to sleep; that there were families with children all around; and many of us, because of the way the buildings were constructed, had to sleep at the front of the house, facing the Grand Union, and so in practice it was often impossible to do so.

Continued

Observations

Experience shows that the conditions imposed on the extensions of licences at the Grand Union premises cannot be enforced; that even if the doors are closed, customers reopen them and prop them open, even if the management does not do so. I cannot imagine that locking the back door (the only thing that seems to make any difference to the racket in Grove Lane, although inadequate to stop the nuisance) is encouraged by rules concerning fire hazards and so on.

It seems strange that there is such confusion or laxity over 'personal licences' (the extensions in question).

The separate request to the Council presently under consideration, that licensing hours should be extended at the Grand Union until 1.30 am as a matter of course, does not bear thinking about.

I do not see why we should not be allowed to lead our lives in this residential neighbourhood without a reasonable expectation of peace and quiet, so that we and our children can go to work or school in the usual way after a normal night's sleep.



rom: [REDACTED]

Sent: 14 June 2010 15:48

To: Mills, Dorcas
[REDACTED]

Subject: RE: The Grand Union, 26 Camberwell Grove, SE5

Dear Ms Mills,

Thank you for your email enclosing the Licensee's letter dated 10 th June 2010. I do have the following additional representations to make.

The Licensee's proposals are deficient in a number of significant respects.

1) No indication is given as to the total number of staff and security personnel who will be on site at any one time. This is a critical issue as the Licensee's letter identifies a considerable number of operational functions (many of which are to be carried out at the same time) which the Licensee concedes are necessary for the premises to operate acceptably in this residential area. Staff and/or security will have to serve food and drink, put rubbish in bins, search bags, check ID cards, monitor the behaviour of customers internally, observe the CCTV feed, report crime issues to the police, remove outdoor tables and seating, monitor the 10 person limit on smoking, prevent customers taking drinks outside, supervise the provision of taxis, escort patrons to their taxis, control the flow of customers leaving, keep doors and windows closed, and conduct noise checks in the surrounding area. If there is any failure fully to carry out these measures, then - on the Licensee's own case - the residential amenity of Camberwell Grove will be unacceptably impacted. Given the probability that the multiplicity of functions cannot be properly managed, this application must be refused.

2) There is a glaring absence of detail in other respects. (a) In relation to the "full CCTV provided" - how many CCTV cameras will be installed; where will they be located; and will there be continuous monitoring of the CCTV feed? (b) In relation to "preventing noise escaping" - has the Licensee conducted a background night time noise survey and, if so, what is the night time LAeq reading and to what level will the LAeq increase with the extension sought; is the building acoustically insulated; to what level will the sound system be limited and what is the acoustic justification for the level chosen; are those members of staff conducting the noise checks in the surrounding area qualified in acoustic engineering, how will such staff assess whether the noise escaping the premises needs to be reduced, and to what level will the sound system then be limited? (c) In relation to the post-10pm ban on outdoor drinking and the 10 person limit on smoking - at what distance from the premises will the ban be monitored; and what steps will staff take to ensure that groups of patrons do not gather beyond that distance to smoke and/or drink to the further detriment of residential amenity? (d) In relation to the "random bag searches" (a security measure that only affects those carrying bags) - will there be any measures implemented to search all customers (male and female) for knives and drugs? (e) In relation to the removal of outdoor tables and seating at 9.45pm - will the very large and immovable tables and chairs presently outside the premises be allowed to remain? (f) In relation

to the "taxi service" - how is this service to be provided; will staff make the bookings and, if so, will staff also monitor when the taxi has arrived; and as to the statement that guests who have requested a taxi will be kept inside the building until the vehicle arrives, what happens to those guests whose taxis have not arrived before the premises are to be closed, and how is a customer who insists on waiting outside to be restrained from leaving? (g) As to controlling the flow of people onto Camberwell Grove - how many customers will be allowed to leave at the same time, what gap will be left between groups of departures, what steps are envisaged to prevent customers congregating on Camberwell Grove after departure, and what steps will be taken to ensure customers leave the area quietly? The fact that so many questions remain unanswered in relation to the management of these premises demonstrates how little thought has been given to protecting the residential amenity enjoyed by those of us who live in Camberwell Grove. The failure to identify a fully-thought out scheme of management is a further ground for refusing the application.

Further and in any event, the Licensee's proposals do not address the following concerns raised in my original representation.

3) Since moving to our property in 1998, we have witnessed the gradual transformation of the area between Camberwell Green and St Giles' Church from one in which restaurants predominated to one now characterised by late night bars and night clubs. We have no issue with late night establishments being contained to that area, but the spread of such establishments to adjacent residential streets must be resisted. In particular, the night time tranquillity of Camberwell Grove must be preserved. No amount of "management" of these premises can prevent the erosion of the residential character of Camberwell Grove.

4) I have observed the following late night activities in the area. Patrons leave the bars and night clubs very late at night and generate a large amount of noise and disturbance. If leaving by taxi or mini cab, patrons and drivers generate a general commotion, car engines are left idling, there is congestion on the local roads, and an increase in traffic movements. If leaving by foot, patrons often speak so loudly that they can be heard by me inside my bedroom. Patrons vomit and urinate on the streets, and can also be observed in sexual congress. I have observed fights, and people trying to break into cars. Because of the very limited scope for such activities to be controlled by the Licensee, I firmly believe that the present application will only serve to intensify such activities and it would thereby have an unacceptable impact on the residential amenity presently enjoyed by Camberwell Grove residents.

Please confirm my email will be taken into account in the Council's decision.

Yours sincerely,



From: [REDACTED]
Sent: 14 June 2010 21:28
To: Mills, Dorcas
Cc: [REDACTED]
Subject: The Grand Union

Dear Dorcas Mills

LICENSING ACT 2003 – VARIATION OF A PREMISES LICENCE
THE GRAND UNION, 26 CAMBERWELL GROVE, LONDON SE5

Thank you for sending us the conciliation statement from the Director of the Grand Union in support of his application for an extended licence.

We wish to tell you of recent changes at the pub which may be material to the hearing.

On Friday, 11 June the pub put a large-screen television outside, between the two Camberwell Grove entrances. It has been showing World Cup matches with the sound on. As well as the television, the Grand Union has increased the number of tables outside and put a planter barrier across the pedestrian access between Camberwell Grove and Grove Lane to protect drinkers. All these actions encourage large numbers of customers to drink on the street.

The Grand Union should not be given an extended licence because we do not believe that the Director will prevent noise escaping the building or drinkers congregating outside. The erection of a television outside is a nuisance, and other nuisances will happen should a longer licence be granted.

Yours sincerely

[REDACTED]

[REDACTED]
Sent: 14 June 2010 17:00

To: Mills, Dorcas

Subject: Re: The Grand Union, 26 Camberwell Grove, SE5

Dear Mrs Dorcas

Thank you for your email. The only new information that I would add is a request from the applicants for Licensing Officers to have sight of marketing materials (flyers and signs) around the premises) either before, or at, the hearing. These indicate a marketing effort targeting young drinkers with less cash, rather than families, and encouraging consumption of alcohol by 2 for 1 offers. These indicate clear evidence of an intent to encourage a 'high street', late night drinking, young target market.

Yours

[REDACTED]

[REDACTED]
Sent: 15 June 2010 12:34

To: Mills, Dorcas

Subject: Re: The Grand Union, 26 Camberwell Grove, SE5

Nothing formal to add expect that the view of all of us is that this document from the pub is utterly unrealistic (they all go quietly home in pre-ordered taxis!??) and totally without foundation since we have recent experience of their events (June 4th) where people were outside until 4AM. The pub asked them to come in when we visited but then let them out again !!

On a separate issue the police tell me that the pub has been granted a temporary licence for events from the 2nd July to 4th July thus ensuring no-one locally will have any sleep on those nights. The police say they cannot stop the licence unless there is serious public disorder but they suggest that the licensing committee can have a role here. Given that the last event on June 4th caused widespread public nuisance I wonder whether it might be possible to stop the next one ?

[REDACTED]

14th June 2010 copy to Dorcas
Mills.

To the management of the 'Grand Union'
on Camberwell Grove.

The schedule & times you have sent us
do not make sense. If people are leaving
a Pub, late, whether there are posters,
security guards or anything else, there will
be noise when people leave. Even a
small group, once they get out into the
street can make a great deal of noise
(so happened a couple of weeks ago, shouting
& cheerful very loud conversation)
but before midnight, ^{BUT} there is always some lower
level ^{noise}. You will not be able to control noisy
people once they are a few yards away.
This is a residential area, 'pub hours'
are acceptable because anyone buying
a house near a pub has to accept a
certain level of noise within certain
hours. Your letter is totally unconvincing
as have been previous proposals for

late nights at the same address.

Yours faithfully

~~_____~~

From: [REDACTED]
Sent: 15 June 2010 16:38
To: Mills, Dorcas
Subject: RE: The Grand Union, 26 Camberwell Grove, SE5

Dear Mr Mills

I wish to put forward further objections to this planning application based on the conciliation statement provided by The Grand Union, as follows:-

1. The Grand Union acknowledges that crime is likely to be increased by virtue of a late night closing – reference is made to 'ail related crime issues'; such an issue is clearly within the experience of the Grand Union;
2. The proposal that 'guests' may not be admitted on certain grounds is likely to result in angry customers roaming a residential street, looking for trouble, and probably in an inebriated state (the only reason surely that a pub won't admit a customer);
3. The applicant indicates that music will be played in the pub in the extended opening hours – regardless of windows being kept shut residential properties adjacent and near the pub will be bothered during what for most people would be sleeping hours.

[REDACTED]

From: [REDACTED]
Sent: 05 July 2010 12:25
To: Mills, Dorcas
Subject: Re: Grand Union, 26 Camberwell Grove. London SE5

Dear Ms Mills,

I wish to submit the following as new evidence in objecting to the licensing application for the above premises.

On the night of Friday 2 July 2010 a large number of customers remained outside the pub, sitting on the pub's furniture until 2 am. They made a considerable amount of noise, shouting etc. I called Southwark noise abatement line at about 12:30 am, was on hold for about 20 minutes. The council's representative arrived at about 2 am to see the crowd dispersing.

The pub is located between 2 residential roads and the noise of the customers leaving and in this case congregating, in the late hours is very disruptive.

Yours sincerely,

[REDACTED]