OTHER PERSONS SUPPORTING APPLICANT OTHER PERSON A

From:

Sent: Tuesday, July 5, 2022 6:18 PM

To: Regen, Licensing < <u>Licensing.Regen@southwark.gov.uk</u>> **Subject:** Support for licence review: Southbank Nightclub

Dear Sir/madam,

I wish to submit representation for the revocation of the licence for Southbank nightclub. My partner lives in a flat above the nightclub, and I often stay over, including at weekends. On Saturday nights this results in me not being able to sleep, due to the noise and vibrations that emanate throughout the flat. My partner has called the noise complaints team multiple times, to no avail. Furthermore, the area around the entrance to the flats is often very dirty on a Sunday morning (when the nightclub has been in operation on a Saturday night), with broken glass bottles, red plastic cups and at times, urine and faeces in the area. Lastly, when returning to the building on a couple of occasions on Saturday night it feels quite unsafe and I have been harassed verbally by people drinking on the streets around the building before they enter the club.

I think that the loud music late into the night is a massive nuisance to myself, partner and many others in the building, despite speaking to the owner and calling the noise team. It feels quite unsafe, and as described above, sometimes dangerous. I am in full support for revocation of the licence on the grounds of causing a public nuisance and safety in the area, promoting antisocial behaviour.

If you need any more information, please do let me know.

Kind regards,

OTHER PERSON B

From:

Sent: Wednesday, June 29, 2022 3:49 PM

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

Subject: License Review - Southbank nightclub 57-59 Camberwell Road SE5 0EZ

Dear Sirs,

License review for Southbank nightclub, 57-59 Camberwell Road, SE5 0EZ Licence Number: 877673

My husband and I would like to register our representation for the review of the licen se for Southbank nightclub 57-

59 Camberwell Road SE5 0EZ. The basis for our representation is that these premis es do not promote the licensing objectives, particularly the prevention of crime, disor der and antisocial behaviour.

The nightclub lies within a heavily residential area, and enabling the premises to ope rate would be detrimental to its aims and objectives. Crime, disorder and public nuisa nce in this area have already reached problem levels for the local police.

Like ourselves many residents in this area already suffer noise nuisance and antisoci al behaviour, especially on Friday and Saturday nights, due to licenses granted to a number of restaurants and clubs operating until the early hours at a time when most respectable local residents are in bed and trying to sleep. We live a in a very busy re sidential area with young families, children and older people. Families for all ages live here and many have young children who need to have established sleep patterns, uninterrupted by noise in the small hours, regardless of days of the week, not just so hool days.

As a result of the late opening hours we have experienced the following antisocial behaviour:

- Increase in the number incidents of anti-social behaviour such as swearing and shouting on the street until the early hours, fighting and aggression, loitering, urination and defecation in the street and on the pavement in front of Roffo Court residence.
- People lingering on the pavement and in the corners between Red Lion Row, Boy son Road and Boundary Lane after the nightclub closure, playing loud music, shoutin g and fighting in the middle of the night. The noise has become so unbearable that w e often feel very tired over the weekend, not to mention the level of anxiety this has c aused us.
- People parking their car on the pavement in front of our flat until the early hours. In the summer we have to sleep with our windows tight shut and heads under our pill ows as groups of "customers" returning to their cars tend to linger on the pavement to alking loudly amongst themselves or on their mobile phones, arguing, or playing loud music from their car. The nightclub immensely affects our community, the quality of our living, and our ability to sleep.

- Increase in litter left on the pavement and our patio wall, particularly from takeaw ay wrappers, cigarette buts and empty beer bottles and cans. We believe this has contributed to the increase in the number of rats in the area. Rats have recently caused damage to our internet connection and that of our neighbour. This has caused stress and inconvenience, as we need the internet connection to be able to work from home. Furthermore, we had to pay for a pest controller and a plumber after rats chewed on our toilet pipe and entered the bathroom.

In view of the above, the level of mental stress, financial loss and antisocial behaviour caused by Southbank nightclub we would urge the Licensing Authority to revoke the license in its entirety, as we feel that changing the hours would not solve the issue.

Yours faithfully,



OTHER PERSON C

From: Sent: Monday, June 13, 2022 4:55 PM

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

Subject: Revocation request: Nightclub La Estacion 57-59 Camberwell Road SE5

0EZ

Dear Sir/Madam

I am writing to you in relation to the licence review for the nightclub 'La Estacion' at 57-59 Camberwell Road, SE5. I am pleased to see that a review is going to take place as the nightclub has caused me and the other residents living above or near it numerous problems over the years.

I have resided at since the summer of 2000. I am not completely certain when the nightclub first opened, but it has taken a variety of forms over the years. To be fair, La Estacion is not the worst incarnation in terms of noise, but that isn't saying a great deal as the music (particularly drumming and bass sounds) keeps me awake at night (usually until well after 3am) when the club is open. Even worse, after the club shuts its doors people congregate outside around the back in Red Lion Row, where there are often screaming matches and drunken arguments long into the night, before the crowd heads off amidst much slamming of car doors. As well as the disturbance caused to sleep we frequently wake up the next morning to find litter, smashed bottles and an unpleasant whiff of urine in the immediate area by our communal entrance (off Boundary Lane). I appreciate there are other nightclubs in the area which may be contributing to these issues, however I don't believe that the customers at La Estacion are devoid of blame.

So, for the reasons expressed above. I would support the revocation of the licence for La Estacion.

kind regards

OTHER PERSON D

From:

Sent: Thursday, June 9, 2022 3:16 PM

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

Subject: REVOCATION REQUEST: Southbank Nightclub t/a La Estacion - 57-59

Camberwell Road London SE5 0EZ

Dear Licensing Team,

Please receive this as my written representation supporting the revocation of the premises licence issued in respect of the Southbank Nightclub t/a La Estacion - 57-59 Camberwell Road London SE50EZ.

My details are:

Submitted: 9th June 2022

Actions taken to date:

- I first raised concerns to the Noise & Nuisance 8th January 2021 via Martin Talbot Team Leader, Noise & Nuisance Team, Southwark Council. Since then I have continued to raise noise complaints to the same team.
- In total, I have had three visits from the team, the first two of which they would not enter the property due to covid.
- On the third visit, the team attended the street but did not enter the flat as they felt unsafe as they had witnessed fighting in the street on calling them again they returned as the fight had concluded and they entered the flat. They deemed that the noise was at unacceptable levels but that the issue was beyond their control as the establishment had a licence for music. They advocated that I needed to be raised with noise complaints with the licensing board. NB: the flat is 3 levels above the supposedly-sound proofed nightclub, our flat is double-glazed and our neighbour directly below us has done extensive soundproofing to their own flat. There is not much more we can do or invest in to further sound proof our flat.

As a result of the noise disturbance we now contact Henry, the owner, on a weekly basis to establish if the club is open on Friday and Saturday. If it is open, I leave our flat to stay with family, friends or at a hotel, as the level of noise and the vibrations from the music are beyond sleeping and lead to significant disturbances.

My concerns relate to:

- Violence (as witnessed by the noise team on their visit)
- Repeated drunkenness and anti-social behaviour (including people urinating and defecating in the alleyway off the Boundary Lane which is effectively the entrance to our property)
- The level of noise coming from the queueing crowd, car horns of people trying to park on the one-way Boundary Lane
- The general large crowds around the property at 5am we frequently have to step around broken glass, vomit puddles and general litter as a result of the drunken behaviour of the patrons of the establishment.
- MOST significantly, the noise generated by the loud music from the nightclub itself.

I see from the application that the licence permits music to be played until 04:30 but the music plays until 05:00 EVERY weekend. I would welcome Henry, the premises owner, and representatives from the council to spend time in our flat when the club is open to witness first-hand the level of disruption caused.

Thank you for taking this all into consideration - I strongly request that you consider the impact it would have on your wellbeing were you having to leave your home every weekend purely for the purpose of getting a normal night's sleep. As a GP I am well placed to inform you of the health implications that chronic sleep deprivation has on peoples' well-being both from a Chronic Metabolic Disease point of view and a Mental Health point of view - it's not sustainable and I worry for the well-being of my neighbours (including a child suffering with ASD) and myself that this premises is having on us all in its current state.

Yours faithfully,

OTHER PERSON D PART 2

From:

Sent: Monday, June 13, 2022 9:58 AM

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

Subject: REVOCATION REQUEST: Southbank Nightclub t/a La Estacion - 57-59 Camberwell Road London SE5 0EZ

Dear Licensing Team,

Please see attached the record of my contacts with the noise team as evidence to the content of my revocation request email.

I would just like to highlight a few things mentioned in the report of the last visit:

- •Unless the noise officer attending could speak Spanish then they would not be able to identify the lyrics to the music they heard on their last visit.
- •Shazam recognises singular tracks officially released for commercial sale and would not be able to identify South/Central American House music being actively mixed by a DJ as was the case (and remains the case) at L'Estacion.
- •When mentioning my wife sleeping at the time of the visit; this was with ear plugs in her ears, noise cancelling headphones on and playing white noise to try and block out the music. Unfortunately one still feel the vibrations of the bass through the floor and the bed.
- •Would it be possible to provide the noise cancelling team Decibel Meters to use when making their assessments? Shazam is not a validated measure of the volume of music being played. It means they are relying on human reporting, which is hugely subjective.

Many thanks for your continued work on this matter.

OTHER PERSON D SUPPLIMENTARY

From:

Sent: Monday, July 11, 2022 12:29 PM

To: Heron, Andrew

Cc:

Subject: EPT report incorrect - see formal noise team review on 28th Nov 2021

Dear Mr Heron,

Thank you for your efforts in collating the accounts for the licence review.

I strongly contest the summary from the EPT rep that on the 28th Nov 2021 there was "no nuisance noted and the noise was not of a level that would cause an issue as documented in the written summary NOT the table.

Please see attached the formal report on that date which specifically highlights intrusive noise and nuisance.

The team were unwilling to make an assessment initially as there was fighting outside and they felt unsafe. When they returned later they stated the noise levels in the bedroom "would be intrusive if ongoing repeatedly". This happens every weekend so I would deem that repeatable and sometimes up to three times on a w/e for example on a bank holiday (as evidenced by my wife's WhatsApp message thread with the owner).

I would request that Ken who completed the summary for EPT be asked to review and correct his submission. It makes me very concerned that he could have such an oversight that on the one occasion the noise team actually assessed from our bedroom is not taken into account.

Please can you review the attached document and advise me of what action will be taken in regards to this error, it's unacceptable.

I would finish by highlighting that whilst we are labelled as being on the second floor, we are actually three stories above the nightclub as it is in the basement of the building.

Thank you for your time and consideration.

Kind regards,

London Borough of Southwark

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:37

NAME AND ADDRESS DETAILS

PREMISES REF: E16PB257-5/1

TRADER:

Southbank nightclub

ADDRESS: 57-59 Camberwell Road

London SE5 0EZ

AREA: Borough, Bankside & Walworth

WARD: Faraday

UPRN/USRN: 200003453322

EASTING:

532435

NORTHING:

177758

PRINCIPAL USAGE:

E16 - Night-Club

PREMISES TYPE:

P - Property

ACTION DETAILS

ACTION TYPE:

A01 - Service Request/Complaint Follow

SOURCE DATABASE:

COMPLAINTS

Record number 967180

INVESTIGATING OFFICER:

OA2 - Omomayowa Alabi

SCH. DATE

DATE ACTION OPENED:

28/11/2021

DATE ACTION CLOSED:

28/11/2021

ACTION EVENT DETAILS

ITEM EVENT DESCRIPTION

1	A99	1325449-L6X7 DO NOT AMEND THE ABOVE CRM REFERENCE				
2	AAH	Email Sent to noise 2 @ 03:02	28/11/2021	28/11/2021	6AG	
3	A04	Telephone call received nuisance is still on 0 03:20	28/11/2021	28/11/2021	6AG	
4	A05	Telephone call made		28/11/2021	OA2	
5	NVV	Noise Visit		28/11/2021	OA2	
6	AAH	Email Sent to Licensing		28/11/2021	OA2	
7	AAB	Email Received from Licensing		07/12/2021	OA2	

ACTION EVENT DETAILS

ITEM EVENT DESCRIPTION

SCH. DATE ACT. DATE OFF ACTIVITY

ACT. DATE OFF ACTIVITY

Action r	eference: 1141178 (Co	ontinued)Record: 1	Page: 2			
ITEM EVENT	DESCRIPTION	SCH. DATE ACT. DA	ATE OFF ACTIVITY			
1 A99 .	1325449-L6X7 DO NOT AMEND THE ABOVE CRM REFEREN 1325449-L6X7	CE				
2 ААН	Email Sent to noise 2 @ 03:02 28/11/2021 3:02 6AG	28/11/2021 28/11/20	021 6AG			
3 A04	Telephone call received nuisance i still on @ 03:20 28/11/2021 3:21 6AG	s 28/11/2021 28/11/20	021 6AG			
4 A05	Telephone call made Toto 03.40am— I had a long conversation with the officers had been there and following an assessment and witnessing people fighting along boundary way 40 mins ago they didn't think it appropriate to approach. I advised that I was okay to enter his premises but will not be making assessments from the balcony of his bedroom as he suggested neither will I compromise his identity as I owed him a duty of care. Visit arranged					
5 NVV	Noise Visit Arrived at 4.15am Observations made from the sole bedroom in the premises which is two levels above the nightclub and is separated from the nightclub via another set of flats on the level directly below the complainant's but within the same building block. Access inside the building block is on The music was audible inside the bedroom but at a normal blurred level. I believe the wife was asleep but she did wake up and say something while the assessment was going on. I was not familiar with the lyrics I heard. The complainant alleged that the music was coming from lestacion 57 which appears to be above the cooncerned premises when facing the main road and stood in the office room. The music in the bedroom would be deemed intrusive if ongoing repeatedly as it is audible and can become an issue. I will refer this to licensing and explained this to the complainant. The complainant moved in to join his wife who moved in and this was an issue pre lockdown but it got quiet during the lockdown becuase of the restrictions. I was unable to pick the lyrics even with Shazam					

There were two security men on passing by the premises to go into the complainants premises but on my return there was just one security man at 4.39am. I noticed that the front glass door was wide open. I asked him whether it was common to leave this door open to which he replied that yes as the second door located at the basement level access into the club was usually kept shut. Will refer to licensing as the club appears not to suitably sound proofed

AAH Email Sent to Licensing Ref: APP 967180

28/11/2021 OA2

of Camberwell Road, London SE5 (tel-called to report La Estacion located at 57 Camberwell Road from which loud music was being played and transferred into I visited

Action reference: 1141178 (Continued) Record: 1 Page: 3

ITEM EVENT DESCRIPTION

SCH, DATE ACT, DATE OFF ACTIVITY

earlier today and can understand how this music level can disturb a person especially when disturbed repeatedly over days.

I walked by La Estacion and noticed that the single glass door at the front entrance was left wide open. I asked the security man about this and he replied that the door is left open but the inner access door is kept shut.

As a licensed premises please will you look at this premises? I am unsure whether there is adequate sound proofing inside the premises or whether the premises is complying with the granted licence.

I informed the complainant that I will refer this to your Department for further action.

Kind regards,

Mayowa

Omomayowa Alabi Noise Enforcement Officer Tel- 0207 525.5777

7 AAB Email Received from Licensing

07/12/2021 OA2

From: Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>Sent: Wednesday, December 1, 2021 3:47 PM
To: Alabi, Omomayowa <Omomayowa.Alabi@southwark.gov.uk>Subject: FW: Service referral

Hi Mayowa,

Thanks for alerting us to your visit, we are interested in noise nuisances from licensed premises, particularly in this area as part of a larger action related to noise and ASB in the street.

From looking at your visit notes the noise was not a nuisance in this instance, the relevant licensing objective is "prevention of a public nuisance," therefore we are unlikely to be able to assist at this time and advising the client that it will be referred to us is not very helpful as we usually advise them to call yourselves if there is a noise problem.

If there is a nuisance, or the likelihood of a nuisance, and it could affect more than one household, then the Environmental Protection Team or Licensing could look at reviewing the premises licence under that objective and with a view to condition sound containment and/or management practices to reduce noise escape. The service of a warning letter or abatement notice would assist with this.

The residents can also review the premises licence, however we do advise them to call the Noise & Nuisance Team first to try to resolve a noise nuisance issue.

Please continue to let us know of any noise visits to licensed premises, we do find them helpful.

Kind regards

Action reference:

1141178 (Continued) Record: 1 Page: 4

ITEM EVENT DESCRIPTION

SCH. DATE ACT. DATE OFF ACTIVITY

David

David Franklin Team Leader Licensing

From: Alabi, Omomayowa <Omomayowa.Alabi@southwark.gov.uk>

Sent: Sunday, November 28, 2021 11:31 PM

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

Subject: Service referral

Ref: APP 967180

called to report La Estacion located at 57 Camberwell Road from which loud music was being played and transferred into 59B. I visited earlier today and can understand how this music level can disturb a person especially when disturbed repeatedly over days.

I walked by La Estacion and noticed that the single glass door at the front entrance was left wide open. I asked the security man about this and he replied that the door is left open but the inner access door is kept shut.

As a licensed premises please will you look at this premises? I am unsure whether there is adequate sound proofing inside the premises or whether the premises is complying with the granted licence.

 $\ensuremath{\text{I}}$ informed the complainant that $\ensuremath{\text{I}}$ will refer this to your Department for further action.

Kind regards,

Mayowa

Omomayowa Alabi Noise Enforcement Officer Tel- 0207 525 5777 Action reference: 1141178 (Continued) Record: 1 Page: 5

NAME AND ADDRESS DETAILS

PREMISES REF: E16PB257-5/1 TRADER: Southbank nightclub

ADDRESS: 57-59 Camberwell Road

London SE5 0EZ

AREA: Borough, Bankside & Walworth

WARD: Faraday

UPRN/USRN:200003453322

EASTING:

532435

NORTHING:

177758

PRINCIPAL USAGE:

E16 - Night-Club

PREMISES TYPE:

P - Property

London Borough ο£ Southwark

V8.9.x.0 CMU

REPORT PREPARED ON 13/ 6/22 AT 08:38

NAME AND ADDRESS DETAILS

PREMISES REF:

TRADER:

ADDRESS:

Boundary Lane

London

AREA: Camberwell

WARD: Faraday

PRINCIPAL USAGE:

- Highway L09

PREMISES TYPE:

- Road / Highway R

PREMISES ALARM STATUS: N

ACTION DETAILS

ACTION TYPE:

A01 - Service Request/Complaint Follow

SOURCE DATABASE:

COMPLAINTS

Record number 965399

INVESTIGATING OFFICER:

- Nancy Kulube 6НВ

DATE ACTION OPENED:

31/10/2021

DATE ACTION CLOSED:

31/10/2021

ACTION EVENT DETAILS

DESCRIPTION ITEM EVENT

ACT. DATE OFF

A99

1320403-B0D0

DO NOT AMEND THE ABOVE CRM REFERENCE

2 A05

Telephone call made @ 06:15. Noise

has stopped so job closed

31/10/2021 6 HB

ACTION EVENT DETAILS

ITEM EVENT DESCRIPTION SCH. DATE ACT. DATE OFF

A99

1320403-B0D0

DO NOT AMEND THE ABOVE CRM REFERENCE

1320403-B0D0

Action reference:

1139001 (Continued) Record: 1 Page: 2

ITEM EVENT DESCRIPTION

SCH. DATE

ACT. DATE OFF

2 A05

Telephone call made @ 06:15. Noise has stopped so job closed $\,$

31/10/2021 6НВ

NAME AND ADDRESS DETAILS

PREMISES REF:

TRADER:

ADDRESS:

Boundary Lane

London

AREA: Camberwell

WARD: Faraday

PRINCIPAL USAGE:

L09 - Highway

PREMISES TYPE:

- Road / Highway R

PREMISES ALARM STATUS: N

London Borough of Southwark

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:38

NAME AND ADDRESS DETAILS

PREMISES REF:

TRADER:

ADDRESS:

AREA: Borough, Bankside & Walworth

WARD: Faraday

PRINCIPAL USAGE:

RO8 - HMO - Flat Conversion

PREMISES TYPE:

P - Property

PREMISES ALARM STATUS: N

ACTION DETAILS

ACTION TYPE:

A01 - Service Request/Complaint Follow

SOURCE DATABASE:

COMPLAINTS

Record number 964042

INVESTIGATING OFFICER:

SAL - Samuel Lam

DATE ACTION OPENED:

10/10/2021

DATE ACTION CLOSED:

10/10/2021

ACTION EVENT DETAILS

ITEM EVENT DESCRIPTION SCH. DATE ACT. DATE OFF ACTIVITY

1 A99 1316691-X2X9

NCV

3

DO NOT AMEND THE ABOVE CRM REFERENCE

2 A05 Telephone call made

10/10/2021 SAL

Visit to location

10/10/2021 SAL

4 NON no nuisance witnessed

10/10/2021 SAL

ACTION EVENT DETAILS

ITEM EVENT DESCRIPTION SCH. DATE ACTIVITY

1 A99 1316691-X2X9

Action reference: 1137347 (Continued) Record: 1 Page: 2

> DESCRIPTION SCH. DATE ACT. DATE OFF ACTIVITY

DO NOT AMEND THE ABOVE CRM REFERENCE

1316691-X2X9

Telephone call made

10/10/2021 SAL

2 · A05

Telephone call made to complainant. He says music from La Estacion 57

is becoming a regular problem, the music is too loud.

3 NCV Visit to location

10/10/2021 SAL Arrived and assessed from outside at 3.15hrs. music could be heard $\ensuremath{\text{A}}$ when assessing directly at the front doors of the club but rapidly faded as I walked away, barely audibly 10-15m from the front

Also assessed from as close to the complainants premises as possible, the music was faint and barely audible, I called the complainant to update him, he let me into the entrance of the communal area, the music was louder in the communal area but not loud enough at this

time to be considered a stat nuisance.

Advised complainant to keep using the service.

4 NON no nuisance witnessed

10/10/2021 SAL

NAME AND ADDRESS DETAILS

PREMISES REF:

TRADER:

ADDRESS:

ITEM EVENT

AREA: Borough, Bankside & Walworth

WARD: Faraday

PRINCIPAL USAGE: PREMISES TYPE:

R08 - HMO - Flat Conversion

- Property

PREMISES ALARM STATUS: N

Southwark London Borough of

CMU V8.9.x.0

REPORT PREPARED ON 13/ 6/22 AT 08:38

NAME AND ADDRESS DETAILS

PREMISES REF: TRADER:

ADDRESS:

AREA: Borough, Bankside & Walworth

WARD: Faraday

PRINCIPAL USAGE:

R01 - Flat

PREMISES TYPE:

- Privately Owned Rented 5

PREMISES ALARM STATUS: N

ACTION DETAILS

A01 - Service Request/Complaint Follow ACTION TYPE:

SOURCE DATABASE:

COMPLAINTS

Record number 942718

UNIT: NTT- Noise Team

MTT - Martin Talbot INVESTIGATING OFFICER:

DATE ACTION OPENED: 08/01/2021

08/01/2021 DATE ACTION CLOSED:

ACTION EVENT DETAILS

SCH. DATE ITEM EVENT DESCRIPTION ACT. DATE OFF

1 A99 1260152-W3M5

DO NOT AMEND THE ABOVE CRM REFERENCE

Email Sent to 08/01/2021 MTT 2 AAH

ACTION EVENT DETAILS

ITEM EVENT DESCRIPTION SCH. DATE ACT. DATE OFF ACTIVITY

1 A99 1260152-W3M5 DO NOT AMEND THE ABOVE CRM REFERENCE 1260152-W3M5

Action reference:

1113907 (Continued) Record: 1 Page: 2

ITEM EVENT DESCRIPTION

SCH. DATE ACT. DATE OFF ACTIVITY

2 AAH

Email Sent to Dear

08/01/2021 MTT

The Council deals with noise and associated problems by means of Statutory Nuisance or under Anti-Social Behaviour. In that the problem is witnessed by an authorised officer, and in their opinion, the nuisance from one property would in the opinion of the officer, affect the average person's use or enjoyment of that property, or be detrimental to the locality.

Various criteria are taken into consideration, volume and characteristic of the noise, time of day and duration, as well as the area.

Only what the officer witness's during their visit can be taken into consideration, allowing for the time of day and other variables. The pertinent point is that all problems have to be witnessed by the authorised officer, if we are to take action.

If the issues witnessed, are not matters that fall within the remit of nuisance, the information will be passed onto any relevant department if any.

If you feel that you are being disturbed at any time, whilst the problem is ongoing, you should contact us via the Environmental Call Centre on $0207\ 525\ 5777$.

The Noise Rapid Response operation times are as follows:

 $7.00~{\rm am}$ Friday through to $2.30~{\rm am}$ Tuesday, and then $7.00~{\rm am}$ through to $2.30~{\rm am}$ the following morning on Tuesday, Wednesday & Thursday.

If the problem can then be witnessed by an authorised officer, the appropriate action will be taken by us.

Martin Talbot, Team Leader Noise & Nuisance Team Southwark Council 132 Queens Road SE15 2HP direct tel: 0207 525 2450 team tel: 0207 525 3171 martin.talbot@southwark.gov.uk

Action reference: 1113907 (Continued) Record: 1 Page: 3

NAME AND ADDRESS DETAILS

PREMISES REF:

TRADER:

ADDRESS:

AREA: Borough, Bankside & Walworth

WARD: Faraday

PRINCIPAL USAGE:

R01 - Flat

PREMISES TYPE:

5 - Privately Owned Rented

PREMISES ALARM STATUS: N

Dear Licensing Committee.

Thank you for your continued efforts in bringing this Licensing Review to a decision, please excuse my absence but I could not cancel another in order to attend today. I trust the historical complaints and the numerous ones since the last meeting demonstrate clearly that this Club can no longer remain open in its current format.

This is not a personal vendetta between a night club owner and a "small select group of residents" as is being portrayed by Mr Enri's representative. We have had a positive relationship with Mr Enri and are sorry to have had to bring this motion against his business. This is a group of people struggling with the enormous impact of not being able to sleep in their own homes due to noise disturbance on a weekly basis.

Thankfully, since the end of lockdown restrictions the noise team have been entering properties to conduct assessments and they have reported the noise is intrusive to a human's ability to sleep and pervasive throughout the entire property. The evidence clearly points to it being a continuous issue and ongoing for over 18 months now. This happens every weekend.

As a large I am qualified to inform you that night shift workers have a reduced life expectancy of 10 years. I am also able to inform you that prolonged wakefulness beyond 12am takes 7 days to recover and for the body to repair the damage done. This means sleeping in our flat in the current circumstance constitutes the sleep hygiene of a night shift worker, purely because a night club won't meet the regulations that are set for it.

I have already referenced the mental health impact in my original supporting statement. It goes without saying that this impact compounds over time. As mentioned at the previous hearing, we were having to move out on weekends to stay with friends or family. This we were doing every weekend. That is why there have been so few further complaints from us to the Noise Night Team since December 2021. As you can see from the screen shots we submitted previously, we had been cordially communicating with Enri to know what nights the club was on. We could then make arrangements to stay elsewhere. Since the submission of the Licensing Review request Enri has understandably been less keen to communicate. We therefore then took to following the nightclub's Instagram feed, so we knew when the night club planned to be open, allowing us to plan for alternative accommodation. Again, this was every weekend. Tellingly our next communication from Enri was only 2 working days before the submission deadline for this meeting, a full 4 months after the last hearing.

A consequence of this impact meant I could no longer do weekend services of Southwark. There has been talk of lost earnings by Mr Enri's representative. My family is having lost earnings and I have no doubt that my fellow residents are facing the same issues as a consequence of this nightclub's impact.

There is talk of the club supporting the local community, the same local community that I had supported throughout the pandemic in assisting with the vaccine programme as a

in the local area. These cannot run without a	being present
and therefore were impacted by my absence, as a result of this nightclub.	
At the last hearing I indicated the severity of this issue by stating we were loc option of temporary accommodation elsewhere. Unfortunately, with no end process and now facing the likely appeal and continued operating hours of th have taken the decision to stretch ourselves financially during a cost-of-living away from this situation. This is the real impact on us. As of December, we arresiding in Southwark due to the health implications being brought on us by the stretch ourselves.	in sight in this e night club we crisis to get e no longer
We are	
may be detrimental to their well-being. So, we are now renting temporary accountside of Southwark and I am working away from the borough.	•
Now I want to make clear the impact on the community as a result of my move	ve. I was
completing between 7-8 sessions in the local on a weekly basis. T community is now short appointments a year because a night club d	loes not meet
the standards set to it, as part of its Licence agreement. We hope to return to	
the future but we won't be doing so in the current circumstances. Sadly, the will not be returned but at least the wasting of it can be drawn to a close as a	

meeting today. Thank you.

OTHER PERSON E

From: Sent: Wednesday, July 6, 2022 7:08 PM

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

Cc:

Subject: Licensing Review for Southbank Nightclub / L'Estacion 57

To Whom It May Concern,

We are writing to support the licensing review which has been brought against Southbank Night Club/L'Estacion 57 (57-59 Camberwell Road, London, SE5 0EZ.)

We live in close proximity to this venue, and are regularly disturbed by noise and anti-social behaviour from the club, particularly around 5am on Saturday & Sunday mornings when the club closes and people leave.

We've also witnessed very serious outbreaks of violence from club-goers, which at times has spilled over onto our street. For example:

- 16th October 2021 a fight, where a large group of young people were seen to threaten one another with broken beer bottles
- 31st October 2021 a large fight involving 20 or more young people. We also witnessed one of them smashing up a car that was parked on our street.

Both of these incidents were reported to the Met's 101 number, and I have video evidence of the 31st October incident.

As well as the disturbed sleep, the proximity of this kind of behaviour makes us fearful for our personal safety. The overall negative effect on our quality of life - and that of the community as a whole - is huge. We don't believe that this establishment is suitable for a residential area, and support the application for the licence to be revoked.

Yours sincerely,

OTHER PERSON F

From: Sent: Sunday, June 12, 2022 9:57 AM

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

Cc:

Subject: South bank Nightclub/Camberwell Road serious disorder

Hi There,

There was serious mass disorder at around 3am this morning behind the south bank nightclub, on red lion row, involving roughly 30 people and numerous smaller groups fighting in the street. This went on from 3:00am until about 4am. Police arrived at 3:30am so I would assume they can provide details of the disorder and any arrests made. I have been informed that numerous complaints have been submitted by local residents after this and previous incidents.

There was also anti social noise on the previous night until 3am on the same road.

I don't understand how a late night license is still in place for this club and other late night locations nearby. It has been the source of serious disruption to residents for years. I have lived here since 2015 and it has never been dealt with adequately.

I note that the attached licensing form expresses concerns in September 2014 regarding management of nuisance and that the EP team objected to the license. Nothing has been put in place and it is disgraceful that the council thinks it is acceptable for this level of disruption to continue to disrupt and endanger local residents.

I also note that a new application has been submitted for the same address. The entire premises urgently needs to be put under review. We should not have to wait for a serious crime to take place for this to be properly reviewed. There is already sufficient evidence that the closing time of the club is causing misery for residents.

Thanks,

Date: 28th June 2022

Dear Licensing Team,

Re: Licence Number: 877673

Trading name and address: Southbank nightclub 57-59 Camberwell Road

SE5 0EZ

I would like to indicate how SouthBank Nightclub are NOT meeting the councils 4 licensing objectives and specific conditions.

1. The prevention of crime and disorder.

- · Illegal parking around Red Lion Row, Boyson road and surround areas around clubs.
- Antisocial behaviour crowd noise, car horns, car music, shouting, screaming, fighting along Boundary Lane, Boyson Rd, Camberwell Rd & Red Lion Row.
- Public drinking all night in and around Boundary Lane, Boyson Road/Camberwell/Red Lion Row every Friday and Saturday Evenings.
- · Alcohol bottles smashed in street after they leave to enter the bars.
- Properties/Cars damaged after fights in street
- · Fights in street after leaving Southbank Night Club

2. Public Safety

- Peeing in street everywhere around local area on Boyson Road, Red Lion Row, John Ruskin Rd.
- Public drinking and drunken behaviour
- · Fighting after leaving clubs happened twice in three weeks (see below)
- · Safety issue for women in and around nightclub
- Broken bottles in street and kids falling into it potentially

3. The prevention of public nuisance

· All of the above where they are clearly not meeting this objective.

4. The Protection of Children from Harm

- · Impact kids and families being woken up as patrons entering and leaving the venues and Antisocial Behaviour
- o Impact to family life due to being continually woken up and exhaustion / mental health
- o Impact to families due to lack of sleep
- o Broken bottles on street and danger
- o The disgusting amount of urine on the street and local area

Example:

By 5:00am as Southbank Nightclub is closing the last 3 weekends alone:

- 30th October major fight in street
- 23rd October very noisy patrons in street
- 16th October major fight in street

Southbank Nightclub has time and time again they are open, and continue to make excessive noise, beyond their licensed hours and they seem to make no effort to abide by some of their other terms or respect their neighbours, namely against these licensing terms and conditions:

- **347** That there shall be no drinks permitted outside on the frontage.
- **348** That there shall be no more than 5 persons permitted outside on the frontage, to smoke only.
- **352** That announcements shall be made and notices provided to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.
- **360** Alcoholic drinks may only be consumed within the premises. The management must ensure that no alcohol is consumed outside the premises.

Impact To My Life and family:

- · Stress knowing that Antisocial Behaviour (ASB) will happen every weekend
- · Cannot enjoy your own home with all the noise and ASB
- o Had my daughter ask what the noise is all about at 5am in the morning one time
- o Had my son wake up from noise during horns beeping
- o Had my wife wake up with me on literally all occasions when this happens
- Lack of sleep due to being woken up multiple times an evening impacting not only weekend but working week
- o Stressing my wife as she doesn't want me to get injured by having to go out to take footage
- Fear due to the violence in streets
- · Fear of drunken people
- · Worried my car/property will be smashed up
- Safety from smashed bottles and glass around my local area and kids having to dodge hit when going to the shops
- Extreme Exhaustion from total lack of sleep really impacting my working week
- Extreme anger at the situation and helplessness
- · Causing arguments between myself and wide and kids due to extreme fatigue
- Stress of having to ring 101, submit noise complaints, being on calls to complain and online submissions at all hours in the evening
- · Worried of health due to all the public peeing

- · Anxiety of knowing every week you will be kept up by noise and Antisocial Behaviours
- · Anxiety due to fight and safety fears
- · I have yelled \underline{abuse} and $\underline{confronted}$ at patrons when I cant take it anymore when they are too noisy.

Regards,



OTHER PERSON H

<a href="mailto:Regen, Licensing

<Licensing.Regen@southwark.gov.uk>

Cc: harriet.harman.mp@parliament.uk;neil.coyle.mp@parliament.uk; Foster, Sam

<Sam.Foster@southwark.gov.uk>

Subject: Southbank Nightclub Licence review representation

Dear all,

I have seen that there has been a licensing review initiated for Southbank Nightclub (Licence number 848589). I wish to provide <u>representation in support of revocation of this licence</u>, on the grounds of:

- 1. The prevention of public nuisance
- 2. The prevention of crime and disorder
- 3. Public Safety

Noise:

I have been living in my residence for around 4 years. I often work away at weekends (mores previously than currently), hence sporadic previous complaints to the noise team about the loud noise throughout the night on Fridays and Saturdays. The noise is loud, vibrations can be felt and I am unable to sleep and <u>unable to enjoy my property</u>. I am having to move away on weekends just to be able to sleep due to the noise. This is affecting my sleep. my ability to work, drive and function on following days and ultimately my quality of life.

I refurbished my flat in 2019 and even installed soundproofing (evidence of which can be provided upon request), yet there is still noise and vibrations in the flat from the nightclub.

There have been noise complaints made by myself to the noise team, since 14/10/2018 to this weekend, having called over 10 times (Reference numbers of these calls can be provided upon request).

I have spoken with the owner on a coupe of occasions (03/10/2021; 16/10/2021) to kindly ask to turn the music down, explaining my concerns and that it is causing disturbance and is loud in my flat. Both times, I was told explicitly by the owner (Henry/Julius) that he would not turn the music down and that I would need to contact the council if I had any issues. He had a defensive and aggressive affect which made me feel unable to approach him again about this. He attributed the increased noise to the building work being done in the premises above (and lack of soundproofing there), yet there is still noise and the work is almost complete, nullifying this theory. Measuring the noise levels in my flat using my phone (03/06/2022) shows a background noise level of 32dB, and music from the nightclub raising this to between 38-51dB, averaged at 43dB.

The noise team, as you may be aware, are both informally and formally, well known to be ineffective and have not visited my flat (attributed partly to covid and partly to not them getting in contact after me calling, on multiple occasions). I have raised these issues with the licensing team too (emails 05/11/2018; 26/09/2021; 15/10/2021 can be provided upon request).

I have shown that I have spoken with all the necessary teams/parties, on multiple occasions and progressed my concerns in a logical, stepwise manner and have spoken to the owner too, yet nothing has happened.

Prevention of crime and disorder; Public Safety:

There has been crowds of people from the nightclub audible on the street (both on camberwell road and behind, where the entrance to the flats are), during nights when the club is functioning. There is a visible increase in litter on Sunday morning compared to on Saturday night around the entrance to the flats and in the bin area, with multiple plastic cups and broken glass bottles, which pose a safety issue when entering/leaving the flat. This is a very regular occurrence. There have also been occasions in the past (none recently though) where the bins (with glass bottles) have been emptied at 05:30 in the morning, which is loud enough to wake me up (with earplugs in).

It is clear to me that Southbank Nightclub has been regularly breaking terms of their licence agreement, under the following conditions:

- 347 That there shall be no drinks permitted outside on the frontage.
- 351 That suitably qualified or experienced persons shall be employed at all times whilst the entertainment is being provided and shall take all reasonable steps to ensure that <u>patrons will not cause a nuisance to the neighbourhood.</u>
- 352 That announcements shall be made and notices provided to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.
- 360 Alcoholic drinks may only be consumed within the premises. The management must ensure that no alcohol is consumed outside the premises.
- 362 Noise or vibration must not emanate from the premises so as to cause a nuisance to nearby properties.
- 368 That should there be any change to the equipment involved in the broadcast or limiting of sound from licensed entertainment the sound limiter shall be re-set, in conjunction with a qualified sound engineer, to ensure that any music, speech or song from licensed entertainment is not audible in nearby residential premises nor will cause a public nuisance in the vicinity of the premises.
- 4AI That the sound limiting device/s shall be set to ensure that the maximum levels of volume and bass permitted by the system ensure<u>any music, speech or song from licensed entertainment is not audible in nearby residential premises or causes a public nuisance in the vicinity of the premises.</u>

For the consideration of the sub-comittee, it should be noted that the area is predominantly residential, with relatively few (less than 5) other nighttime establishments in the vicinity- as such, the opening and close times do not correlate with that recommended in the Southwark Councils "statement of licensing policy 2021-2026 (ref. page 43).

<u>In summary:</u>

I would like to provide full support for revocation of the licence, based on the factors above, my personal experience and having gone through all reasonable steps prior

to this. The nightclub is a considerable cause of distress. I wish to be involved with any hearing and if possible at the sub-committee meeting. I would also like this submission to be kept anonymous from the owner, to prevent any future risk of confrontation or harassment from him.

If you require anything further, please get in touch.

Yours sincerely,

OTHER PERSON H SUPPLEMENTARY

I wish to add to following statement to my previous one (under other person H), directly relating to the period from 07/10/2022 to 04/02/2022:

Since the virtual hearing, the noise has continued. I met with the owner, Enri, the following day (07/10/2022) after the verdict, who advised that he will be organising sound proofing and to contact him if there is music so he can turn it down. He also showed me inside of the night club, showed where they are removing speakers and where they will be installing sound proofing, with a man who introduced himself as a sound engineer, also present.

Of note, I was shown what type of sound insulation that they were planning to install, which included some Rockwool mineral wool insulation (standard wool insulation used in domestic houses) and 'acoustic plasterboard'. I am fully aware that both of these are non-specialist products that would not provide adequate levels of soundproofing, given the situation and I did express my concern over this to Enri, and that it did not seem adequate.

Later that day (07/10/2022 at around 13:05), noise was played and Enri asked me to let him know whether I could hear it or not (Attached messages, p.1). I could hear it, and let him know (Attached messages, p.2). After, when leaving my flat at 13:30, I told him that the noise was still audible in my flat, but his response was (direct quotation noted directly after the conversation) "if we lower it any further, we won't get any customers. The people (once inside) should help to reduce the noise further". When asked directly if I were to message him to let him know if it is too loud, would he turn the music down, he stated "of course, let me know".

A day after, the noise was loud and I messaged him (Attached messages, p.3), to no avail, with the music still loudly audible in the flat. I even went down to ask him directly, and he essentially refused, stating that he has to keep it at a minimum level. Since then, I have continued to call the noise team (Reference numbers: 49516; 50269; 53256; 54011; 54681; 58143) as Enri was clearly unwilling to reduce the volume of the music, despite talking to him, asking both in person and via messages (Attached messages, p.3,8,9,10). I even went down to ask him directly at the club on 20/11/2022, after messaging him. After explaining that the music is still very loud, I walked with him to the rear entrance, with loud noise emanating from it. He agreed that there was a lot of noise there, and I mentioned to him that this would be breaking his licensing agreement, as it is noise emanating from outside the building and causing a nuisance. After, he took me inside the club to speak to the DJ, for me to ask them to turn it down. I asked, and the DJ verbally agreed, yet there was no

change in audible volume in both the club and my flat. I told Enri about this, and that the music is continuously being a problem, emanating to my flat and despite him telling me that he will reduce the volume when asked, it doesn't appear to me that he has. Objectively, he states that he turns the music down, yet despite texting him, and receiving replies that he has, there is still the same level of loud audible music present, as witnessed by the noise team when called after messaging Enri, on multiple occasions between October to December incisive.

On many occasions, the noise is loud enough that a decibel meter is averaging well above 40dB in the flat, and this has been shown on multiple occasions to the noise teams when visiting, along with the ability to recognise the songs that are playing (using the 'Shazam' mobile application). On multiple occasions, officers have visited the premise to ask for the music to be turned down.

Enri called me on the 29/11/2022 at 12:00 to express his frustrations at the noise team visiting, asking me very directly to "please stop calling the noise team" (Quotation written down at time of call). I explained the issue was the volume, he was in control of this and has not managed this effectively. Furthermore, he expressed being unable himself to turn the volume down, which appeared objectively that he is lacking of management and leadership ability within the establishment and lack of authority over his DJ's, stating his need to ask them, and stating "they are the ones who control the volume and not me".

Since then, Enri has failed to engage, lack of replying to messages or turning the music down when asked (both via text message and in person). He called me on the 25th of January as he was getting a sound engineer in to assess and wanted access to my flat. I was working that day, and received no prior notice that this was planned, or any advanced notice of a date, as if I would have known I would have been happy to help. I have expressed that I am happy to help directly to Enri as well as the Environmental Protection team, via email.

In summary, there has been no change to the noise, it is still loud, audible and regularly on weekends, despite engagement with the licence holder always in the first instance, calling the noise team (only because Enri doesn't turn the music down) and messaging Environmental Protection and Licensing teams.

I have continued to need to leave my property due to the noise (Attached messages, p.6), despite engagement with the licence holder, Enri, has on multiple occasions refused to turn the music down, and every other occasion failed to act appropriately in managing the noise situation when asked directly by myself, despite promising to me personally after the virtual hearing to do so. All of this, combined with evidence from Environmental protection and the Noise team, clearly show that the public nuisance caused by the noise and my experience highlighting the recurrent stressful

private noise nuisance, with the licence holder fully aware of this. I feel obliged to point out that it is a great shame that the sound engineer is visit has taken almost four months to organise after the hearing, despite Enri being aware of the noise situation for a very long time. This in turn raises significant concerns as to why this may be.

The impact on my sleep, ability to work and study have been affected, and subjectively I feel that it is worse now that prior to the virtual hearing. This has also significantly affected my mental health and feel that if this continues will affect my phial health too, due to lack of sleep and noise related stress. I am unable to take on as much work as I would like to, due to the noise and inability to sleep, especially when I would like to work nearby to my flat.

Attachments:

Messages between myself and the license holder, Enri. Please note that due to screen shots being taken in a different country (GMT+2) to the UK, the time zone automatically adjusts message timings. Times displayed before 30/10/22 will be 1 hour later than those stated above and times displayed after 30/10/22 will be 2 hours later than those stated above (due to UK daylight savings).



















