

This premises has previously caused significant public and statutory nuisance in the vicinity of, predominantly residential, Arnside Street, with the previous licensee being prosecuted for statutory noise nuisance and eventually having the premises license revoked.

The application is for alcohol and late night refreshment, closing at 00.00hrs Mon - Thurs, 00.30hrs Fri and Sats and 22.30hrs on Suns.

The EP Team consider that any new application for this premises needs to be mindful of the premises history and address the significant and justifiable concerns of both local residents and the responsible authorities should licensed activities return to this address.

In the operational schedule the applicant states that, to prevent public nuisance, they will:-

- Maintain a refusals book
- Ask patrons to prove their age before serving them with alcohol
- Maintain CCTV on the premises frontage.

All the above steps would usually be included with regard to public safety, the prevention of crime and disorder and to protect minors. They do not relate to issues regarding the prevention of public nuisance, for example:-

- the management of patrons both within and outside the premises,
- impacts from operations e.g. noise and odours,
- nor is there any statement on whether there will be any background music in the 'social club' and how this will be managed to ensure it does not reach licensable 'entertainment' volume.

The EP Team object to this application as :-

- it is considered that the proposed opening hours Mon - Thurs are too late to prevent patrons leaving the premises causing public nuisance to sleeping residents both above, opposite and adjacent to the premises, and
- the applicant has not addressed licensing objective 'the prevention of public nuisance' in the application.
- even though the application has not included licensed entertainment on the application the licensee may wish to use the provisions under the Live Music Act 2012 to provide entertainment to patrons.

The EP team are happy to meet with the applicant or their representatives to discuss possible solutions/agreement and to that end strongly recommend positive consideration of the following conditions/options for ammendment to the operating schedule for their consideration:-

- 1). That the hours of operation on Mon-Thurs cease at 23.00hrs with alcohol ceasing to be served 15 mins before closing time in the week Sun-Thurs and 30 mins before closing time on Fri & Sat.
- 2). Notices shall be provided on all doors that patrons would use to exit the premises to request that patrons leave in a quiet and orderly manner that is respectful to neighbours.
- 3). There shall be no drinks permitted outside at any time.
- 4). There shall be no more than 4 persons permitted outside on the frontage after 20.00hrs.
- 5). External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00hrs and 20.00hrs.
- 6). Before the premises kitchen begins to provide food to patrons noise insulation shall be installed to any external plant (fans/condensers/etc.) to ensure the sound output is a minimum of 10 dB(A) below the lowest L90 15 min relevant in the period the plant in question will be operational.
- 7). The kitchen extraction system shall be sufficient to ensure 20 air changes and hour, be fitted with adequate odour control filters and discharge at an appropriate location (eaves height).

Then

8). The applicant shall ensure that any music played remains at conversational/background level and that the volume control of any music is fixed behind the bar and is in the full control of staff at all times.

or

9). Before any music is broadcast on the premises a sound limiting device shall be installed.

10). The sound limiting device shall be set, with the assistance of a qualified sound engineer, to ensure that the maximum levels of volume and bass permitted by the system remain inaudible outside the premises.

11). The sound limiting device shall be maintained at the set level thereafter.

12). All audio and musical equipment used in the premises, permitted under the Live Music Act 2012, shall be played through the sound limiting device.

13). That any additional equipment imported on to the premises by third parties, permitted under the Live Music Act 2012, be connected to and use the installed sound limited circuit.

14). That the main entrance/exit to the street be fitted with a noise lobby of adequate dimensions and residence time.

15). All external doors and doors to noise lobbies shall have seals, brushes and self-closers fitted in accordance with BS 6459 Pt. 1 1984.

16). When music is being played on the premises above conversational/background level all doors and windows, including fire doors, shall remain closed (except for access or egress).

17). All speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.

18). That all live music performances shall be acoustic (other than an electric keyboard or similar with volume control) to be used for accompaniment of an artist, with no loud instruments permitted e.g. brass, drums or pipes.

19). There shall be no movement of musical or amplification equipment from the premises between the hours of 00.00hrs midnight and 08.00hrs.

20). Suitably qualified or experienced persons shall be employed at all times whilst entertainment is being provided to ensure that patrons do not cause a nuisance in the vicinity of the premises.

Notes

It would appear that the premises has only one WC. This is likely to impact on the maximum capacity of the premises - unless the plans provided are missing some detail. This may explain why previous patrons were reported regularly urinating on the street in the vicinity of the premises. Limited WC facilities may impact on the maximum suitable occupancy level for the premises.

The applicant may wish to consider defining appropriate staffing levels for the premises e.g 1 member of staff per X patrons.

Best regards

[Redacted Signature]

Team Leader
Environmental Protection Team
Southwark Council

[Redacted Contact Information]