

**This is a transcript of the same Email sent by 28 Local residents
-see list attached.**

To: Southwark Council licensing service, C/O Southwark Environmental health and Trading standards, The Chaplin Centre, Thurlow Street, SE17 2DG.

please find attached a copy of my objection sent on my behalf

I am writing to object to a premises variation to license 830446, Xeus Nightclub, 512-516 ground floor Old Kent Road SE1 5BA applicant Megamusic entertainment Ltd.

The Grounds for objection are:

The prevention of nuisance:

There is a severe nuisance caused to myself and neighbours by noise escape from the club premises. I am repeatedly disturbed loud music (particuly the thud thud of the base). The proposed variation will increase and extend the time the level of nuisance making the life of myself intolerable.

This problem is made worse by the failure to comply with condition 310 of the application The management routinely allow the violation of this condition by using the fire exits facing the Old Kent road to be used for exit and entry to the club when entertainment is provided. The proposed change to the licence is likely to increase this particular problem to an intolerable level particularly as the club management when challenged on this issue claim the right to use these doors for entry and exit to the club for artistes, staff and guests. Currently this means these doors are used in violation of the licence conditions every time the club is open and most frequently in the early hours of the morning. It is highly likely the proposed variation will make this issue even more intolerable.

In addition the main entrance to the club has two doors designed as an 'airlock' in that when one door is open the other should be closed to prevent noise escape from the premises. These doors are routinely opened at the same time and this misuse of the airlock increases substantially the later it gets into opening hours I can only see this problem getting worse under the terms of the proposed variation.

The general level of volume of the music played in the club is far too high for the level of sound proofing in the club. Music can always be heard outside on the street, in my garden and in my flat and my neighbours flat when the club is open. In addition the resonance and vibration from the volume levels and base levels of the music are quite intolerable .This proposed licence variation if granted without conditions for major sound and vibration reduction is likely to greatly increase the level of nuisance caused particularly as the volume of the music played is not properly supervised and is routinely raised at

aproximately 1am and gets progressively worse the later it gets and the proposed changes are likely to make this even worse.

The general supervision of the club is poor. The club actively encourages the driving of vehicles over the public pavement and parking on the pavement between the club premises and Mcdonalds restaurant and in front of the electricity substation. (I understand this land may not belong to the club though the club has partialy fenced and taken occupation of it) This area was paved by the local authority and is pedestranised yet the club encourages vehicle parking, loading and unloading of equipment and of passengers in this area. This late night activity causes noise and disturbance including tooting of car horns, furious revving of engines, loud shouting and noise nuisance to myself and my neighbours. The manner in which this land is being used not only has no planning permission but actively negates against the conditions of the licence which require the club to attempt to reduce nuisance to neighbours. This club by the manner in which it allows vehicles and dozens of patrons to congregate outside in this area demonstrates a disregard for the responsibilities of the licence holder and an appalling level of nuisance to myself and my neighbours. I believe that the granting of the variation will of itself {and certainly without strenous conditions to stop this area being used by the club in the manner in which they currently use it) cause considerable and unacceptable increase in the the level of nuisance caused.

Public urination and public vomiting by male and female patrons of the club in the front of the club, by the fire exits, on the pavement outside the front and sides of the club, in the Old Kent Road, Marlborough Grove, the front of John Penry House and the vacant lot opposite John Penry House occurs very frequently every time the club is open. There is no attempt to control this by door supervisors even when it occurs in the alcoves by the fire doors and immediately in front of the club entrance. In addition the garden and public areas of **John Penry House - a sheltered housing scheme for elderly people** - are often used for public defecation and urination and vomiting as well as a rubbish tip by club patrons. It is inevitable this level of public nuisance will increase if the variation is granted.

The other area of public nuisance is the parking of cars by club patrons in Marlborough grove particularly outside John Penry House. This leads to a constant disturbance most of the night and early hours of the morning when the club is open; with car horns being blown, doors slamming, engine revving, squealing of brakes, loud voices, shouting and frequent altercations right outside my and my neighbours windows . No consideration at all to the elderly residents in the sheltered housing scheme is shown by the stream of rowdy, often drunken or stoned club patrons that leave (or go to) this club, congregate outside John Penry House and then leave by car in such a rowdy manner. It seems this will only get worse if the variation to the license is granted. Certainly it is likely the length of time this awful disturbance and nuisance has to be endured will increase.

The Prevention of crime and disorder.

I object to the granting of this variation to the licence as I believe it will greatly increase crime and disorder. This club is acting as a catalyst for crime in our area. Every time the club is open drug dealers and club patrons can be observed buying and selling illegal drugs in the vicinity of the club particularly in Malt st.

I and neighbours have watched club patrons buy drugs and go into the club and also come out the club go and buy drugs then go back in the club. This Problem was non existent in our area prior to these premises becoming a night club. The issue is getting steadily worse. There have been stabbings in the club, many fights and disturbances on the street, patrons of the club armed with guns requiring the presence of both plain clothes armed police officers and of uniformed armed police officers to park outside my home, in our street and by the club all night every night for several weeks. It is scary and terrifying to have this club attracting this level of crime and disorder to our door step. I believe the manner in which this club is run and its complete disregard for its neighbours contributes to this crime level and is currently the prime cause of crime and disorder at night in our area. If the variation is granted I believe the crime level will increase directly as a consequence.

The door staff of this club do not seem able to control entry and egress from the club effectively to date response from complaints do not appear to have any effect, I believe the granting of the variation will only contribute to more aggression and disorder.

Ensuring public safety

There is a continuous problem with Drunken drivers coming out the club. Drivers drive over the pavement and park in the pedestrian area. There are frequent fights in the street, Knives and even a fake firearm have been stashed in our garden. Abuse from club patrons, threats and aggressive behavior are routine There is vomit, urine and faeces in the street and the garden. The door staff are unhelpful, sometimes aggressive. The management do not respond appropriately and at best carry on merrily at worst do not seem to take their responsibilities seriously.

I can only see these problems getting worse if the variation is approved; and perversely I think that (given my opinion on how this club is run) I believe to grant the variation would in the mind of the club management act as a stamp of approval on their activities.

Protection of children from harm

If this variation to the license is granted the changes will mean children going past this club will be exposed to the detrimental effects of this club. The club is located in the vicinity of the main bus stops, the main shopping facilities,

close to at least one mosque and four churches and several schools as well as housing estates. It would be inevitable that the risk of danger to children would be increased as the operation of the club spills ever later into the morning both in the immediate vicinity of the club and from club patrons misbehaving in the area. As a result children are more likely to be put at risk. The granting of the variation would be detrimental to our children.

Summary

This club is located immediately opposite a sheltered housing scheme for elderly people. The club premises used to be a public house and any disturbance or other nuisance was confined to a 11pm finish with the neighbourhood cleared by 11.30pm.

Since the conversion to a night club there has been crime and nuisance creep and disturbance as the club operates later and later and longer and longer hours.

Alterations to the fabric and sound proofing of the building have never adequately reflected its new use as a night club or the gradual extension of operating hours.

The manner in which it has been run shows no consideration for neighbours and the noise nuisance it generates is particularly unfair to the elderly people living opposite.

This Club is the cause of an unremitting and unconscionable intrusion and disturbance to the residents of John Penry House which have resulted in unfair disturbance and noise nuisance most of the night, four nights every week. Christmas and bank holidays have become a nightmare because of the noise and nuisance. This application proposes to extend this even further. Enough is enough. Is it not time that some limit was set and the local elderly people and other neighbours given some consideration and respite from this torture which has been imposed on us?

In an Ideal world this club would be told the music should only be heard **inside** the club. Not on the street. Not in neighbours gardens, Not in neighbours houses or flats, Full stop. Other boroughs manage this why not Southwark? Why are we at the whim of a subjective decision by who ever from the licensing department? Why is the resonance and vibration emanating from the club not given due weight .This failure to regulate the basics properly and fairly is leading to all the problems referred to above.

I understand that at this stage the committee can only deal with the issue of the variation and I wish to object to the granting of this application in the strongest possible terms.