

Appendix B

Ashenden, Kristie

From: Paul.Compton@met.pnn.police.uk
Sent: 28 November 2009 20:04
To: Ashenden, Kristie
Subject: Shakespeare's Globe, Underglobe & Swan Rep
Attachments: Shakespeare's Globe 09.doc

<<Shakespeare's Globe 09.doc>>

Paul Compton PC294MD
Licensing Officer Southwark Borough
☎ Phone: 0207 232 6210
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✉ Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3BB

(not protectively marked)

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Your reference:



Our reference: MD/21/1893/94/95/09

Date: 27th November 2009

The Licensing Unit
The Chaplin Centre
Thurlow Street
London SE17 2DG

Metropolitan Police Service
Licensing Office
Walworth Police Station,
12-28 Manor Place,
LONDON,
SE17 3RL

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Shakespeare's Globe: Shakespeare's Underglobe: The Swan SE1 9DT

Police are in receipt of an application from each of the above for a New Premises Licence, which have been submitted with the intention of replacing the existing one (1) Premises Licence that covers all three sections of the current business. The current one licence is deemed to be inadequate for the current business operation, as there are three distinct areas of operation that can and do run independently of each other. Police have the following representation to make:

Police have no representation to make in respect of the new premises licence for Shakespeare's Globe. However the following comments relate to the other two applications; Shakespeare's Underglobe & The Swan.

The applicant has applied for three New Premises Licence with extensive hours, particularly at weekends and has failed to address adequately the four main licensing objectives. The premises are located on a busy thoroughfare and within very close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives. Police have been notified that a significant number of local residents have previously lodged complaints through the local authority in respect of noise disturbance and anti-social behaviour associated with the operation of the exiting business.

The Swan & Shakespeare's Underglobe can clearly operate as independent entities from each other and from Shakespeare's Globe Theatre and therefore require different operating schedules and attached licensing conditions.

Police would welcome a reduction in the terminal hours for The Swan back to 01.00am each day of the week and no outside area being utilised after 22.00hrs. However if the permitted hours for the

sale/supply of alcohol were to be as per the application, Police would like to see the following control measures placed on the Premises Licence. (Some of the measures may already be included in the operating schedule submitted by the applicant, however the wording of each needs to be clear in order to prevent any future ambiguity)

1. That SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
2. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
3. That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
4. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
5. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
6. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
7. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
8. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
9. That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
10. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Police would be available should a conciliation meeting be arranged.

I respectfully submit this representation in order that it is given consideration by your Licensing Committee and would be obliged if you could acknowledge receipt.

Paul Compton PC294MD

Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210

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✉ E-mail: paul.compton@met.police.uk

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12/28 Manor Place Walworth London
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MEMO: Environmental Protection Team

To Licensing **Date** 19th Nov. 2009
Copies Joanne Littleton & Kritisie Ashenden
From Alan P. Blissett **Telephone** 020 7525 5766 **Fax** 020 7525 5768
Email Alan.Blissett@southwark.gov.uk

Subject The Swan @ the Globe 21 Globe Walk SE1

Thank you for consulting Environmental Protection on the above application

I am not satisfied that the operating schedule and prevention of public nuisance measures as presently expressed in the application are adequate to address the suppression of public nuisance.

I suggest the following draft conditions .

- That when the bar and/or brasserie rooms are used for live and /or recorded music that sound insulation and /or limitation measures be adequate to contain sound and prevent disturbance to any residential premises in Globe Walk, and that ventilation is sufficient to enable all windows and doors to remain closed during performance.
- That no music be played or broadcast onto the ground floor external patio area
- That the patio area be closed to patrons at 22.00 Sunday – Thursday and at 23.00 Friday & Saturday
- That patrons not be permitted to take/consume drinks outside of the premises defined on the drawings No FP 301, 401,
- That smokers not be permitted to take drinks off the premises.
- Any portable equipment used in connection with regulated entertainment not be removed from premises after 23.00 or before 0800.
- That deliveries to and waste removal from the premises not be undertaken from entrances /exits facing on to Globe Walk before 0700 or after 23.00

Please accept this as a representation until the applicant has considered the each of above 7 points and satisfactory addressed them with EPT

Note 1: The requested hours for supply of alcohol and late night refreshment are co-terminal with closing hours, you may wish to consider supply curfew 30 mins before closing

Alan Blissett – Principal Environmental Protection Officer

Poppleston Allen

830909

FAO Joanne Littleton
Licensing Department
Southwark London Borough Council
The Chaplin Centre
Thurlow Street
London
SE17 2DG

RECEIVED

14 DEC 2009

Date: 11 December 2009

Our ref: CE/HEC/P35218-1
Doc Ref: 2143613717

Your ref:

E-mail: c.eames@popall.co.uk

Direct Line: 0207 936 5875

Sent via post and email

Dear Madam

The Swan, 21 New Globe Walk, London SE1 9DT

We act on behalf of Benbow House Residents Limited and residents of Benbow House, New Globe Walk, London and we are instructed to make representations in respect of the above application.

Background

Written submissions were made to the Licensing Department of Southwark London Borough Council on the 13th November, 1st December and 9th December (correspondence attached) in respect of the following matters:-

1. Failure of the applicant to comply with the Licensing Act regulations on display of public notices.
2. **Saturation Policy** – Given that the application was lodged on the day that the saturation policy came into force, our submission is that the saturation policy should apply to this application. Further the failure to display the notices correctly (which was accepted by Officers of the London Borough of Southwark) in our submission means that the consultation period has occurred during dates when a saturation policy was in force and therefore should be applicable to the licence. Given the intention on the proposed application to increase existing licensable activities from the existing licence and extend the hours, we consider that the saturation policy would need to be applied in respect of that part of the application.

Partners · Jeremy Allen · James Anderson · Graeme Cushion · Clare Eames · Lisa Sharkey · Jonathan Smith

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Office also in London

3. **The Existing Licence** - Comments made in our letter of the 1st December, for the attention of Kristie Ashenden, relate to licensing issues in respect of The Swan and the fact that they are currently trading in breach of their licence.

The Current Application

We have briefly seen sight of the plans and application lodged with the London Borough of Southwark in respect of this application and we have requested from the applicant's solicitors on 30th November full copies of the licence plans and operating schedules for us to consider further. To date despite chasing we have not received any documents. It would appear the following licensable activities have been requested in addition to those that are permitted under the current licence:-

1. Recorded music indoors and outdoors.

From our brief look at the plans, it would appear that this licence incorporates an outside area and music has been requested in addition to be played outside. Given the intended nature of the style of operation as a bar and restaurant for customers of the Globe we do not understand why the applicant would need more than background music which of course is not a licensable activity.

Given the potential noise nuisance from recorded music and the lack of detail in the operating schedule, we consider that there is a significant risk that there will be public nuisance caused as a result of this activity, given a number of windows and the main entrance and exit is directly onto New Globe Walk and Bankside where our clients reside.

This licence also seeks to trade until 2am on Fridays and Saturdays for the sale of alcohol which is later than the existing licence and our clients have concerns over the inevitable noise nuisance and antisocial behaviour arising from such late trading hours which we consider inappropriate in a saturation policy area and so close to residential accommodation.

The Operating Schedule

We have requested the full operating schedule from the applicant's solicitor. In the meantime, we are currently working from the document on the Southwark website. However it was clear on a visit to the offices that the information on the website was not up to date and did not correctly reflect the application and therefore we reserve the right to fully expand upon all aspects of our representation once we have had sight of the full operating schedule.

In relation to the operating schedule, a large number of the conditions that are on the existing licence have simply been reused. Many conditions are of a type seen on old public entertainment licences pre 2005. In addition old embedded restrictions from the 1964

Licensing Act are also included at condition 109. These conditions are obsolete and we are confused as to why the applicant would include them.

The application does not address how the licensing objectives will be promoted given the extensive nature of the licence that has been applied for and the hours that are requested until 2am. As such we consider there has been little compliance with the requirement for an applicant to consider how he/she will promote the Licensing objectives.

Prevention of Crime & Disorder

The applicant has failed to sufficiently address the licensing objective of the prevention of crime and disorder in the operating schedule. Limited information has been provided and given the potential large numbers of the public who will be at the premises for non theatre events and outside the traditional hours of performances, we are concerned as to how crime and disorder and antisocial behaviour will be avoided and managed.

The condition indicates that the current CCTV system shall be maintained in good working order and operable at all times, however no information is provided as to whether the CCTV system covers all of the licensed areas, in particular external areas on New Globe Walk, Bankside and onto the Piazza where customers may congregate. No information is provided as to whether the CCTV system covers all of the licensed areas and in particular the external area in the Piazza.

No information is provided regarding the type of customers who will be attending the premises and, given the intended ancillary use to the theatre, we do not understand the need for a 2am licence, as performances will have long finished. No information is provided regarding how anti-social behaviour will be managed at the premises. No consideration has been given to the need for door staff, provision of a dispersal policy, noise attenuation measures or provision for smokers and as such with evidence of existing problems we consider this will only worsen with this application.

Prevention of Public Nuisance

Given the extent of the licence requested, the applicant has given little thought to the impact of the operation on public nuisance and only two conditions would appear to address the fact that the premises are located in a heavily residential area, namely:-

- Condition 158 "The licensee/ duty manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises;
b) If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly."

In addition, no consideration has been given to a dispersal policy, other noise attenuation measures or any policy regarding smokers, and customers wishing to take drinks outside.

Our clients have had extensive meetings with the operators of The Globe Theatre and their complaints and concerns are well catalogued and further documentation will be provided as part of this representation and the known concerns of the local residents have not been considered in any form in this application despite the last meetings with the residents which took place on the 9th September 2009 and the 27th October 2009.

Public Safety

Given comments raised already regarding the extensive nature of the licence application, we feel insufficient consideration has been given to public safety.

Protection of Children from Harm

The application is virtually silent in respect of the licensing objective of the prevention of harm to children, which is not adequately dealt with. No mention is made of any underage sales policy. The Globe Theatre has a number of performances and events which would be open to those persons under the age of 18 and with easy access into the premises and there is no explanation as to how these issues will be managed.

Summary

Our clients were extremely disappointed that no attempt was made to pre-consult with them prior to the application being lodged. In addition, the application has been drafted in such a way to have little regard for how the licensing objectives are to be promoted, especially given the extensive dialogue with the applicants and our clients over the last two years. Very few of the conditions proposed in the operating schedule actually deal with the significant issues that are raised in relation to public nuisance and antisocial behaviour catalogued in meetings and discussions between Benbow House residents and the applicants. Nor does it reflect promises offered by the applicant in those meetings of new operational measures to be implemented.

Our clients are satisfied with the principle proposed use for the main Shakespeare's Globe Theatre and ancillary uses however the concern is that this licence is being applied for to operate as a separate entity to the main theatre use and for hours that are too late given the proximity of residential accommodation.

Our client also supports in principle the idea of separate licences however the current format does not address our client's concerns and we feel they should be withdrawn and re-submitted following pre-consultation with the residents and responsible authorities.

Although we accept that the planning and licensing regimes are separate, they do overlap and therefore we also raise concerns that this application may not comply with the existing planning permission.

Given the historic manner in the way that the premises have operated and more particularly given the extensive scope of the licence application and the preparation of an operating schedule that fails to address the licensing objectives in any meaningful manner means that the likely effect of the grant of the licence on the promotion of the licensing objectives is that they will be significantly undermined.

Our client is willing to meet with the applicants in order to see whether a more robust and clearly understandable operating schedule can be put into place.

We reserve our position to raise more matters once full information is provided by the applicant and we will be serving documentary evidence to support our claims prior to the hearing.

Yours faithfully



Poppleston Allen

cc. Mark Browning, BA Law, via email only

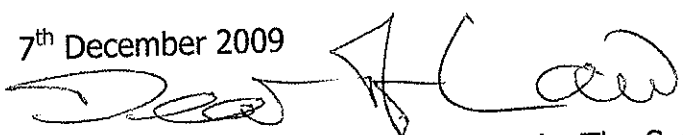
**BANKSIDE
LONDON SE1 9
00 44 207
Fax 00 44 207**

RECEIVED

08 DEC 2009

B.A.Law Esq
Licensing Department
Chaplin Centre
Thurlow Street
SE17 2DG

7th December 2009



I write concerning three applications by The Swan at the Globe
(Shakespeare's Globe Theatre, Bankside).

We oppose all three but, in particular, we have great concerns about the applications which extend licensing hours for entertainment to 0100 daily and 0200. Fri-Sat. respectively, we submit that midnight would be just tolerable.

As residents next door-but-one we wish to lodge a formal objection to the granting of these applications.

Our reasons are as follows:

1. The Exhibition Building for Shakespeare's Globe was created and opened as a visitor and tourist exhibition, not primarily as an entertainment space. The application tends towards a change of use.

Visitors for late night parties create serious disturbance and nuisance to the neighbouring residents, particularly in three ways:

2. Safety: Vehicles cause congestion and sometimes (as occurred on December 4th for example) complete blockage of access to our houses, emergency access to our houses and to the gates which give emergency access to the Tate Modern. We have repeatedly pointed out that emergency use is significant as our houses accommodate two doctors and a priest.
3. Nuisance and Noise Disorder: Clients gather for lengthy periods outside the Exhibition doors to smoke throughout evening social events. Our bedrooms are in the front of the houses, not only are we woken and greatly disturbed in the small hours by the noise (notably the higher

- pitch of women's voices) but also by the incredibly unpleasant smell of tobacco. We are literally experiencing secondary smoking as a result.
4. Crime and Disorder: The Swan at the Globe does not observe the present licensing conditions in any event, visitors already leave later than they should, any extension will adversely affect this, and it is not therefore an argument for extension. Additionally we recognise that, once off the premises, visitors are not the responsibility of The Swan, nevertheless they continue to wake us up and create disturbance, lingering, chattering and laughing in the street.

In principle we seek to be good neighbours. We acknowledge that The Swan has installed moveable rope barriers to guide entrance to the exhibition area for functions, and that has assisted, but not succeeded, in getting people off the road, safer from vehicles and queuing directed eastwards, away from our doors. The Swan has, nevertheless, not once, sought to consult us as neighbours about their continued gradual encroachment on the amenity neither of the area nor upon us as the immediate neighbours. We get the clear impression that the enterprise is very profit focussed and the three neighbouring houses are beneath consideration and a nuisance.

We were under the impression, apparently mistaken, that it is an obligation upon applicants to consult the neighbours. It would be courteous and good practice in any event. If it is a requirement we should point out to you that we have not been approached about any of these three applications and we were not, for example, about the creation of a (dangerous) door way on the corner of New Globe Walk and Bankside (where the doors, to add to the hazard, open outwards) nor when the Swan submitted a planning application, and an appeal, regarding shop fronts on Bankside.

We suggest to you that these symptoms of inconsiderate behaviour and contempt for the neighbours will be congruous with any extension of the licences for the Exhibition undercroft and area and we ask you to reject the applications in the interests of the neighbourhood.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'C. Slee', written over the closing 'Yours faithfully,'. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

The Very Revd and Mrs C Slee.

Bankside, LONDON, SE1 9JE

(Phone and Fax: 020)

e-mail: ,@hotmail.com

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

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09 DEC 2009

7th December 2009

Dear Sir

I understand that The Shakespeare Underglobe & Event Area is applying for a renewal to its licence (Application 830906) and that, according to the notice posted on the door of the premises, objections have to be lodged with you by 11th December.

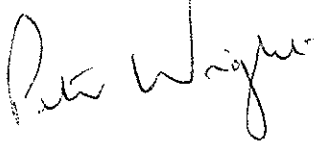
These premises are adjacent to private residences and the noise from guests smoking and yelling outside in the street, and leaving in the early hours of the morning, constitute a public nuisance.

I have had to complain to the Globe on a number of occasions; this year alone on 23rd March, 28th March, 16th May, 25th September and 26th September and there have been other instances when we have been disturbed but I have not written or telephoned.

The most disturbing case occurred two and a half years ago when, at 2.30a.m., I asked the revellers to keep the noise down and I was threatened by one of the men who followed me in a very menacing manner back to my front door.

I very much hope you will refuse this licence which has never been discussed by the GLOBE with the local residential neighbours. The total disregard of our well-being by the GLOBE has been very distressing.

Yours faithfully



Bankside, London SE1 9

TEL: 020

FAX 020

RECEIVED

09 DEC 2009

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

8th December 2009

Att. B.A. Law

Dear Sir ~~Madam~~

I understand that Shakespeare's Globe Underglobe & Event Area is applying for a renewal to its licence (Application number 830906) According to the notice posted on the door of the premises, objections have to be lodged with you by 11th December. Normally, we receive individually addressed notices about such proposals and I am surprised than none seem to have been sent out on this occasion. Is there any particular reason for this omission?

In any case, I wish to register my objection to the applications, given the lack of evidence that the applicants have taken seriously the many previous complaints and objections from me and others. We are still wakened not infrequently by apparently intoxicated (and therefore often noisy, insensitive and inconsiderate) people leaving the Globe's premises in the small hours and such disturbances are naturally even more frequent as Christmas approaches. The people who come outside mainly to smoke have, of course, usually been drinking and the organizers do not seem to have been able to arrange an outdoor smoking space inside the Globe's walls, as we had been told they were going to do. This means that they congregate within a few feet of my front door.

Yours etc.

Colin Brewer