

15/06/2019

Application for a review of a premises licence or club premises certificate under the Licensing Act
Ref No. 1250813

Please enter the name of applicant who is applying for the review of a premises licence under section 51/
applying for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the
premises described in part 1

	██████████
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Postal address of premises or club premises, or if none, ordnance survey map reference or description

Address Line 1	92-96 DRUID STREET
Address Line 2	
Town	LONDON
County	
Post code	SE1 2HQ
Ordnance survey map reference or description	

Name of premises licence holder or club holding club premises certificate (if known)

	Hawkes Cidery and Taproom
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Number of premises licence or club premises certificate (if known)

	866768
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I am

	1) an individual, body or business which is not a responsible authority (please read guidance note 1)
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Personal Details

Title	████
If other, please specify	
Surname	██████████
Forenames	██████████
I am 18 years old or over	Yes

Current Address

Address Line 1	████
Address Line 2	ARNOLD ESTATE DRUID STREET
Town	LONDON
County	
Post code	██████

Contact Details

Daytime contact telephone number	██████████
E-mail address (optional)	██████████

Would you like to add a second applicant?

	No
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This application to review relates to the following licensing objective(s)

	Please select one or more as appropriate
	<ul style="list-style-type: none"> 1) the prevention of crime and disorder 2) public safety 3) the prevention of public nuisance 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

	<p>Since Hawkes opened in 2017, residents across the Arnold Estate, have been subject to severe ASB and nuisance noise. A variety of interventions have been attempted by residents including; calling the bar (though they no longer answer the phone, another breach of their conditions), speaking face to face with staff, lodging several complaints with noise and licensing teams, raising the matter with Ward cllrs. At our resident TRA, of which I am Chair, we had started a project to look at how we could improve relations between businesses and residents on Druid Street and were keen to give work together. Members of Southwark's cabinet are aware of the situation and it's severity, as are Arch Co, who lease the premises, yet the numerous breaches of licence continue. Below is a sample of the most frequently broken clauses:</p> <ul style="list-style-type: none"> 342 - No internal waste handling after 20:00 343 - Noise not managed 353 - No entry to children after 20:00 355 - Customers outside should only be in designated drinking area (not across the street outside flats or sitting in the public highway) 356 - No more than 30 customers are permitted in outside drinking area 357 - The designated drinking area must be cleared by 22:00 358 - The premises display a prominent telephone number for local residents 361 - On Saturday's from noon until closing a minimum of one SIA will control outside drinking (this individual usually turns up about 14:00, spends little time outside and when he does, turns a blind eye to breaches or out of control customers) <p>We had taken the decision, as a TRA, to keep reporting breaches and to let the licensing team handle these recurring breaches (as the responsible service) before formerly reviewing as a group. However, I find myself trapped in doors today with an ill 11 year old, so escaping the weekly ASB is not an option and after 2 years of sheer hell, I have had enough. I cannot, open our windows, read a book, watch a film without hearing drunks shouting, competing to be heard over each other, trains and traffic (in</p>
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	what is increasingly a main traffic artery).
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Please provide as much information as possible to support the application (please read guidance note 3)

	<p>Since 2017, I have:</p> <ul style="list-style-type: none"> •Submitted several videos and photos showing ASB outside this premises as well as closing outside of licenced hours, drinking games where young men are literally falling down in the public highway as the SIA looks on. •Met twice with the premises owner, who was perfectly cordial and also given him the courtesy of texting him breaches ahead of going to licensing (earlier this year) but these interventions made no difference. •Representing our TRA, Cllr Humaira Ali and I met with Peter John to outline the issues, I also met with Johnson Situ. •The Arch Company have been sent videos of the ASB from this premises and others who are its tenants. They had also promised to speak to the businesses but again, the situation has worsened rather than improved. •Continue to report breaches to the Noise team. •Submitted a Community Trigger (15/5/2019) following no resolution after 2 years and several months of meetings, emails and reports. <p>The noise and ASB is having a huge impact on our family life. We have to plan outings (sometimes my child just wants to stay home on the weekend) at peak noise times. This is particularly difficult with a young child at night. If we're home, we need to create sound barriers so save activities like hoovering, drying hair etc. for Saturdays, if it's a hot day, we cannot open windows, even if we don't open windows, we can often hear conversations word for word.</p> <p>If I want to read or do yoga on a weekend evening, I have to wait until the bars have shut and then end up exhausted because my sleep times are pushed out to accomodate transient visitors to the area who urinate in our street, leave their rubbish and pizza crusts and vomit behind, whilst they go home in their cabs before repeating the cycle the next weekend. he impact is increased by the cumulative effect of the other stragglers from the so-called Southwark endorsed 'Beer Mile', the premises 4 arches away (Barrel Project - whom I will also be seeking a licensing review for), the drawn out noise at closing time as customers wait outside our building for ubers (sometimes up to 20 minutes per time). Hawkes has created instagramable art work on it's arches that an increasing large groups of tourists come to take selfies by, creating extra noise. I hate living here, which is such a shame because our life and all of our connections are based in Southwark. I am so disappointing with the lack of strategy granting so many premises licenses across this neighbourhood, the lack of consideration to residents and note that whilst the lowline project is vey exciting, it's original spot sits in a Cumulative Impact Zone (borough bankside) with high areas of wealth and residents au fait with planning and regulatory laws, how to organise and who are often time rich retired people who are able to spend time on what I've realised is like a second job (logging and recording ASB, calling the nuisance team, emailing licensing, meeting with cllrs). I would say I spend between 2 - 4 hours each week working on this and many more than that having my quality of life ruined by the footfall these premises have generated.</p> <p>As an individual, I also feel vulnerable since enforcement has not been carried out more forcefully by the services responsible for it. It is not unusual for one of the ineffective SIAs to point up to my window. Whilst not all neighbours mind as much as me, many who do simply can't be bothered to report it. They see the extent I have gone to and the fruitless outcome and see it as a no-win situation. Again, I feel really disappointed that our community has been so let down.</p>
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Have you made an application for review relating to this premises before?

	Yes
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If yes, please state the date of the application

Application for a review of a premises licence or club premises certificate under the Licensing Act

	09/09/2017
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If you have made representations before relating to these premises please state what they were and when you made them

	I don't remember the exact date but myself and other residents made representations against the premises 2017 variance of licence which allowed them to extend the number of outside drinkers. This was based on excessive noise and their non-compliance with the 15 people clause allowed prior to that.
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Checklist

	I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate I understand that if I do not comply with the above requirements my application will be rejected
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Declaration (please read guidance note 5)

Applicant Full Name	██████████
Applicant or Applicant's solicitor or other duly authorised agent	
Date	15/06/2019
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Full name	██████████
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Address (please read guidance note 6)

Address Line 1	
Address Line 2	
Town	
County	
Postcode	
Telephone number (if any)	
Email	██████████

NTE Visits - Hawkes

A date	desc	A officer	Add text
14/07/2017	19:40 NTE Visit	Richard Kalu	TEN's Compliance check with Farhad Chowdhury as a Late Ten's had been rejected. Full inspection carried out with the duty manager [REDACTED] had designation authorisation as he did not have a personal licence. I was advised by Mr Millington that he had made an application for a personal licence to Southwark Council and he was waiting for his personal licence. When we arrived at the premises there were no patrons located at the front of the premises. Internally there were X 4 patrons seated at a table drinking. No live or recorded music being played internally within the premises.
15/07/2017	18:10 NTE Visit	Farhad Chowdhury	15/ 7/2017 FRC quiet nobody outside all peaceful.
21/07/2017	19:15 NTE Visit	Richard Kalu	Visit to premises with Farhad Chowdhury. No patrons located at the front of the premises drinking. No audible music heard from the front of the premises.
22/07/2017	17:45 NTE Visit	Farhad Chowdhury	22/ 7/2017 17:45 FRC nobody outside all quiet, raining heavy outside.
28/07/2017	20:50 NTE Visit	Richard Kalu	Visit to premises with John Uzodinma Okeke. Arrived at premises and no recorded music or background music audible from outside the premises. No patrons from the premises stood outside drinking or smoking.X2 patrons within the premises drinking. X3 members of staff within the premises. Designation authorization in place at the premises.
29/07/2017	21:20 NTE Visit	Richard Kalu	Visit to premises with John Uzodinma Okeke. No patrons located outside the premises drinking. No ASB witnessed ATOV.
12/08/2017	19:30 NTE Visit	Andrew Heron	Visit with Roy Fielding. Complaint received from local resident to Noise Team of people drinking outside contrary to licence. Visit - x27 people outside drinking. Spoke to Manager [REDACTED]. The licence has conflicting conditions that says can have x30 persons outside, other condition says no use - there is an ongoing issue with this and the licence will be re0issued.Advised as to the complaint, advised that the area needs to be managed better as is very noisy. There is an SIA staff member, but he was sat at the back of the premises - move him forward to the front.
25/08/2017	18:30 NTE Visit	Richard Kalu	Visits to premises with Farhad Chowdhury. No patrons located at the front of the premises drinking or smoking. No amplified music audible from the front of the premises. X8 patrons within the premises drinking.
26/01/2018	19:58 NTE Visit	Richard Kalu	Visit to premises with Clarissa O'Toole to carry out observations of premises. X5 patrons within the premises sat at a table drinking. No patrons located at the front of the premises. No ASB witnessed ATOV.

27/07/2018	18:00 NTE Visit	Richard Kalu	Visit to premises with Farhad Chowdhury to complete a full – licensing inspection. Premises was inspected and found to be fully compliant at the time of the visit. No patrons were located at the front of the premises ATOV. Full inspection completed with [REDACTED] – [REDACTED].X8 conditions on premises licence in relation to control of patrons which may affect the external parts of the premises (detailed below).340 That customers shall not use any outside area to the front of the premises other than those who temporarily leave the premises to smoke, and no more than 5 people shall be permitted to do so at any one time. No drinks shall leave the premises other than off sales that are sold in a sealed container for consumption away from the premises.341 That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.342 That external waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00and 20.00.311 That clearly legible signage shall be prominently displayed at all exits where it can easily be seen and read, requesting that customers leave the premises in a quiet and orderly manner that is respectful toneighbours.343 That noise from plant, patrons and activities at the premises shall be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises.344 That all external doors and doors to noise lobbies used by patrons to enter the premises shall have self-closers to the doors in accordance with BS 6459 Pt. 1 1984.349 The written dispersal policy provided shall be kept at the premises with the licence and made available for inspection by authorised officers.350 That clear legible signage shall be prominently displayed where it can be easily seen and read, requesting that alcohol sold as off sales.
28/07/2018	20:15 NTE Visit	Farhad Chowdhury	28/ 7/2018 20:15 FRC seen cctv has footage for 31 days all compliant.
19/10/2018	19:10 NTE Visit	Andrew Heron	NTE visit with Clarissa. Met Manager [REDACTED]. Discussed the complaint - they are working hard to make sure that people stay within the designated area. Says that there are problems with people walking around the area with drinks from other premises. They know the resident that is making complaints against them. No issues during visit.
27/10/2018	18:46 NTE Visit	Andrew Heron	External observations. No one outside, apart from 1x SIA. Very cold, very quiet.
15/03/2019	21:00 NTE Visit	Richard Kalu	Visit to premises with Ken Andrews to carry out observations of the premises to check the premises is operating in line with the premises licence. Premises was being operated in accordance with licence ATOV. No licensing related breaches identified in the course of the observations of the premises specifically in respect of the external parts of the premises.
05/04/2019	22:30 NTE Visit	Charlie Jerrom	22:30hrs – Hawkes, 96 Druid Street, SE1 2QH (Observations)Visit with Richard Kalu. Observations made 8 people drinking outside noise levels were very loud. The noise finished at 22:40 and people either left or re-entered the premises. All quiet when we left at23:00.

12/04/2019	23:35 NTE Visit	Charlie Jerrom	
04/05/2019	22:49 NTE Visit	Charlie Jerrom	Visit to the premises with Farhad Chowdhury, premises were empty and being closed. Action: Append to APP
31/05/2019	22:10 NTE Visit	Andrew Heron	Observations from outside. No one outside, noted that there are barriers outlining the external area.
08/06/2019	22:55 NTE Visit	Charlie Jerrom	Visit to the premises with John Uzodinma and Maria O'Mahoney, observations of the outside area around 6 people gathered outside as they were asked to leave as the premises was shutting. We waited to see whether they would be dispersed away from the premises as the noise levels were becoming louder. The SIA staff then started to disperse as I got out the car to go have a word with the owner about dispersal of the patrons using there premises. I advised they get moved on straight away and not aloud to hang around. Notes to be appended on APP
21/06/2019	22:20 NTE Visit	Charlie Jerrom	Visit to the premises with Ken Andrews (EPT), we pulled up down the road and observed 3 people standing in the outside area, noise was moderate. Action: Append to APP
22/06/2019	22:40 NTE Visit	Charlie Jerrom	Visit to the premises with Farhad Chowdhury, 1 SIA door staff outside the premises, the outside area was clear. The premises were also quiet inside with only 10 customers. Action: Append to APP
28/06/2019	21:40 NTE Visit	Richard Kalu	Visit to premises to carry out observations of the external part so the premises with Farhad Chowdhury. No ASB witnessed ATOV and X20patrons located within the premises ATOV.
29/06/2019	21:40 NTE Visit	Charlie Jerrom	Visit to the premises with Kentura Dundas, we identified ourselves as council officers, we then did a full licensing inspection, conditions 345, 289 and 336 were in breach. I spoke with the manager at the time Amber Smith and asked if anyone at the premises held a personal licence as one should be on the premises at all times, she answered that the DPS had just left and none of the other staff held a personal licence. She then advised me that she had applied to Lewisham council and was just awaiting her card and number and could provide me with evidence from Lewisham council. I then stated that as she could not produce the personal licence she should cease selling alcohol. Action: Warning Letter

Hawkes

Breaches of licence condition noted by applicant for the review

date	Notes of breaches	Video/audio
Saturday 1 June - Hawkes Cidery - 18:30	<ul style="list-style-type: none">• 349 - Noise not managed• 840 - Over 25 people in outside drinking area• Large stag party drinking outside Arnold Estate Flats - despite outside drinking area being demarcated (clearly makes no difference)• 842 - No SIA intervention• 845 -Premises telephone not manned• *Noise team called at 18:35 (their system was down, reference Nancy)	
Saturday 8 June	<p>342 - External waste handling (bottles) must happen between 08:00 - 20:00, <u>not 23:10</u></p> <p>343 - Noise not managed*</p> <p>357 - Designated area must be cleared of customers after 22:00*</p> <p>*Both 343 and 357 ceased after intervention from 3rd party. Other customers remained speaking loudly outside until 23:20 before eventually being asked to move on</p>	

<p>Sunday 9 June</p>	<p>343 - Noise not managed and made worse by doors open all day long with customers sat by doors, conversations audible even with radio etc.</p>	
<p>Sat 22 June</p>	<ul style="list-style-type: none"> • 343 - Noise not managed • 355 - Customers outside designated area (Hawkes customers, aren't drinking but conversations audible for several minutes from inside with windows closed) 	<p>audio</p>
<p>Saturday 29 June 2019</p>	<ul style="list-style-type: none"> • 343 - That noise from plant, patrons and activities at the premises shall be managed to ensure that public nuisance shall not be caused in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive premises – The doors are constantly open so the outside drinker and cumulative noise competes with the amplified noise from inside. • 355 - Customers outside the premises are only permitted to drink within the designated outside area (as hatched on the attached plan). • 362 -In addition to the condition above, 	

	<p>at all times SIA provision is to be risk assessed by the premises licence holder to ensure that sufficient door supervisors are employed to effectively control outside drinking during busy periods, to ensure the conditions on the premises licence are complied with and to promote the licensing objectives. In any event, the designated outdoor area must be monitored by staff whenever it is in use.</p> <p>The photo and video include an example of cumulative impact with men noisily playing frisbee down the street and customers increasingly gathering noisily outside of demarcated area.</p>	
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Following breaches sent via WeTransfer in video, photo and voice memo (attached here).

Saturday 1 June - Hawkes Cidery - 18:30

- 349 - Noise not managed
- 840 - Over 25 people in outside drinking area
- Large stag party drinking outside Arnold Estate Flats - despite outside drinking area being demarcated (clearly makes no difference)
- 842 - No SIA intervention
- 845 -Premises telephone not manned
- *Noise team called at 18:35 (their system was down, reference Nancy)

Hawkes

Saturday 8 June

342 - External waste handling (bottles) must happen between 08:00 - 20:00, not 23:10

343 - Noise not managed*

357 - Designated area must be cleared of customers after 22:00*

***Both 343 and 357 ceased after intervention from 3rd party. Other customers remained speaking loudly outside until 23:20 before eventually being asked to move on**

Sunday 9 June

343 - Noise not managed and made worse by doors open all day long with customers sat by doors, conversations audible even with radio etc.

Hawkes - Saturday 22 June

- 343 - Noise not managed
- 355 - Customers outside designated area (Hawkes customers, aren't drinking but conversations audible for several minutes from inside with windows closed)