

APPENDIX C

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A

Fielding Street Residents' Association

The Licensing Service
C/O Southwark Environmental Health and Trading Standards
The Chaplin Centre
Thurlow Street
London, SE17 2DG

16 April 2010

RECEIVED
16 APR 2010

Dear Licensing Team,

BANANA'S BAR, 374 WALWORTH ROAD SE17 2NF

Objection to application to extend opening hours and hours for provision of alcohol, refreshments and live entertainment

Fielding Street Residents' Association has held an emergency general meeting. We object to the above application on the grounds of the prevention of nuisance and the prevention of crime and disorder.

The houses on the south side of Fielding St overlook the Bar and the area of the Gateway Estate behind the bar where there is parking and an open space surrounded on three sides by wall. Any sound from this area is transmitted to our houses very clearly. Residents have noticed increased noise late at night in recent months, from music inside the Bar, from patrons outside the Bar, from people arriving and leaving in cars and motorbikes and from the music coming from those cars. Residents have also observed brawls outside the Bar, an increased numbers of people hanging around and men using the area as a urinal, exposing themselves in the full view of the windows at the back of our houses. Residents close to the Bar now keep their windows closed and close the shutters to block out the noise and the unwelcome sights.

If the extensions are approved we fear the following:

1. Further changes for the worse – it is becoming a threatening environment
2. A worsening of the noise late at night and in the early hours of the morning from people and cars outside
3. A worsening of noise late at night and in the early hours of the morning from the live music inside the building, which is an insubstantial building for this use,
4. Suspected use of the area by drug dealers

5. A worsening of the number of brawls and fights outside the Bar
6. A worsening of the indecent behaviour already happening – men using the area in the Gateway Estate just behind the Fielding St houses as a urinal – clear view from all the windows from the back of the south side of Fielding St

The Residents' Association asks that the application for extension of hours is refused.

I attach the minutes of our Emergency General Meeting. We will canvass the views of residents who are currently away and may provide further points next week.

Yours sincerely,

[REDACTED]

Committee Member, Fielding St Residents' Association

[REDACTED]

FIELDING STREET RESIDENTS' ASSOCIATION

MINUTES OF AN EMERGENCY GENERAL MEETING HELD ON 14 APRIL 2010

Present:



Apologies: [REDACTED] (Secretary of Committee)

Background: The meeting was called as it had been noticed that Banana's Bar had applied to extend their hours for opening, for the provision of live entertainment, for provision of alcohol and for the provision of refreshments.

Notes of meeting

Olivia Carlton welcomed attendees. The meeting opened with a general discussion of what residents' current experiences are of the Banana's Bar.

Those living just across from the Bar have noticed much more noise late at night over the last year. The music from inside the bar can be heard throughout the house with the windows closed; the relentless "thump, thump, thump" of music with a strong beat is felt physically as well as heard, even when residents are in bed. There have been a number of brawls, lot of women shrieking late at night (sounding very distressed) and much more use of the area in the Gateway estate round the back of Banana's Bar as a urinal. There have been many more people hanging around late at night and in the early hours of the morning. Residents have often been woken from sleep especially on Friday nights by a scream or a shout. The vehicles pulling up, playing their music, is also very disruptive. There have been a lot of extra cars parked on the edges of the designated parking spaces just behind the Fielding St houses in the Gateway car park late at night.

[REDACTED] reported that she now closes the shutters during the day and in the evening so that the people smoking on balcony can't see in. She and Cao also have to close their windows much more than a year ago in order to block out the noise. She also reported observing:

- Use of the balcony area for smoking
- Use of the balcony area for barbecues
- Use of the open area as a public urinal
- Use of drugs

██████████ and ██████████ reported that they had each sent in a complaint about the use of the roof terrace balcony last year for barbecues and had finally received a reply only earlier this week stating that the use was for personal use only of the residents and therefore not subject to licensing action. Lisa stated that she believed that the roof terrace is being used by punters of the Bar. They go out there to smoke and she has seen lots of barbecues out there. No-one can have that many friends!

It was agreed that it is important to get some photographic evidence. ██████████ agreed to ask ██████████ if he could help.

██████████ reported that she had been in discussion about the situation with residents of the Gateway Estate. They were raising a petition, and were very unhappy about the current opening hours and noise, never mind any extension of hours.

██████████ reminded the meeting of the difficulties when the premises were a pub called Liam Ogs. At that time the proprietor applied to use the first floor terrace (the roof terrace or balcony) for public use of the public house. He was granted temporary permission in 1993, with certain conditions imposed at a later point, but the noise generated and the invasion of privacy of the residents of Fielding St led to planning permission being refused in September 1995. It was agreed that the reference will be noted in the minutes. (LBS Reg no:95/618; Case No TP/1065-374/AJF)

Several residents discussed how the ground area of the Gateway Estate at the back of the Bar which is adjacent to the back of the Fielding St houses is like an amphitheatre. The sound travels clearly – every word can be heard and loud noise almost sounds as though it is amplified.

Key Concerns if the extension is approved

1. Further changes for the worse – it is becoming a threatening environment
2. A worsening of the noise late at night and in the early hours of the morning from people and cars outside
3. A worsening of noise late at night and in the early hours of the morning from the live music inside the building – insubstantial building for this use,
4. Suspected use of the area by drug dealers
5. A worsening of the number of brawls and fights outside the Bar
6. A worsening of the indecent behaviour already happening – men using the area in the Gateway Estate just behind the Fielding St houses as a urinal – clear view from all the windows from the back of the south side of Fielding St

It was agreed that it is important to send an email saying that we will be sending a fuller letter once we've had the chance to canvass views of more residents.

██████████ agreed to do this.

The meeting agreed that whatever is the outcome of this application for an extension of hours, FRSA would like to see the existing hours reduced.

██████████ thanked everyone for coming and the meeting was closed at 8.30pm.

Party B

From: [REDACTED]
 Sent: 13 April 2010 21:59
 To: Regen, Licensing
 Subject: BANANA'S BAR, 374 WALWORTH ROAD SE17 2NF

Dear Licensing Team,

I am emailing to object to the application for extended opening hours during the week and at weekends for the above premises, for the sale of alcohol and refreshments and the provision of live entertainment. My objection is primarily on the grounds of nuisance and also on the grounds of the prevention of crime and disorder.

The bar is surrounded by residential properties. The parking area, in the Gateway Estate, behind the Bar, is directly in front of my bedroom window. That area is like an amphitheatre; it is surrounded by blocks of flat and the houses on the south side of Fielding St; every noise made is clearly transmitted. I find late night noise distressing. Recently there has been a noticeable increase in noise coming from the Banana's Bar building itself late at night and there have been a number of fights outside, which I understand have been between patrons of the Bar. Extending weekend hours to 4am (and 2.30am on Sundays) will exacerbate this situation on several counts. The live entertainment is likely to be noisy in itself. The patrons will be arriving and leaving during all the evening, night and early morning hours. Some will congregate in the large area in front of my bedroom window and some will have drunk alcohol and are likely to be noisy. Many may park there and the coming and going of cars and motorbikes will add to the nuisance. I believe that my sleep will be disturbed on a very regular basis and my sense of pleasure in living where I do will be seriously reduced.

You are of course aware of Southwark Council's policy in relation to licensing: **Our policy recognizes the growing value and importance of Southwark. It seeks to provide necessary balance between providing a platform upon which responsible business operators may contribute toward a thriving business and late night economy while ensuring that the quality of life of those who live and work in the borough is protected and enhanced through the licensing system.**

It is my belief that if this application is approved, my quality of life will not be protected and enhanced; it will be seriously reduced.

Yours sincerely,

[REDACTED]
 [REDACTED]
 [REDACTED]

14/04/2010

PART 7 C

[REDACTED]
[REDACTED]
Telephone and Fax: [REDACTED]
Email: [REDACTED]

13 April, 2010

Dear Sirs,

RE: BANANA'S BAR, 374 Walworth Road, London SE17 2NF

I am writing to object to the proposed extension to the licensing hours for Banana's Bar as I believe they will have a very adverse effect on the local community. While the front of the Bar is on the Walworth Road, the back where most music events take place is in fact in a densely populated residential area comprising the Gateway Estate, Empress Street and Fielding Street. A number of flats and houses are within a hundred feet of the thin-walled extension used by the Bar, many much closer than that. The level of noise from the music and the comings and goings of patrons of the Bar around the back and car park area will have a detrimental effect on many lives.

Even with the current licensing arrangements, I can hear music from the bar in my bedroom when the windows are closed. There has also been a marked increase in the amount of noise and drunken behaviour from departing revellers. I have lived in my house for 33 years so accept a certain level of night-noise is part of Walworth life. However, the noise levels from the Bar are already pushing the boundaries and the extended licensing hours combined with warmer weather could potentially create an intolerable level of disruption for the local community.

I only discovered about these proposal by chance yesterday when I spotted a notice completed in hand and above eye level on the Walworth Road front of the Bar. There are no notices on the back nor has any information been sent to local resident and tenants association about these important changes. I am informed by the Licensing Department that correct procedures have been followed and I accept that. However, I would like to register my concern that most local people have, so far as I can tell, no idea of what potentially is about to hit them.

Yours faithfully,

[REDACTED]
[REDACTED]

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13 APR 2010

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[REDACTED]

From: [REDACTED]
Sent: 14 April 2010 12:39
To: Regen, Licensing
Subject: Objection to proposed extension of Banana's Bar license

To: Southwark Council licensing service

14 April 2010

Dear Sir / Madam

I live at Fielding Street, Walworth (full address below), close to the Banana's Bar, 374 Walworth Road. I would like to object to the bar's application to extend its licensing hours to 4am on Fridays and Saturdays and 2.30 am on Sundays.

There have been a number of noisy incidents and fights caused by the patrons of this establishment, creating a nuisance and also potentially a threat to public safety. This not only affects the residents of Fielding Street but also the Gateway Estate where there are a number of young children and elderly residents who must also be affected.

I would ask you to please consider refusing the extension of Banana Bar's licence.

Yours sincerely

[REDACTED]

PARTY E

[REDACTED]

From: [REDACTED]
Sent: 14 April 2010 22:09
To: licencing@southwark.gov.uk
Subject: objection to Banana Bar Walworth Road application to extend licence

Dear Sir/Madam,

Please take this email as residents ([REDACTED]) of [REDACTED] objection to Banana Bar's (374 Walworth Road) application to extend its licence.

My residence is directly opposite the bar's balcony and therefore I have a realistic picture of the impact it has on the direct community.

I understand objections must be on one or more of the following grounds:

- *The prevention of crime and disorder
- * Public safety
- *The prevention of nuisance
- * The protection of children from harm

I feel that the following objections fall under these grounds:

- * Both myself and my partner have noticed an increase in noise in the past year but which has steadily increased in the last six months. This noise has taken the form of music from the Banana Bar premises, car stereos as a result of drivers using Banana Bar, arguments, fights, distressing screaming from females (on occasion screaming at males to leave them alone) and general gathering of large groups of individuals. This noise is further increased as the position that the bar is in (sound echo's and travels throughout the gateway estate). This noise is much worse at night and during the early hours particularly on Friday and Saturday. This directly impacts on us as we have to keep our windows closed but can still hear the noise. It also wakes us up in the early hours and is distressing and makes us feel uncomfortable and threatened in our own home.
- * The square area outside the balcony area of Banana Bar is now frequently used as a urinal as a direct result of Banana bar. This results in men frequently exposing themselves to me as I have a direct view from my property. Additionally, children play in this area.
- * Large groups of individuals now meet in this area which makes me feel uncomfortable as I believe that these are not innocent meetings and the meetings are often littered with foul language. This results in me having to keep my shutters and windows locked at all times, effectively making me a prisoner in my own home.
- * The balcony area is used very frequently and this also is not a suitable situation.

Should you need further clarification or would like to discuss any of the above points in more detail please do contact me.

[REDACTED]

Get a free e-mail account with Hotmail. Sign-up now.

PARTY F

From: Régen, Licensing
Sent: 16 April 2010 16:33
To: Mills, Dorcas
Subject: FW: Objection

From: [REDACTED]
Sent: 16 April 2010 15:36
To: Regen, Licensing
Cc: [REDACTED]
Subject: FW: Objection

Hi,

I would like to object to a late license being given to Banana's Bar, 374 Walworth Road, to extend it's opening hours to 4am on Fridays and Saturdays, and to 2.30am on Sundays.

I make my objection on the grounds that these extended opening hours will become a nuisance for ourselves and other residents in Fielding Street and the surrounding area. At the moment there can be a lot of noise from people coming out of the bar late at night and drunk, for example one evening there were two girls crawling across the road as they were too drunk to walk. There have also been some fights involving people coming out of the bar in recent weeks. I am concerned that extended opening hours would cause further nuisance to local residents, later into the night.

That is not to say that there isn't room for nightlife on the Walworth Road, but it's hard to see any other result from a 4am license for this type of venue than incredibly drunk people suddenly hitting the streets at the very early hours in the morning.

Kind Regards,

[REDACTED]

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PART 4 G

Gateway
London
SE17 3UE

15 April 2010

Dear Licensing Team

Banana's Bar, Walworth Road

We are sending in the attached petition from the tenants of the Gateway Estate to protest about the proposed extension to the licensing hours at Banana's Bar.

Even the current licensing hours until 1am are causing a lot of disruption to our lives, especially of the people who live nearest to and directly overlook the entrance to the bar. Customers are out on the street smoking until the early hours and fights have taken place directly below our bedroom windows.

The music is noisy at weekends and many people are also urinating around our block of flats. There is a noticeable increase in drug dealing in the area and many more people hanging around our block.

All this nuisance has increased since Banana's Bar changed ownership last year and we were intending to petition about the present licensing hours, so we were shocked to find that there was an extension proposed.

We strongly oppose the extension as there is considerable nuisance at present and this would only increase. In addition we suspect that crime in the area is increasing as a result of bringing more people around our flats late at night. Also the bar is keeping us and our children awake through noise from music, fights and generally loud noise from people leaving the bar after midnight.

Yours sincerely



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18 APR 2010

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