

Party 1

29th March 2021

Licensing ('licensing@southwark.gov.uk')
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Sir / Madam,

I am writing to you to make representation to refuse a new licence being granted to Victory Sports Bar at 516 First Floor Old Kent Road (licence number 874320) as the surrounding area is heavily residential (*including the building opposite my residence; 'John Penry House', an over 55's single occupancy residential property*).

My representation is based on three of the licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident, having lived in Howson Court for four and a half years, and have been plagued by the disturbances caused by late night venues at the same address. As you can see from my neighbour [REDACTED] supporting documentation, these problems are not venue specific, as late-night venues at these addresses have been causing disruption in our neighbourhood for the last 12 years. It simply does not mean anything for the name to change as the same problems will persist.

These numerous disturbances cause serious distress to myself and to my neighbours, and we feel ignored when the council persists in granting new licences at the same venue.

Since the venues at these premises have been closes due to lockdown which is now over a year there have been no instances of violence, drug taking, urinating in the street, littering and all other anti-social behaviour that the late-night venues at these addresses attract and this is how we want things to be when we all return to normality.

Please see photos below of the anti-social behaviour that occurred both at and around the venues when they were allowed to open. As a woman coming home alone on the bus in the evening, I found this behaviour particularly distressing, especially as I usually had to walk thorough or around groups of people loitering on Malborough Grove before entering the premises. In light of recent events in London, the prospect of having to do this again is even more worrying.

A quick google search on the venue ran by the same company in Duke St Hill and a review of comments from patrons around lack of enforcement of COVID rules, violence and other anti-social behaviour just re-enforces why a late-night licence should not be granted.

In closing please allow us to continue to have a happy and healthy community by rejecting this new licence.

Your Sincerely,

Figure 1:



Figure 2:



Figure 3:



Figure 4:



Figure 5:



Figure 6:



Figure 7:



Figure 8:

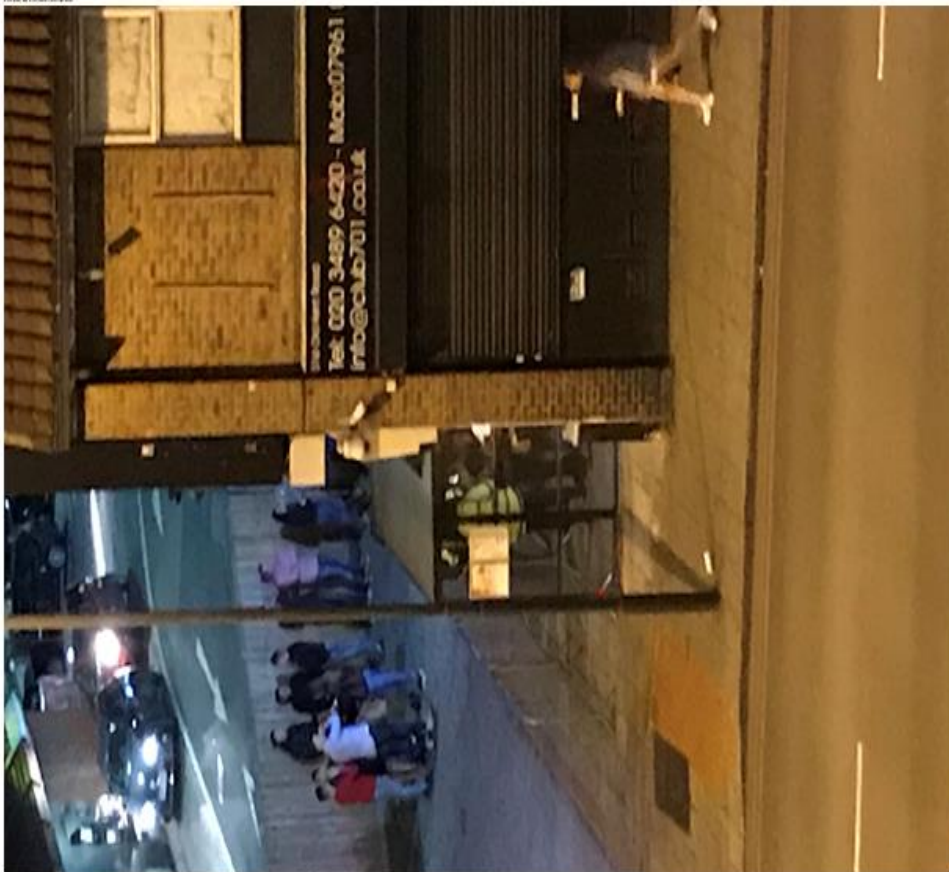


Figure 9:



Parties 2 & 3

29th March 2021

Licensing ('licensing@southwark.gov.uk)
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Sir / Madam,

We are writing to you to make representation to refuse a new licence being granted to Victory Sports Bar at 516 First Floor Old Kent Road (licence number 874320) as the surrounding area is heavily residential (*including the building opposite where we reside 'John Penry House' being an over 55's single occupancy residential property*).

Our representation is based on three of the licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

We are local residents and have lived in Howson Court for four and a half years and have been plagued by the disturbances caused by late night venues at the same address. This evidences a systemic issue with late night venues in general and we are certain it will persist despite a change in the name of the venue. These disruptions include:

- Blaring music from their vehicles as patrons have pre and post venue parties.
- Illegal parking.
- Fighting / assaults of others.
- Allowing BBQs outside their venues.
- Large gatherings of people on Marlborough Grove drinking alcohol, taking drugs and inhaling gas canisters in the street using our building and the surrounding buildings as trash bins.
- The litter from these activities such as broken glass and drug paraphernalia is frequently left in the street.

All these disruptions cause serious distress to us and to our neighbours and we feel repeatedly ignored when the council persists in granting new licences at the same venue. In particular the late night disturbances from the loud music and when walking out the next day with our two year old and new-born baby and having to avoid broken glass. We are aware that some of our neighbours having been verbally threatened when challenging this behaviour.

Since the venue has been closed for over a year due to lockdown there have been no instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that the late-night venues at the address attract. This is how we want things to be when we all return to normality.

A Google search on the venue run by the same company in Duke St Hill and a review of comments from patrons around lack of enforcement of COVID rules, violence and other anti-social behaviour reinforces our argument as to why a late-night licence should not be granted.

In closing, given these issues that have an ongoing impact on the street and local community please allow us to continue to have a happy and healthy community by rejecting this new licence.

Your Sincerely

and

Party 4

29th March 2021

Licensing ('licensing@southwark.gov.uk)
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Sir / Madam,

I am writing to you to make representation to refuse a new licence being granted to Victory Sports Bar at 516 First Floor Old Kent Road (licence number 874320) as the surrounding area is heavily residential (*including the building opposite where I reside 'John Penry House' is an over 55's single occupancy residential property*).

My representation is based on three of licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident and have lived in Howson Court for 4 years and have been plagued by the disturbances caused by late night venues at the same address and you will see this is not venue specific as late-night venues at these addresses have been causing havoc in our neighbourhood for the last 12 years which you can see in the supporting PDF's in my email, it simply does not mean anything for the name to change the same problems persist.

All these disturbances cause serious distress to myself and to my neighbours and we feel repeatedly ignored when the council persists in granting new licences at the same venue.

Since the venues at these premises have been closes due to lockdown which is now over a year there have been no instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that the late-night venues at these addresses attract and this is how we want things to be when we all return to normality.

I have attached photos from over the last few years from these venues and the same thing is going to happen again which I am sure other residents were saying 5 years and 10 years ago when these venues were previously changing hands when they were overruled and then we had the same problems all over again and enough is enough now.

A quick google search on the venue ran by the same company in Duke St Hill and a review of comments from patrons around lack of enforcement of COVID rules, violence and other anti-social behaviour just re-enforces why a late-night licence should not be granted.

In closing please allow us to continue to have a happy and healthy community by rejecting this new licence.

Your Sincerely,

Figure 1:



Figure 2:

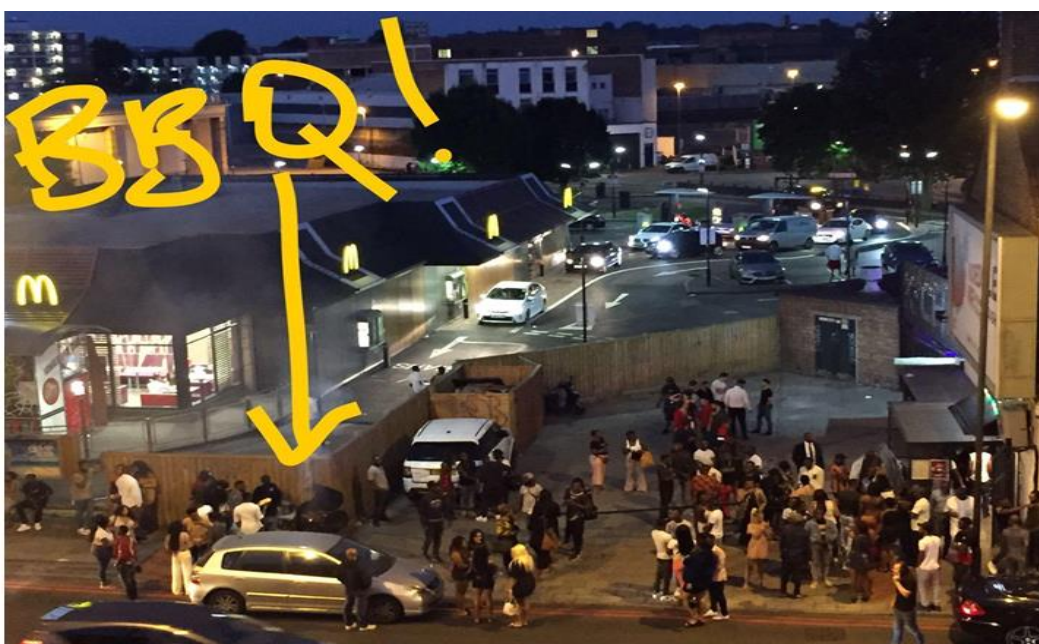


Figure 3:

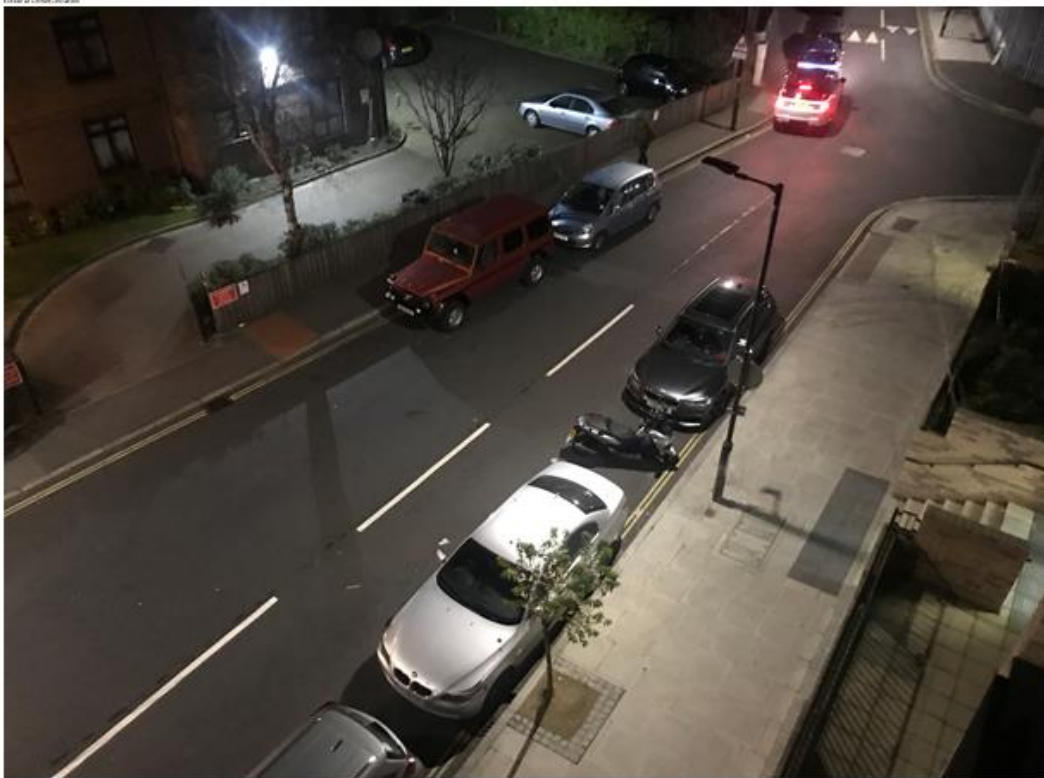


Figure 4:



Figure 5:



Figure 6:



Figure 7:



Figure 8:



Figure 9:



**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 partially 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 strenuous 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 perversly I think that (given my opinion on how this club is run) I believe to grant the variaton 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.

Party 5

On Wed, 31 Mar 2021 at 10:43,

wrote:

Hello

I am writing to make representation to refuse a new licence (number 874320) being granted to Victory Sports Bar at 516 First Floor Old Kent Road as the surrounding area is heavily residential.

My representation is based on:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident and have lived in Howson Court since 2017 and have been disturbed by the late night venues formerly operating at the same address.

Since the venues at these premises have been closed due to lockdown there have been no instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that the late-night venues at these addresses attract and this is how we want things to be when we all return to normality.

A quick google search on the venue ran by the same company in Duke St Hill and a review of comments from patrons around lack of enforcement of COVID rules, violence and other anti-social behaviour just re-enforces why a late-night licence should not be granted.

In closing please allow us to continue to have a happy and healthy community by rejecting this new licence.

Kind Regards

From:

Sent: Wednesday, March 31, 2021 10:46 AM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Re: Licence 874320 objection

I should have added my details sorry

owner of

Party 6

Ms
Flat Howson Court
525 Old Kent Road
London
SE1 5XQ

30th March 2021

Licensing ('licensing@southwark.gov.uk')
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Sir / Madam,

I am writing to you to make representation to refuse a new licence being granted to Victory Sports Bar at 516 First Floor Old Kent Road (licence number 874320) as the surrounding area is heavily residential (*including the building opposite where I reside 'John Penry House' is an over 55's single occupancy residential property*).

My representation is based on three of licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident and mother of a young son. For the past 4 years I have lived in Howson Court and been distressed by the violence, drug paraphernalia, noise and unacceptable behaviour of clientele at the clubs at that address. My young son has picked up drug paraphernalia that has been left on our steps by people going to these establishments. It is dangerous and unacceptable in an area which is so close to schools. It does not mean anything to change the name of these clubs this problem continues to persist and it feels like the council does not care about its residents to allow this. How would you feel if your young children had to step over puke, broken glass and drug paraphernalia to leave your home at the weekends?

All these disturbances cause serious distress to myself and to my neighbours and we feel repeatedly ignored when the council persists in granting new licences at the same venue.

Since the venues at these premises have been closed due to lockdown which is now over a year there have been no instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that the late-night venues at these addresses attract and this is how we want things to be when we all return to normality.

In closing please allow us to continue to have a happy and healthy community by rejecting this new licence.

Your Sincerely,
Ms

Party 7

31 March 2021

Licensing | licensing@southwark.gov.uk
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Madam/Sir,

I'm writing to make representation to refuse a new license being granted to Victory Sports Bar at 516 First Floor Old Kent Road, license number 874320.

I live directly opposite the premises in question, and have been plagued by noise, litter, and anti-social behaviour from nightclubs since I moved here in 2016. After numerous complaints, sleepless nights, police call-outs, and immense effort on the part of myself and my neighbours, the previous nightclubs finally had their licenses revoked. We're all extremely disappointed to see another application for a nightclub being put through.

This area is simply not appropriate for a late-night venue due to its residential nature. More new local residences are currently being constructed, and more still are set to appear in the coming years, as specified in Southwark council's Old Kent Road Area Action Plan (referenced below). I believe it's even more important that we prohibit more such risk, damage and nuisance to the community.

Old Kent Road AAP: <https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/area-action-plans-section/old-kent-road-aap>

Having a late-night venue in this area affects local lifestyles on a daily basis. It's unacceptable for us to have our sleep regularly disturbed by loud music, shouting, and people using our entryways for drinking, smoking and drugs. Not even the most conscientious venue would be able to control the noise problems - this area just doesn't work for a nightclub.

We shouldn't have to wade through laughing gas canisters, empty drinks bottles, mounds of cigarette ends and smelly takeaway cartons when we step outside of our homes. The broken glass in particular is a problem as I literally have to sweep it out of the way to walk my dog to the park. I know my neighbours with small children worry about dangerous litter such as drug paraphernalia too. On weekend mornings after a busy night for the clubs, the whole area smells like a urinal, particularly the area in front of the over-55s retirement home across the road, which makes me very sad.

Safety is my main area of concern. As a single woman, I feel extremely unsafe about the violent crime brought to my doorstep by late night venues. I don't deserve to be harassed or threatened by men or large groups of people on my way to and from my front door. I've

witnessed numerous fights including a domestic abuse incident, where people have been injured (quite seriously, in some cases), which is stressful and upsetting.

Due to the proximity of the premises to the A2 (Old Kent Road), I've also witnessed some gut-wrenching near misses between drunk people and passing traffic. Considering that the front door is perhaps 5-10 paces from this 40mph A-road, I'd suggest that it would be irresponsible to have a drinking venue here.

With inclusivity in mind, I believe a sports bar is the last thing this community needs. A sports centre, for example, would attract a more varied demographic of ages, races, and genders, and would support the health of the community, rather than act to its detriment.

Since the previous nightclubs had their licenses revoked, life here has been much safer & more pleasant. For the health, peace, and sanity of myself and my neighbours, please reject this license application!

Sincerely,

Party 8

31th March 2021

Licensing ('licensing@southwark.gov.uk)
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Sir / Madam,

I am writing to you to make representation to refuse a new licence being granted to Victory Sports Bar at 516 First Floor Old Kent Road (licence number 874320) as the surrounding area is heavily residential (*including the building opposite where I reside 'John Penry House' is an over 55's single occupancy residential property*).

My representation is based on three of licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident and have lived in Howson Court for 4 years and have been plagued by the disturbances caused by late night venues at the same address and you will see this is not venue specific as late-night venues at these addresses have been causing havoc in our neighbourhood for the last 12 years which you can see in the supporting PDF's in my email, it simply does not mean anything for the name to change the same problems persist.

All these disturbances cause serious distress to myself and to my neighbours and we feel repeatedly ignored when the council persists in granting new licences at the same venue.

Since the venues at these premises have been closes due to lockdown which is now over a year there have been no instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that the late-night venues at these addresses attract and this is how we want things to be when we all return to normality.

I have attached photos from over the last few years from these venues and the same thing is going to happen again which I am sure other residents were saying 5 years and 10 years ago when these venues were previously changing hands when they were overruled and then we had the same problems all over again and enough is enough now.

A quick google search on the venue ran by the same company in Duke St Hill and a review of comments from patrons around lack of enforcement of COVID rules, violence

and other anti-social behaviour just re-enforces why a late-night licence should not be granted.

In closing please allow us to continue to have a happy and healthy community by rejecting this new licence.

Your Sincerely,
[Same name given as party 4]

Figure 1:



Figure 2:



Figure 3:



Figure 4:



Figure 5:



Figure 6:



Figure 7:



Figure 8:

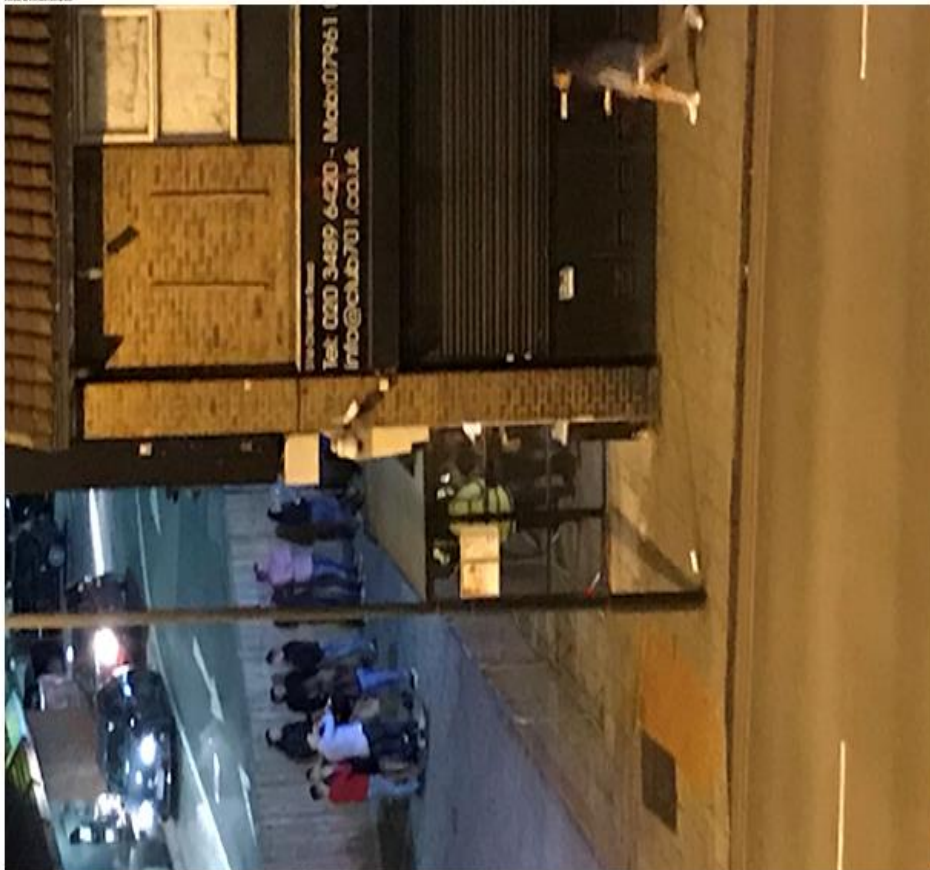


Figure 9:



Party 9

From:

Sent: Wednesday, March 31, 2021 4:29 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Representation To Refuse A New Licence to Victory Sports Bar, 516 First Floor Old Kent Road (licence number 874320)

Dear Sir / Madam,

I am writing to you to make representation to refuse a new licence being granted to Victory Sports Bar at 516 First Floor Old Kent Road (licence number 874320).

My representation is based on three of licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident and have witnessed numerous incidents at the proposed site including instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that the late-night venues at these addresses attract. Things have been a lot better since the licence of the current venue has been revoked and so hope this licence is refused.

Your Sincerely,

Address

Date: 31st March 2021

Party 10

From:

Sent: Wednesday, March 31, 2021 4:57 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: 874320

Dear Licensing Team Southwark,

I would like to lodge an objection to the proposed Victory Sports Bar at 516 Old Kent Road. I have two young children and live in the flats opposite the club. This area is residential and populated by many young families. To have a club open until 3am Sunday to Wednesday and 5am Thursday to Saturday would be completely inappropriate. There is an open outdoor space outside the club and next to the 24 hr McDonalds where customers to the Sports Bar are likely to congregate at closing time causing significant disruption to local residents. When the venue was open in its previous form there were frequent disturbances, large crowds of intoxicated people congregating opposite and immediately outside our flats and the area was frequently littered with alcohol bottles and cans and drug debris after a club night. It is natural to assume that the same will happen and I would very much like to avoid this.

Kind regards,

31.03.21

Party 11

From:

Sent: Wednesday, March 31, 2021 9:49 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: Objection: 874320 – Victory Sports Bar

Hello,

My name is: _____ ,

My Address is:

My email is:

I am writing to raise objection to the following license number: 874320 – Victory Sports Bar

I am objecting due to:

1. Prevention of Public Nuisance – the opening hours extend to between 3.00am and 5.30am on various early mornings through the week, and the building is located directly opposite this residence,
2. Public Safety – the plans seem to imply that access will be gained via the Old Kent Road forecourt and directly onto a Red Route.
3. Prevention of Crime & Disorder – issues potentially include cars stopping directly on the Old Kent Road, litter being left outside and (in some instances) on Howson Court, and loud noise outside the front of the club.

Also, the measures suggested within this application appear to be generic. As with previous similar applications, they fail to address location-specific issues that effect this residence.

Regards,

Party 12

31 March 2021

Licensing ('licensing@southwark.gov.uk')
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Sir / Madam,

I am writing to you to make representation to refuse a new license being granted to Victory Sports Bar at 516 First Floor Old Kent Road (*License Number: 874320*); *as the surrounding area is heavily residential.*

My representation is based on three of licencing objectives under the 2003 Licensing Act:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

I am a local resident and have lived at the above address (on the XXX floor; facing the main road); since October 2016; and over the past five years, I have had many disturbed Friday and Saturday nights caused by late night venues at the same address and you will see this is not the venue specific for as late night venues a these address having causing havoc in our neighbourhood for a few years.

Some of the disturbances include:

- Gatherings of people right outside of our property, taking drugs ; drinking alcohol; and inhaling gas canisters in the street and using the property as rubbish bins.
- Deafening music from their vehicles as clubbers have before and after parties.
- Vomiting & urinating on the street and outside of our property.
- Smashed bottles on the ground by the clubbers.
- Allowing BBQ's outside the premises
- Traffic jam causes by vehicles stopping by for the BBQ's.
- Fighting /shouting & screaming.

All these disturbances cause serious distress to myself and my neighbours and we really feel repeatedly ignored when council persists in granting new licenses at the same venue.

Since the venues at these premises closed due to lock-down which is now over a year, there have been no instances of violence, drug taking, urinating in the street and all the other anti-social behaviour that late-night venues at these addresses attract and this is how we want things to be when we all return to normality.

A quick google search on the venue ran by the same company in Duke St Hill and a review of comments from patrons around lack of enforcement of Covid rules, violence and other anti-social behaviour just re-enforces why a late night licence should not be granted.

I am very much hoping that in the spirit of community and safety of the residents; you will reject this new license request and will allow our community to live in a much safer and healthier environment.

Yours Sincerely

Party 13

From:

Sent: Wednesday, March 31, 2021 8:34 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Kalu, Richard <Richard.Kalu@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>; graham.s.white@met.police.uk; Livingstone, Richard <Richard.Livingstone@southwark.gov.uk>; Akoto, Evelyn <Evelyn.Akoto@southwark.gov.uk>; Situ, Michael <Michael.Situ@southwark.gov.uk>

Subject: Representation To Refuse A New Licence to Victory Sports Bar, 516 First Floor Old Kent Road (licence number 874320)

Dear Southwark Council and Licensing Team

I would be very grateful if you could register my opposition to the application of Victory Sports Bar, 516 First Floor Old Kent Road (licence number 874320)

The history of venues at this location has plagued this residential community for many years. Many of us have lived in fear of our safety because of the violence and drug abuse it attracts to the area. Many of my neighbours have young children they worry for.

Southwark councillors and the committee supported our position in May 2020, when they finally revoked the licence of K-Che (the latest in a long string of badly managed venues at this location).

Our objections to a licensed venue returning to this location is not just about the history of violence and drug abuse. We are talking here about a residential area, with children, elderly and vulnerable residents living directly opposite the proposed venue for this establishment.

One of the residential homes I am referring to is John Penry House - operated by Southwark Council for elderly residents. How can it be permissible for a venue to operate late into the night directly opposite a old folks home? The history of this location shows its unacceptable, and we should actually learn from this.

If a licence is granted, I worry about how long it will be before the next serious episode of violence occurs. It could be even worse next time; where would we be left then?

We as residents are relying on you to protect us from the irresponsible and dangerous management of premises in our residential community. The vulnerable and elderly residents at John Penry House also deserve to be protected from the threat of crime and violence around their homes.

We have worked really hard to improve the local area and are looking forward to a bright future for Southwark. We need our Council to stand up for us.

I appreciate any support you can provide.

With thanks,

Party 14

From:

Sent: Wednesday, March 31, 2021 8:23 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: License Objection

Dear Licensing Team,

I would like to raise an objection to the licensing of the Victory Sports Bar.

Licence number: **874320**

This objection is on the grounds of prevention of crime and disorder, prevention of public nuisance, and public safety.

The club has previously been the source of several incidents of violence and anti-social behaviour requiring police intervention. In addition, their events cause lots of litter and drunken behaviour, and noise late at night disturbing residents in our block.

Thank you for your cooperation.

Kind regards,

Party 15

From:

Sent: Wednesday, March 31, 2021 8:22 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc: Kalu, Richard <Richard.Kalu@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Graham.S.White@met.police.uk; Livingstone, Richard <Richard.Livingstone@southwark.gov.uk>; Akoto, Evelyn <Evelyn.Akoto@southwark.gov.uk>; Situ, Michael <Michael.Situ@southwark.gov.uk>

Subject: Opposing - Victory Sports Bar - 516 First Floor, Old Kent Road (licence number 874320)

To whom it may concern:

I hope you are all well at Southwark Council.

I am writing to you today to oppose the current licensing application of Victory Sports Bar at 516 (First Floor) Old Kent Road - licence number 874320.

Venues at this premises have for many years been a painful and recurrent issue for residents living in the close vicinity. Forcing us to witness drug abuse, antisocial behaviour and violence on our literal doorsteps.

Not only do many young children live in my block of flats (Howson Court), but next door, John Penry House is home to many elderly and vulnerable residents. Nobody should not be made to feel unsafe in their own home.

Southwark councillors supported our opposition to this venue in May last year, by revoking the licence of K-Che, following a long-running series of disturbing violent events. In one, the police themselves were even attacked, by a mob of lawless patrons.

If a licence is granted, it is only a question of time before the next series of violence occurs. Safety of residents really must be the premier priority for the council, it's paramount.

Please protect our community from the recurrent irresponsible and dangerous management of these premises.

Thank you for your time.

King regards,

Party 16

From:

Sent: Wednesday, March 31, 2021 6:38 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Kalu, Richard <Richard.Kalu@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Cc: Graham.S.White@met.police.uk; Livingstone, Richard <Richard.Livingstone@southwark.gov.uk>; Akoto, Evelyn <Evelyn.Akoto@southwark.gov.uk>; Situ, Michael <Michael.Situ@southwark.gov.uk>

Subject: Representation To Refuse A New Licence to Victory Sports Bar, 516 First Floor Old Kent Road (licence number 874320)

Dear Madams, Sirs, Colleagues

Please see attached my representation, appealing for a refusal of the granting of a licence for **Victory Sports Bar 516 First Floor Old Kent Road (licence number 874320)**.

Given the history of the violence, crime and antisocial behaviour at clubs and bars at this venue (stretching back many years) - local residents are very concerned about this the prospect of it commencing again. **We have fought hard to start making these streets safer again and reducing noise pollution and it has taken us two or three years to achieve it** following our successful campaign to have the licence removed of the previous management at 516 Old Kent Road. We are now asking you to protect local residents and patrons again.

Attached is:

- 1: My formal letter of representation.
- 2: A photo evidence pack to go with this representation.
- 3: A statutory nuisance letter that was issued by Southwark Council.
- 4: A Public Reports pack for a Licencing Sub Committee in 2009 discussing the extension of licences at this location.
- 5: Extraction of the representations made by local residents from the 2009 hearing.

As before, my offer still stands - I would be pleased to show local Councillors our local area and meet with them to explain the problems we have been having. This case attracts a lot of media attention because of the violence the premises has historically attracted - we have a diverse group of residents, many of which are hoping to have their voices heard.

I'd be very grateful if there would be **time in any hearing for representation for local residents to be provided**.

With best wishes,

[REDACTED]

31st March

2021

Licensing ('licensing@southwark.gov.uk')
Health & Safety
3rd Floor 160 Tooley Street
SE1 2QH

Dear Madam / Sir

I am writing to make representation to refuse a licence being granted to Victory Sports Bar 516 First Floor Old Kent Road (licence number 874320).

As you will be aware, local residents in this area have been engaged in a 3-4 year campaign to make the streets in the Old Kent Road safer, and **protected from the inappropriate granting of licences to venues in residential areas such as ours.**

We recently had success, and worked with the Metropolitan Police to have the licence of the previous management of the First Floor 516 Old Kent Road removed (K Che Night Club). There were two reasons why this licence was revoked. 1: The management were seen to be in breach of the licence on multiple counts. 2: The venue's existence ran contrary to the aims of Southwark Council's own licencing aims of: prevention of crime and disorder; prevention of public nuisance; and public safety.

We object to application (*licence number 874320*) - on the grounds that:

- The application for this licence is in a **residential area**. There are schools nearby; a **Southwark Council run elderly residents' home directly opposite**; and multiple homes and estates.
- Clubs and bars at this location continuously attract noise, disruption, drug abuse, vomiting, anti-social behaviour, illegally parked cars in the streets and pavements. All of this takes place in the residential area where this nightclub is situation.
- The **hours being requested as part of this licence are unacceptable for a residential area**. When previous bars and clubs operated, local residents complained of noise issues and children being awoken in the night before school. There should be **no businesses operating late into the night** as suggested in this licence. Previous businesses on this site have shown the problem of that. Patrons leave the bar at 0400 in the morning en masse and cause huge disruption and wake everyone the elderly residents and us in the apartments directly opposite the venue.
- Loud and heavy bass from the music is a certainty throughout the nights that clubs at this venue operate. I have personally had to resort to having white noise playing

through speakers to drown out the sound the club produces. I know myself and local residents have missed out on many nights of sleep because of this. Residents struggle to keep windows open because of the noise - in the summer, this is particularly difficult.

- Many local residents with small children are affected by this and have complained that their kids lose sleep.

- I have often woken in the night to fights breaking out, Police being called, shouting on the streets. When the clubs at the venue finish for the night, their ability to disperse crowds is severely limited; and will often continue to drunkenly stay in the area, sometimes until 0600am. Occasionally I have gotten up for work and patrons are still sitting around outside drinking.

- On the nights that we know clubs at this venue will be operating, for local residents it certainly has a feeling of needing to 'lock down in our houses'. Often, residents rush home to ensure we do not run into patrons walking past our house to go into the Club.

- This is made worse by the fact that Marlborough Grove is the location of John Penry House, a residential home for older and vulnerable people. Some of the younger local residents (myself included) are genuinely anxious about the experiences that those in the residential home must be going through.

- **The Metropolitan Police have been clear that venues at this location are inappropriate as it is a residential area.** And this is worsened by the fact that patrons have been violent and disorderly. Despite warnings about the risk of violence, Southwark Counsellors permitted previous venues to operate, enabling future instances of violence and crime to take place. How many more incidents need to occur at this spot, and how many more elderly residents need to have their lives disrupted before Counsellors prevent this once and for all?

- When the next violent attack takes place (there has been plenty enough already), people will ask questions as to why it was permitted that why a location with such a terrible track record for holding club and bar venues was permitted to continue operating again. History will judge us for it.
 - Since December 2018 twelve crime reports of violent incidents had occurred associated with the premises including: four for grievous bodily harm, four for actual bodily harm, one assault on Police, one common assault, one robbery and a crime related incident for a fight inside the premises.
 - Why should this be permitted to continue?

- There is a genuine long-held history of complaints being raised. If you refer to (page 35 to 38) of the Licencing Sub-Committee November 25 2009 pack – you will see that 11 years ago, local residents were raising the same concerns over the management of venues at this location. Residents raised how the club encouraged people to park illegally, and that fighting and violence and drunkenness were rife in the area, putting residents of John Penry House under distress. It mentioned the heavy bass

and the antisocial behaviour—all the way back in 2009. Despite this, Southwark Council somehow approved an extension of the licence that day. The businesses located there have changed hands since then, but the clientele and experience of local residents has not. Southwark Council has a history of not protecting the neighbourhood here.

We are a proud community of Londoners in this part of Southwark. We have taken pride over previous years in the changes that we are seeing. Streets are getting safer, children are able to journey to the nearby schools more confidently, and people are gradually opting to move to the area because of the reputation it has gotten as being a good place to live. We are starting to see the benefit of the investment that the area is getting. Many of us residents are engaged with local Councillors to support them in the work they are doing. We are proud of Southwark, and want to see it flourish.

Local residents and Counsellors have worked hard to prepare this neighbourhood for the bright future we all want for it. Please do not allow violence and disruption back on our streets again.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

Licensing Sub-Committee

November 25 2009

10.00 am

Town Hall, Peckham Road, London SE5 8UB

Membership

Councillor David Hubber
Councillor Eliza Mann
Councillor Wilma Nelson

Reserves

Councillor Abdul Mohamed

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Sean Usher on 020 7525 7222 or email: sean.usher@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: November 17 2009



Licensing Sub-Committee

November 25 2009
10.00 am
Town Hall, Peckham Road, London SE5 8UB

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

5. LICENSING ACT 2003 - CLUB TRAFFIK, (GROUND FLOOR), 512-516 OLD KENT ROAD, LONDON SE1 5BA 1 - 40

6. LICENSING ACT 2003 - SIERRA SPOT - ARNSIDE STREET, LONDON SE17 2AP 41 - 88

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

Item No.

Title

Page No.

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: November 17 2009

Agenda Item 5

Item No. 5	Classification: Open	Date: November 25 2009	MEETING NAME Licensing Sub-Committee
Report title:		LICENSING ACT 2003 – CLUB TRAFFIK, (GROUND FLOOR), 512-516 OLD KENT ROAD, LONDON SE1 5BA	
Ward(s) or groups affected:		Premises are within: EAST WALWORTH	
From:		Strategic Director of Environment & Housing	

RECOMMENDATION

1. That the Licensing Sub-Committee considers an application made by Mega Music Entertainment Ltd to vary a Premises Licence granted under the Licensing Act 2003 in respect of the premises known as: Club Traffik, (Ground Floor) 512 – 516 Old Kent Road, SE1 5BA.
2. **Notes:**
 - a) The application seeks to vary existing licensable activities held under current legislation in respect of the premises known as: Club Traffik under Section 34 of the Licensing Act 2003. Existing permitted licensable activities are not the subject of representations and are not under consideration at this meeting. The variation application is subject to representations from interested parties and is therefore referred to the Sub-Committee for determination;
 - b) Paragraphs 12 to 16 of this report provide a summary of the application under consideration by the Sub-Committee (A copy of the full application is provided as Appendix a).
 - c) Paragraphs 18 & 19 of this report deals with the representations and comments received to the application. (copies of relevant representations and conciliations are attached as Appendices c & d).

BACKGROUND INFORMATION

The Licensing Act 2003

3. The Licensing Act 2003 received Royal Assent on 10 July 2003. The Act provides a new licensing regime for:
 - a) The sale of and supply of alcohol
 - b) The provision of regulated entertainment
 - c) The provision of late night refreshment
4. Within Southwark, this Council wholly administers the licensing responsibility.
5. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
 - a) The prevention of crime and disorder;
 - b) The promotion of public safety
 - c) The prevention of nuisance; and

- d) The protection of children from harm.
6. In carrying out its licensing functions, a licensing authority must also have regard to
- a. The Act itself;
 - b. The Guidance to the act issued under Section 182 of the Act;
 - c. Secondary regulations issued under the Act;
 - d. The Licensing Authority's own Statement of Licensing Policy
 - e. The application, including the operating schedule submitted as part of the application
 - f. Relevant representations
7. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing Justices Licences, Public Entertainment Licences and Night café Licences were able to apply to the local licensing authority for "grandfather rights" conversion of those existing licences into the relevant licences under the new system. Licences that were so converted were converted on existing terms, conditions and restrictions. The 6 August date having now passed operators are still able to apply to secure the new licences before the date upon which the new licensing regime comes into being – 24 November 2005 – but must now apply for new licences.
8. The applications process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.
9. Although applications submitted after 6 August 2005 no longer carry "grandfather" conversion rights, licensing authorities are directed that applicants do have an "added protection" under the law. Where an applicant seeks a Premises Licence intended to cover the retail sale of alcohol and that premises operation is currently covered by a Justices Licence, the licensing authority concerned cannot apply conditions restricting the hours at which alcohol is sold at present unless there has been a material change in the circumstances since the Justices Licence was granted, or the Police have made representations in connection with the prevention of crime.

MATTERS FOR CONSIDERATION

The current Premises Licence

10. The current licence in respect of the premises known as Club Traffik, Grd Flr, 512 – 516 Old Kent Road, LONDON SE1 5BA was granted to the applicant on 10 November 2009. It allows the following licensable activities.
- **Films; live music; recorded music; performance of dance; facilities for making music**

Mon & Tues from 09.00- 22.30; Wed, Thurs & Sun 09.00-04.00; Fri & Sat from 09.00 – 06.00
 - **Late night refreshments:**

Wed, Thurs & Sun; from 23.00-04.00; Fri & Sat from 23.00 – 05.00
 - **Sale and Supply of alcohol on and off the premises:**

Mon & Tues from 10.00- 23.00; Wed & Thurs & Sun 10.00-03.00; Fri & Sat from 10.00 – 04.00; Sun; from 10.00- 02.00

- **Operating hours of premises;**

Mon & Tues from 09.00- 23.30; Wed, Thurs & Sun from 09.00 – 04.30; Fri & Sat from 09.00 – 06.30

11. A copy of the existing Premises Licence is attached as appendix b.

The variation application

12. On 19 August 2009, Mega Music Entertainment Ltd applied to this Council to vary the Premises Licence issued in respect of the premises known as Club Traffik (grd flr), 512 - 516 Old Kent Road, LONDON SE1 5BA under section 34 of the Licensing Act 2003.

Details of the variation application

13. The variation application is summarized as follows:

- **To extend the permitted hour for the sale and supply of alcohol as follows;**

On Thursday until 04.00
On Friday & Saturday until 05.00
Sunday until 04.00

- **Bank Holiday Sunday**

To extend the terminal hours for the sale of alcohol on each bank holiday Sunday till 06.00

- **Terminal hours on Bank holiday Sunday**

To extend the operating terminal hours of the premises on each bank holiday Sunday till 06.30.

A copy of the application to variation application is attached to the report as Appendix a.

Amendment to application

14. The applicant has requested to amend the application to omit **offsales** for alcohol as they do not intend to sell alcohol for consumption off the premises.

15. The variation application form provides the applicant's operating schedule. Parts M and O set out the proposed operating hours in full.

16. Part P of the variation application provides any additional steps that might be proposed by the applicant to promote the four licensing objectives as set out in the Licensing Act 2003. In the event that the Sub-Committee should approve the application any proposals stated here must become licence conditions.

Designated Premises Supervisor

17. The designated premises supervisor under the existing Premises Licence is Daniel George McCaughan, he holds a Personal Licence issued by Southwark Council.

Application for Minor Variation

18. On 21 October 2009 a Minor variation application was made to submit plans to reflect changes made on the ground floor of the premises and to reduce the extent of the premises licence which related to both first floor and ground floor to reflect the ground floor only. This application was unopposed and therefore a new premises licence for the ground floor only was granted on 10 November 2009.

Representations From Interested Parties

19. There are representations lodged by 28 local residents. The representations are primarily concerned with the prevention of crime and disorder, public and noise nuisance. All residents have signed copies of the same letter and as such only one copy of the representation is attached as Appendix c. **Note** - Original representations (on file) and copies for distribution will be available at the hearing.

Representations From Responsible Authorities

20. There is one representation from the Environmental Protection Team. The representation was withdrawn after issues raised were dealt with by the minor variation application (see para 17). A copy of the memo withdrawing the representation is attached to the report as appendix d.

Conciliation

21. Conciliation was offered as part of the application process, but there was not enough support for it. As such the application is being submitted for determination by the Licensing Sub-Committee.

The Local Vicinity

22. A map of the local vicinity is attached. The operating terminal hours of the following premises licensed for regulated entertainment and late night refreshment are shown on the map:

- **Love Lounge, First Floor**, 512-516 Old Kent Road, SE1 (Mon & Tues until 02.00, Wed & Thurs until 04.00, Fri until 06.00 and Sat until 10.00; Sun until 04.00)
- **Macdonalds Restaurant**, 518 Old Kent Road, SE1 (Mon – Sun – until 05.00)

Additional information relating to past operation of the premises

23. The ground floor of premises then known as the Scene Bar and later as Xeus Night Club had in the past held an entertainment licence for the provision of music and dance under the previous legislation and previous managements.
24. In August 2005 an application was made to convert the existing licence (grd flr) with all its conditions into the current licensing regime and the application was granted as such.
25. On 26 March 2007 a new application was made by the current owner (Mega Music Entertainment Ltd) to make provision for both the ground and first floor premises to be used for licensable activities and also to extend the operating hours. A representation was made by the Metropolitan Police, and this was resolved by agreement by both the

- applicant and the Police to place conditions on the licence. The licence was granted on 18 May 2007.
26. On 14 July 2008 a new application was made to separate the first floor premises (**Love Lounge**) from the ground floor with its own conditions and extended operating hours. This application was to be determined whilst the licence granted on 18 May 2007 was still in operation and as such the licence was not surrendered.
 27. Representations were received from the Police, Environmental Protection Team and the London Fire Brigade. These representations were withdrawn after re submission of new plans and agreements made on all sides placing conditions on the licence. The Licence was on 28 granted November 2008.
 28. Also on 14 July 2008 a separate application was made for the ground floor premises then known as (Vogue Nite Club). This application was also to be determined whilst the licence granted on 18 May 2007 was still in operation and as such the licence was not surrendered.
 29. Representations were received from the Police, Environmental Protection Team and the London Fire Brigade. However during visit to the premises it was observed that the layout of the premises had changed significantly in regards to the plans provided at the time of application. Request was made for new plans to be submitted for the application to progress, however as the plans were not submitted the application was eventually rejected.
 30. On 21 October 2009 a Minor variation application was made to submit plans to reflect changes made on the ground floor of the premises and to reduce the extent of the premises licence to reflect the ground floor only this application was granted on 10 November 2009.

Southwark Council Statement of Licensing Policy

31. Council Assembly approved the Southwark Statement of Licensing Policy on 2 April 2008. Sections of the Statement that are considered to be of particular relevance to this application are
 - a. Section 3 which sets out the purpose and scope of the policy and reinforces the four licensing objectives
 - b. Section 5 which sets out the Council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
 - c. Section 6 details other relevant Council and Government policies, strategies, responsibilities and guidance, including the relevant Articles under the Human Rights Act 1998
 - d. Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
 - e. Section 8 provides general guidance on ensuring public safety including safe capacities
 - f. Section 9 provides general guidance on the prevention of nuisance

- g. Section 10 provides general guidance on the protection of children from harm.
32. The purpose of Southwark's Statement of Licensing Policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the Sub-Committee when considering the applications. However, the Sub-Committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

RESOURCE IMPLICATIONS

33. A fee of £190.00 has been paid by the applicant in respect of this application being the statutory fee payable for a premises within non-domestic rateable value Band B.

CONSULTATIONS

34. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in a local news and a similar notice exhibited outside of the premises.

Community Impact Statement

35. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

STRATEGIC DIRECTOR OF COMMUNITIES, LAW & GOVERNANCE

36. The Sub-Committee is asked to determine the application for a variation of a converted premises licence. The converted licence was itself granted automatically under the new Licensing Act 2003, without need for a hearing, as no relevant objections were received from the Police, on crime and disorder grounds, to the conversion.
37. It is important to distinguish the application for variation of a converted licence under the Licensing Act 2003 from the type of applications previously heard by the Sub-Committee, where a licence was renewed or an applicant sought to vary. The principles that apply are significantly different in many respects (although the requirement to give all parties a fair, unbiased hearing remains).
38. The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested Parties must live in the vicinity of the premises. This will be decided on a case-by-case basis.
39. Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The Sub-Committee has a duty under Section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent and crime and disorder in the Borough.
40. Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with day on which the applicant was notified by the licensing authority of the decision to be appealed against.
41. The principles that Sub-Committee members must apply are set out below.

Principles for making the determination

42. Section 35 of the Licensing Act 2003 sets out the licensing authority's powers and duties in considering the determination of an application for variation.

43. The general principle is that applications for variation must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

44. Relevant representations are those which

- Are about the likely effect of the granting of the application on the promotion of the licensing objectives
- Are made by an interested party or responsible authority
- Have not been withdrawn (in this case, the initial objections from the Fire Service have been withdrawn).
- Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

45. If relevant representations are received then the Sub-Committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to

- Add to, omit, and/or alter the conditions of the licence or,
- Reject the whole or part of the application for variation

Conditions

46. The Sub-Committee's discretion is thus limited. It can only modify the conditions put forward by the applicant, or refuse the variation, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.

47. The four licensing objectives are

- a. The prevention of crime and disorder;
- b. Public safety;
- c. The prevention of nuisance; and
- d. The protection of children from harm.

48. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

49. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

50. The Licensing Act requires mandatory conditions in respect of supply of alcohol, the exhibition of films and in respect of door supervisors.

51. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

52. If the Sub-Committee determines that it is necessary to modify the conditions, or to refuse the application for variation, it must give reasons for its decision.

Hearing Procedures

53. Subject to the Licensing Hearing regulations, the Licensing Committee may determine its own procedures. Key elements of the regulations are that

- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
- Members of the authority are free to ask any question of any party or other person appearing at the hearing
- The committee must allow the parties an equal maximum period of time in which to exercise their rights to
 - Address the authority
 - If given permission by the committee, question any other party.
 - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
- The committee shall disregard any information given by a party which is not relevant
 - to the particular application before the committee, and
 - the licensing objectives.
- The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

54. As this matter relates to the determination of an application to vary under section 34 of the Licensing Act 2003, regulation 26(1)(a) requires the Sub-Committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the Licensing Sub-Committee

55. Sub-Committee members will note that, in relation to this application, the Council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the Council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.

56. Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Licensing Law, Guidance and the Council's Statement of Licensing Policy.

57. As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.
58. The Licensing Sub-Committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.
59. Members will be aware of the Council's Code of Conduct that requires them to declare personal and prejudicial interests. The Code applies to Members when considering licensing applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.

Guidance

60. Members are required to have regard to the DCMS Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance Secondary Regulations Statement of Licensing Policy Various papers from the premises file.	The Chaplin Centre, Thurlow Street, SE17 2DG	Mrs Kirty Read at the Chaplin Centre Telephone 0207 525 5748

APPENDICES

No.	Title
Appendix a	Copy of the application
Appendix b	Copy of the existing premises
Appendix c	Copies of the representation from interested parties
Appendix d	Copy of the response from Responsible authorities
Appendix e	Copy of the local area map

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	17 November 2009	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director for Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	November 17 2009	

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We MEGAMUSIC ENTERTAINMENT LTD
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	830809
-------------------------	--------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
512-516 OLD KENT ROAD			
GROUND FLOOR			
Post town	LONDON	Post code	SE1 5BA

Telephone number at premises (if any)	020 7237 7452
Non-domestic rateable value of premises	£ 17 750

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	
Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO EXTEND THE HOURS PERMITTED FOR THE SALE OF ALCOHOL AS FOLLOWS

THURSDAY - UNTIL 04.00 THE FOLLOWING DAY
FRIDAY & SATURDAY - UNTIL 05.00 THE FOLLOWING DAY.

SUNDAY - UNTIL 04.00 THE FOLLOWING DAY.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)**Sale by retail of alcohol (if ticking yes, fill in box M)**

In all cases complete boxes N, O and P

PAGES 5-14 HAVE BEEN OMITTED AS
THEY DO NOT APPLY TO THIS
APPLICATION.

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur	03.00	04.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) ON EACH BANK HOLIDAY SUNDAY TO EXTEND THE TERMINAL HOUR FOR THE SALE OF ALCOHOL UNTIL 06.00.		
Fri	04.00	05.00			
Sat	04.00	05.00			
Sun	02.00	06.00			

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	23.30	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>ON EACH BANK HOLIDAY SUNDAY TO EXTEND THE CLOSING TIME UNTIL 06.30</p>
Tue	09.00	23.30	
Wed	09.00	04.30	
Thur	09.00	04.30	
Fri	09.00	06.30	
Sat	09.00	06.30	
Sun	09.00	04.30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

NONE

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

AS PER EXISTING LICENCE

b) The prevention of crime and disorder

||

c) Public safety

||

d) The prevention of public nuisance

||

e) The protection of children from harm

||

Please tick yes/

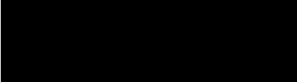
- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

*

Signature	
Date	18-08-09
Capacity	

*

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Licensing Act 2003 Premises Licence

FILE COPY



Environmental Health & Trading Standards
Licensing Unit
Chaplin Centre
Thurlow Street
London SE17 2DG

Premises licence number

830809

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Club Traffik Ground Floor 512-516 Old Kent Road London SE1 5BA	
Ordnance survey map reference (if applicable), 177965534197	
Post town London	Post code SE1 5BA
Telephone number 020 7703 1042	

Where the licence is time limited the dates
--

Licensable activities authorised by the licence
Films - Indoors Live Music - Indoors Recorded Music - Indoors Performance of Dance - Indoors Entertainment Similar to live/recorded music - Indoors Facilities for Making Music - Indoors Provisions Similar to making music and dancing - Indoors Late Night Refreshment - Indoors Sale by retail of alcohol to be consumed on premises

The opening hours of the premises
For any non standard timings see Annex 2
Monday 09:00 - 23:30
Tuesday 09:00 - 23:30
Wednesday 09:00 - 04:30
Thursday 09:00 - 04:30
Friday 09:00 - 06:30
Saturday 09:00 - 06:30
Sunday 09:00 - 04:30

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
 Sale by retail of alcohol to be consumed on premises

The times the licence authorises the carrying out of licensable activities
 For any non standard timings see Annex 2 of the full premises licence

Films - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Live Music - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Recorded Music - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Performance of Dance - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Entertainment Similar to live/recorded music - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Facilities for Making Music - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Provisions Similar to making music and dancing - Indoors

Monday	09:00 - 23:00
Tuesday	09:00 - 23:00
Wednesday	09:00 - 04:00
Thursday	09:00 - 04:00
Friday	09:00 - 06:00
Saturday	09:00 - 06:00
Sunday	12:00 - 04:00

Late Night Refreshment - Indoors

Wednesday	23:00 - 04:00
Thursday	23:00 - 04:00
Friday	23:00 - 05:00
Saturday	23:00 - 05:00
Sunday	23:00 - 04:00

Sale by retail of alcohol to be consumed on premises

Monday	10:00 - 23:00
Tuesday	10:00 - 23:00
Wednesday	10:00 - 03:00
Thursday	03:00 - 04:00
Friday	04:00 - 05:00
Saturday	04:00 - 05:00
Sunday	02:00 - 04:30

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Megamusic Entertainment Limited
91 Newington Butts
London
SE1 6SE
[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence No. [REDACTED]
Authority L B Southwark

Licence Issue date 03/11/2009

[REDACTED]

.....
Community Safety Enforcement
Business Unit Manger
Chaplin Centre
Thurlow Street
London SE17 2DG
020 7525 5748
licensing@southwark.gov.uk

Annex 1 - Mandatory conditions

100 No supply of alcohol may be made under the Premises Licence -

a. At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or

b. At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended

101 Every supply of alcohol under the Premises Licence must be made, or authorised by, a person who holds a Personal Licence

102 The admission of children to films given under this licence must be restricted in accordance with the recommendations of the British Board of Film Classification or of the licensing authority itself

103 Where a film is to be submitted for classification to the licensing authority, the cinema or venue operator must submit the film intended for exhibition to the authority at least 28 days prior to the first date upon which the film is intended to be exhibited

104 Where a programme includes a film in the 12a, 15 or 18 category no person appearing to be under the age of 12 (and unaccompanied in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms - 'PERSONS UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME' Where films of different categories form part of the same programme, the notice shall refer to the old stage restriction. This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained

105 Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film

106 Immediately before each exhibition at the premises of a film passed by the licensing authority notices shall be displayed both inside and outside of the premises so that persons entering can readily read them and be aware of the Category attached to any film or trailer

107 Any individual carrying out security activities at the premises must be.

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

Annex 2 - Conditions consistent with the operating Schedule

112 This licence allows for the premises to remain open for non standard timings as stated on the days below. Christmas Eve 10:00 to 03:30 the following day Christmas Day Boxing Day St Georges Day St Patrick Day St Andrews Day Good Friday Easter Sunday Easter Monday Early May Bank Holiday Spring Bank Holiday Summer Bank Holiday

113 This licence allows for the premises to remain open for the sale or supply of alcohol for non standard timings as stated below on the following days: Christmas Eve 10:00 to 03:00 the following day Christmas Day Boxing Day St Georges Day St Patrick Day St Andrews Day Good Friday Easter Sunday Easter Monday Early May Bank Holiday Spring Bank Holiday Summer Bank Holiday

114 This licence allows for the premises to extend the following licensable activities for non standard timings as stated below on the following days: Provision of regulated entertainment Plays, Films, Indoor Sporting Events, Boxing or Wrestling Entertainment, Live Music, Recorded Music, Performances of Dance, Anything of a similar discription. Provision of Entertainment Facilities Making Music, Dancing, Entertainment of a Similar Discription. Christmas Eve 10:00 to 03:00 the following day Christmas Day Boxing Day St Georges Day St Patrick Day St Andrews Day Good Friday Easter Sunday Easter Monday Early May Bank Holiday Spring Bank Holiday Summer Bank Holiday

115 This licence allows for the premises for the provision of late night refreshment for non standard timings stated below on the following days: Christmas Eve 10:00 to 03:00 the following day Christmas Day Boxing Day St Georges Day St Patrick Day St Andrews Day Good Friday Easter Sunday Easter Monday Early May Bank Holiday Spring Bank Holiday Summer Bank Holiday

154 a.The Licensee / Duty Manager shall ensure that he has sufficient trained staff on duty to ensure the safe evacuation of the premises in an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the Licensee or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises. b.A nominated member of staff in addition to the Duty Manager shall have responsibility for fire prevention measures and for ensuring that all escape routes including

exit doors are fully available. c.No Door Supervisor shall be employed at premises outside London except with consent. Any employment shall be in accordance with additional conditions set by the Council. d.Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role. The Licensee / Duty manager shall, once he is satisfied as to the competence of each member of staff, record this in the Fire log book.

158 a. 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.

161 The Licensee / Duty manager shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of those arrangements.

172 a. The Licensee / Duty Manager shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises. b.If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.

288 That the CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

289 That recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

290 That one Security Industry Authority licensed Door Supervisor shall be employed with a counting device from XXX to control admissions to and departures from the premises when entertainment is provided

305 That signs shall be displayed at the entrance to the premises that state 'Drug Free Signs' and 'No Search, No Entry. Management reserve the right to Refuse Entry'.

308 That there shall be no new admission, or re-admission, of the public to the premises after (TIME) on the days (DAYS OF THE WEEK)

309 That all musicians and DJs must play electrically amplified

music/audio/PA through a sound cut out device. The cut-out device shall be maintained at levels set to the satisfaction of the Council's Noise Team

310 That all doors excepting any that may be required to be locked open for the purposes of means of escape, shall be kept closed whenever public entertainment is being provided upon the premises

~~**311** That notices shall be displayed and announcements made requesting that customers leave the premises in a quiet and orderly manner~~

336 A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied

340 That a CCTV system shall be installed both inside and outside the premises in conjunction with advice from the local Police and be maintained in good working order. This system shall be continually recording at all times that the premises are in use under the Premises Licence. All such 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 or Council.

341 That one CCTV camera shall be installed in such a position as to enable a clear facial image of every person passing through the security arch to be recorded and shall be maintained in working order at all times.

342 That an identification Recognition System (ClubScan or similar) shall be installed and maintained in working order at all times. Every person, including staff and agents, entering the premises during opening hours shall be required to submit their details to the system.

343 That SIA registered door supervisors - at least one of whom must be a female - shall be employed at the premises and be provided with: (1) a hand held metal detection unit to ensure that all persons entering the premises are subject to the Premises' Search Policy; and (2) a mechanical counting device in order to supervise admissions to and departures from the premises and to ensure that the premises maximum accommodation limit is not exceeded.

344 That the Licensee / Duty manager shall maintain a register indicating the numbers of staff, including any Door Supervisors and all performers, who are present when the public are present. This register shall be produced immediately on the request of an Authorised Officer.

345 That a duty roster must be maintained for all SIA staff and shall be made available to the Metropolitan Police on request.

346 That an incident Log must be maintained at all times and made available to the Metropolitan Police and the London Borough of Southwark Authorised Officers on request.

347 That any promoter or other such person hiring the premises be required to complete the 'Venue Hire Agreement' Form 696 provided by the Metropolitan Police and, once completed, the Premises Licence holder or their nominated representative 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.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans - Attached

Licence No.	830809
Plan No.	2Y2K9/MG/ARO1
Plan Date	October 2009

**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 partially 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 strenuous 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 perversly 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.

MEMO: Environmental Protection Team

To David Franklin Dorcas **Date** 9th November 2009
Mills

Copies Regen, Lic

From Alan P. Blissett **Telephone** 020 7525 5766 **Fax** 020 7525 5728

Email Alan.Blissett@southwark.gov.uk

Subject Megamusic Entertainment 512-516 Old Kent Road SE1

I refer to the application to vary premises licence dated 18th August 2009, in respect of supply of alcohol both on and off the premises until later hours on Thursday to Sunday

Please also refer to my memo's of 16th September 2009 and 2nd November 2009

I understand that you have confirmation that the application under consideration now relates solely to the ground floor premises currently known as Club Traffik,

My concerns in relation to the revised layout of the ground floor and re-configuration of the amplification have been addressed through a minor variation determination. I note that work is in progress to construct lobbies to the two emergency exit doors onto Old Kent Road, which are designed to improve sound containment.

My concerns in relation to the supply of alcohol off the premises until the requested curfew hours have been addressed by written confirmation to Licensing of 5th November amending the variation to 'on the premises'.

There are no other outstanding aspects of the variation application which my service consider are relevant to the prevention of public nuisance objective, **I therefore withdraw my representation.**

Alan Blissett
Principal Environmental Protection Officer

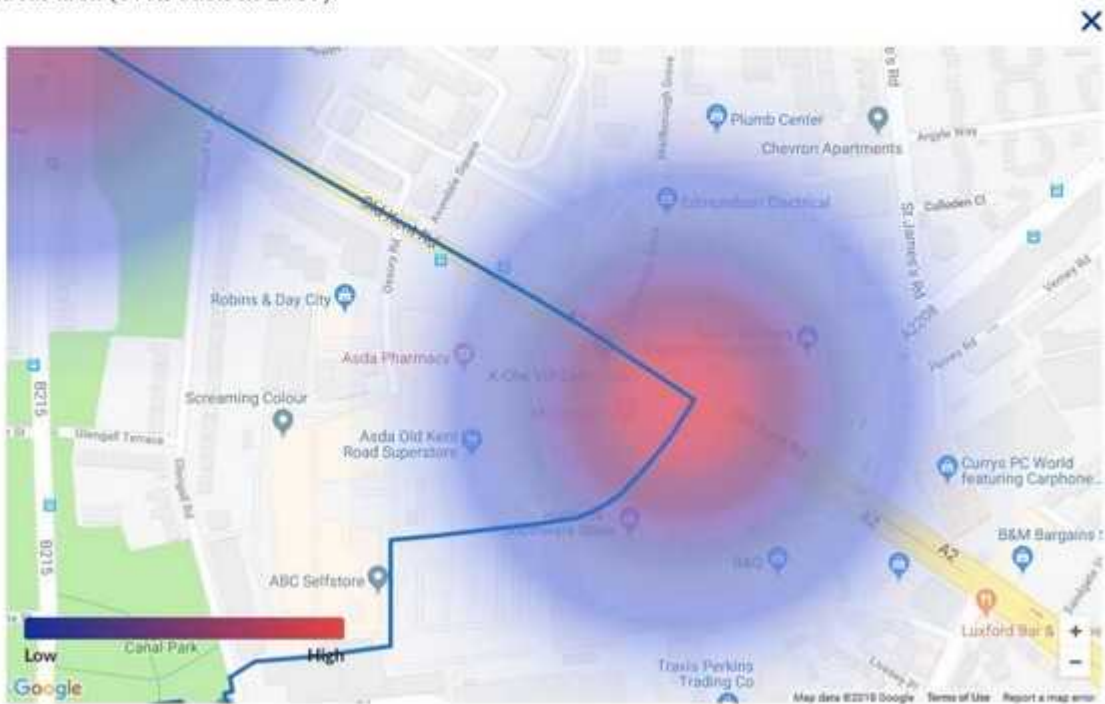
Club Traffik, 512 Old Kent Road

Date 12/10/2009



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A: A Crime Map print out from the Met Police website, showing the centre of crime in the local area (even back in 2017).



B: K-Che patrons, early in the morning, hanging on to the railing, drinking and fighting just outside my window.



C: Police dealing with an incident from K-Che patrons, requiring three vehicles.



D: A separate evening, Police being called to K-Che disturbance.



E: As club empties, the Old Kent Road gets blocked with cars parking up and picking up Patrons.



F: K-Che patrons enjoying the food stand outside the club, with Police attending another incident. The noise of the crowd is enough to wake local residents up.



G: K-Che patrons enjoying an after party on the street, yards away from residential homes at around 0500 in the morning.



H: Vomit on the disabled path access to our building in the morning after a K-Che evening.



I: Another night following a K-Che event. Vomit just outside our windows.



J: Police Officers rushing to attend a disturbance outside the club.



K: Illegal parking of K-Che patrons. They park here, often drinking or doing drugs before heading off into the club.



L: K-Che patrons continuing to loiter after hours. Huge amounts of noise that night.



M: Patrons before heading into K-Che outside my window. Drinking, swearing, shouting on our property. The building in the background is the residential home for older people.



N: Police right outside my window dealing with an incident on the 29th Feb 2020. Disturbance caused to all the neighbourhood.



O: Same night. Police having to placate K-Che patrons. All outside residential homes.



P: Police being forced to bundle the violent K-Che patron into a van. Again, all outside our homes, all because K-Che have for a number of years, been unable to run a safe business. Their tolerance of such behaviour has become a promotion of it.



Q: The following night, drunken and loud K-Che patrons almost being hit by bus.



R: Fighting on the streets as K-Che finishes.



[REDACTED]

1 October 2017

Dear Mr [REDACTED]

RE: ALLEGATION OF NOISE NUISANCE FROM - Basement And Ground Floors, 516 Old Kent Road, London, SE1 5BA

I write with reference to your complaint to the Noise & Nuisance Team on 1 October 2017 at 01.48 hours. We visited you on 1st October 2017 at 02.25 hours and witnessed the noise that you were complaining about. I considered the noise to be a statutory nuisance with the following outcome:

- It was possible to negotiate a reduction in the noise level.
- A Noise Abatement Notice will be served on the person(s) responsible.
- The Licensing Department will be informed about this incident and about the action taken by the Noise & Nuisance Team.

Yours sincerely,

[REDACTED]

Alex Quaye
Noise Officer

If you feel that our response to your complaint did not meet your needs or expectations, or you wish to comment on the service, please write to us at the address below. You will receive a written reply within 10 days.

**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 partially 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 strenuous 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 perversly I think that (given my opinion on how this club is run) I believe to grant the variaton 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.

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Party 17

-----Original Message-----

From:

Sent: Thursday, April 1, 2021 1:47 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Kalu, Richard <Richard.Kalu@southwark.gov.uk>

Subject: Victory Sports Bar, 516 First Floor, Old Kent Road (licence number 874320)

Dear Southwark Council and Licensing Team

I would be very grateful if you could register my opposition to the application of Victory Sports Bar, 516 First Floor Old Kent Road (licence number 874320)

The history of venues at this location has plagued this residential community for many years. Many of us have lived in fear of our safety because of the violence and drug abuse it attracts to the area. Many of my neighbours have young children they worry for.

Southwark councillors and the committee supported our position in May 2020, when they finally revoked the licence of K-Che (the latest in a long string of badly managed venues at this location).

Our objections to a licensed venue returning to this location is not just about the history of violence and drug abuse. We are talking here about a residential area, with children, elderly and vulnerable residents living directly opposite the proposed venue for this establishment.

One of the residential homes I am referring to is John Penry House - operated by Southwark Council for elderly residents. How can it be permissible for a venue to operate late into the night directly opposite a old folks home? The history of this location shows its unacceptable, and we should actually learn from this.

If a licence is granted, I worry about how long it will be before the next serious episode of violence occurs. It could be even worse next time; where would we be left then?

We as residents are relying on you to protect us from the irresponsible and dangerous management of premises in our residential community. The vulnerable and elderly residents at John Penry House also deserve to be protected from the threat of crime and violence around their homes.

We have worked really hard to improve the local area and are looking forward to a bright future for Southwark. We need our Council to stand up for us.

I appreciate any support you can provide.

With thanks,

Party 18

From:

Sent: Thursday, April 1, 2021 2:16 PM

To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>

Subject: 874320

Dear Licensing Team Southwark,

I wish to object to the proposed Victory Sports Bar at 516 Old Kent Road. I have two young children and live in the flats opposite the club. This area is residential and populated by many young families. To have a club open until 3am Sunday to Wednesday and 5am Thursday to Saturday would be completely inappropriate. There is an open outdoor space outside the club and next to the 24 hr McDonalds where customers to the Sports Bar are likely to congregate at closing, time causing significant disruption to local residents, as has historically been the case with other venues operating on this site.

When the venue was open in its previous form there were frequent disturbances, large crowds of intoxicated people congregating opposite and immediately outside our flats and the area was frequently littered with alcohol bottles and cans and drug debris after a club night. It is natural to assume that the same will happen and I would very much like to avoid this.

Kind regards,