



adele.morris@southwark.gov.uk

Date: 28 March 2021

Southwark Council Licensing Team

Re Licence Application: 874398

New Hibernia House, Ground Floor, New Hibernia House,
Winchester Walk, SE1 9AG

Dear Licensing

I object to the granting of this licence. Whilst the applicant has gone some way to explaining how their premises will operate, it is still a new premises application in an area that already has a high concentration of licenced premises. It is regrettable that we cannot seem to get the planning department to understand this when they grant yet another A3/ A4 use with such enthusiasm, believing that it will enhance the area.

This application is within the Borough and Bankside Cumulative Impact Zone. There is a presumption against granting new licence applications made in the Cumulative Impact Zone unless there is evidence that the premises will not contribute to the noise, antisocial behaviour and alcohol related hospital admissions that are the reason for the introduction of the Zone. There have been no conditions offered that would sufficiently mitigate against these impacts.

In terms of the licensing objectives:

The prevention of crime and disorder

The area in and around the Borough Market already has over 50 bars and restaurants, and currently has another live set of 16 applications for the former Vinopolis site. Even during the various COVID restrictions that have been in operation since March 2020, this area has experienced considerable anti-social behaviour that has impacted on the local residential population. As well as the reasons for the Cumulative Impact Zone stated above, this location has a very high incidence of theft from the person, or from within premises, as a result of the concentration of visitors to the area.

The prevention of public nuisance

The application for this premises suggests that it will be possible to purchase a drink without having a substantial meal:

"The venue will be open from 8 am seven days a week for breakfasts and a substantial food offering will be available throughout the day and evening in a family friendly environment. However, this is not a traditional restaurant as such; food served will be as a choice accompaniment to an extensive but selective menu of natural wine and craft beer."

I would question whether this therefore constitutes a "bar", which should be refused under the Cumulative Impact Zone guidelines. The application form states that they are also planning to use an outdoor area - although the plans available on the licensing page of the website only show the basement and not the ground floor.

This area already struggles to manage the crowds and the noise, especially in the evenings and the weekends. There is a pre-existing residential community in Winchester Walk, which is a narrow street and which already suffers from noise and

crowds from the Borough Market opposite and the surrounding area. Sound travels to such an extent that they can hear the music that is played by premises on the other side of the Cathedral.

Public safety

As already stated, this locality is made up of narrow streets and the overall mix of cars and pedestrians is already at a dangerous level in this area. At some point the patrons will be exiting onto these already crowded streets.

We would urge anyone who will be involved in assessing this application to have a site visit – preferably on an evening or a Saturday after the 12th April when all the existing premises will be open again.

Kind Regards

A black rectangular redaction box covering the signature of the councillor.

Councillor Adele Morris

Other person 2

Email to licensing@southwark.gov.uk

Dear Sirs,

New Hibernia House. REF 874398 premises licence

I wish to **object** to this application.

EXECUTIVE SUMMARY OF THE OBJECTION

SITE CONTEXT RELEVANT TO THE FOUR LICENSING OBJECTIVES; LACK OF CONSULTATION

1. **Cumulative Impact Zone**
2. **Hours longer than Southwark Licencing Policy**
3. **Servicing; no legal parking for taxis and Ubers: precedents for refusal; Deliveroo bikes**
4. **Design offers no mitigation for the protection of residents**
5. **The protection of children from harm.**
6. **The prevention of crime and disorder**
7. **Public safety**
8. **The prevention of public nuisance**
9. **Off-licence sales after hours consumed where?**
10. **Conditions**
 11. **APPENDIX A Existing congestion in the streets around this premises**

SITE CONTEXT RELEVANT TO THE FOUR LICENSING OBJECTIVES; LACK OF CONSULTATION

The premises are embedded in the middle of a residential community: there is no way for F&B patrons to exit the site except past the homes of many residents. The residents live so close to the premises that the voices of arriving and departing patrons would be audible inside their bedrooms.

WINCHESTER WALK ZONE

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| (16A (6), Tennis Court, Stables | 25 homes | 55 residents |
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STONEY STREET/PARK ST ZONE

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| Pontifex (12), Evans Granary(14) | 26 homes | 52 residents |
| Borough Market residents | | 18 residents |

CLINK STREET ZONE

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| Clink, Soho, Winchester, Horseshoe, Pickfords, Victor Wharves | 60 homes | 156 residents |
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MONTAGU CLOSE ZONE

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| Montagu Close (Minerva House) | 13 homes | 50 residents |
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It is notable that this applicant has not offered any consultation with these residential neighbours before putting in the application.

1. CUMULATIVE IMPACT ZONE

The application contravenes the provisions of the **Cumulative Impact Zone**. There is a presumption **against** permitting yet another licensed premises unless it can be demonstrated that such new premises will not present an added burden of criminal or antisocial behaviour that draws on the resources of the police and hospitals, as well as sacrificing the amenity of residents, including children and impacting negatively on highways and air quality. Given the super-saturation of bars and restaurants in this area – there is no good reason to allow another large establishment/

There are 56 licensed premises within the Borough Market area already. Of all Southwark's wards, Borough and Bankside has the most licensed premises already – over 250. Borough Market has provided the following figures for people coming into the area on Fridays and Saturdays:

| | |
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| Friday daytime, 29 th Nov 2019 (9am – 6pm) | 90,863 |
| Saturday daytime (9am – 6pm) | 127,191 |
| Friday evening, 29 th Nov (6pm – midnight) | 16,082 |

These tiny residential streets cannot accommodate another influx of drinkers and diners on top of these figures. What this area needs is emphatically not more F&B but retail, fitness or non-intrusive uses that actually offer something to this hard-press community.

From the drawings supplied, the applicants plan to offer alcohol to 95 seated individuals and an unstated number of standing drinkers. This is a large number of extra drinkers to bring into a Cumulative Impact Zone.

2. HOURS LONGER THAN SOUTHWARK LICENCING POLICY

The proposed hours of operation are 8am to 12.30am on Fridays and Saturdays, closing at 11.30 on the other nights. Operation is seven days a week.

The Friday and Saturday hours are outside those established in current Southwark Licencing Policy.

3. SERVICING; NO LEGAL PARKING FOR TAXIS, UBERS and DELIVEROO BIKES: PRECEDENTS FOR REFUSAL OF LICENCES

There is no servicing plan offered for these premises. There is no legal parking outside.

Where will deliveries take place? When? Deliveries and cleaning, taking place out of hours, would prolong the noisy occupation of the site to the detriment of residents' sleep.

There is another kind of servicing: the taxis and Ubers of F&B patrons. These would be a problem in streets already logjammed (see APPENDIX A) to the extent that frustrated drivers will sit with their hands on their horns for up to ten minutes.

These premises are surrounded by tiny residential streets with no legal parking spaces for taxis waiting for clients. So taxis and Ubers will have zero recourse but to circle continuously or wait with idling engines, releasing toxins and noise, (and in summer with the taxi windows open playing loud music) under the bedroom windows of residents, including young children, in Stoney Street, Clink Street, Park Street, Montague Close, Winchester Walk.

Swarms of noisy Deliveroo bikes can be added to the taxis circling, waiting, revving in the narrow streets where there is no legal parking.

In two recent licensing applications within yards of these premises, (App 867078 Lockes Bar; App 867079 Adventure Bar) permission was refused precisely because of this lack of legal parking and stopping-places for taxis and Ubers in an area already saturated with late-night F&B.

In this case, the situation is so much worse because of the volume of F&B patrons (and therefore taxis) involved and the number of residents including children in proximity.

The new Uber regulations mean that drivers are paid so long as they sit in their taxis. This will encourage Ubers to cluster and wait in areas where they know patrons will emerge at some point.

4. Design offers no mitigation for the protection of residents

The design shows three large pairs of French windows or doors opening out onto the street directly under residents' windows. There is no soundproofing possible in this case. There are four tables set on the street, again with no sound insulation possible to protect residential amenity.

In a site as sensitive as this, there should be double doors with inner lobbies to protect the residents from noise and there should be no outdoor drinking or dining. There should be no colonising of the street by chairs that would inevitably be moved from their places and set on the footpath, forcing pedestrians into the narrow, busy road.

The application contravenes the four key licencing objectives as follows:

5. THE PROTECTION OF CHILDREN FROM HARM

There are a number of children under the age of ten living within yards of the proposed premises. Most of these children have their bedrooms on the street. Their sleep stands to be disrupted by departing drinkers, as well as by music and elevated voices emanating from these premises.

These children include a new baby due in May 2021 immediately above these premises.

The World Health Organisation is now reporting on the damage caused to hearing by 'leisure noise'. Children are particularly vulnerable. The World Health Organisation's current studies on noise show that disturbed nights have a serious effect on children. Their concentration the next day is compromised. They can develop headaches and permanent hearing problems.

We also wish to draw the committee's attention to the problem of people fuelled by drink who leave the place where they have spent their money and wander through residential streets, under the windows of apartments with children, and indulge in explicit talk. In licensing terms, the protection of children from harm includes the protection of children from moral, psychological and physical harm: for example, exposure to strong language and sexual expletives, or the sight of drinkers exposing themselves to urinate on their doorsteps.

There is a danger of cars, servicing vans and taxis impacting on and literally with children who are less visible than adults. Day and night, these streets are already full to capacity (Appendix A).

As mentioned, there is no legal place for patrons' taxis or Ubers to park and turn off their engines. The lungs of children are especially vulnerable to particulates PM2.5 and PM10. Idling cars release more and more dangerous particulates than those simply driving.

6. THE PREVENTION OF CRIME AND DISORDER

Borough and Bankside is designated a Cumulative Impact Area because of the existing concentration of F&B and its associated issues of alcohol-related crime, injury and nuisance. Some figures from the *Cumulative Impact Area Alcohol Licensing Review A review of crime and anti social behaviour FY18/19 Regulatory Services; Divisional Analytical and Business Service May 2019*:

Borough and Bankside ... are the highest wards in Southwark for crime.

Rowdy Behaviour & Street Drinking ASB calls: Borough & Bankside CIA has over double the number of calls than the next highest areas of Camberwell.

Alcohol-related ambulance call-outs (2,919 reports): The Borough & Bankside CIA has 25% of the total annual call-out rates. It continues to be notably higher than the other areas.

Alcohol flagged violent crime (322 reports): In FY18/19 the number of alcohol flagged violence reports in Borough & Bankside CIA was 78% higher than the next highest area, Peckham.

Violence with Injury reported crimes (1,144 reports): As mentioned in the introduction, UK studies have suggested that between 25% and 40% of violent crime involves a perpetrator who has been drinking ... Borough & Bankside has the highest volume of VWI (174)

Some information from '*The impact of Alcohol in Southwark Southwark's Joint Strategic Needs Assessment People & Health Intelligence Section Southwark Public Health 13 February 2017*'

In Southwark alcohol is a serious problem, more so than in many London boroughs.

Compared to the London region average, Southwark has much higher mortality rates attributable to alcohol overconsumption

Violence against the person is the most frequent alcohol related crime recorded in Southwark

Alcohol was involved in almost 15% of sexual offences and 10% of violent offences in 2015

Official government figures estimate that the average cost of an alcohol-related emergency ambulance/paramedic journey is £321.30. Therefore, in 2014, ambulance call-outs for binge drinking incidents alone cost Southwark almost £480,000.

In 2017/18 there were 338,000 estimated admissions where the main reason for admission to hospital was attributable to alcohol¹. In August 2017 the London Ambulance Service revealed which London boroughs see the highest number of alcohol-related incidents: Southwark was in the top five. Figures show that, in Southwark, over 6,650 people were treated by ambulance crews after drinking too in August (2016). In Southwark that year there were 3,051 recorded incidents.

It would be unconscionable to draw a massive new influx of drinkers to this troubled Cumulative Impact Zone. And yet this application, and the 15 others lodged with it, would do exactly that.

Most nights in this area, there is already shouting, screaming, singing and dancing from drunks who have spent their money at existing licenced premises. On weekend nights, and after sports matches, there are often fights, including glassings. Most of us have witnessed **indecent exposure**, in the form of patrons using our front doors as urinals as they continue drinking off-licence supplies when premises close. Many of us have needed to step over vomit outside our front doors the next morning and clean up the stinking result. We have to pick up the empty bottles and cartoons from off-licence sales from our doorsteps and window-sill. We need to do this, because of the danger of vermin.



litter in Clink St including wine bottles and beer cans 21.3.21

The proposed premises are just steps and yards from residents homes, including Montague Close's river viewing point, a square that is a known trouble spot for **drunken behaviour, drug dealing, rough sleeping and violence**. F&B patrons walking to London Bridge station, particularly the overland trains, will be directed by their phones to walk along Montague Close.

In this Cumulative Impact Zone, the alcohol-related problems are already grave. In the summer of 2020, Southwark Council was forced by the behaviour of F & B patrons to pressure and steam clean the urine and vomit from these very streets every Monday morning. This is an expense that was borne not by the licensed premises but by the Council.

It is in the context of this real, lived experience of crime and disorder, and the prospect a large new premises selling alcohol on our doorsteps, that we must object strenuously to this new licence.

7. PUBLIC SAFETY

¹ NHS Statistics on Alcohol, England 2019, published 5.2.19

Outdoor drinking is evidenced in the plans deposited, although there is no clause in the licence to permit it.

In the case of emergencies, customers from these premises would be forced out into a narrow footpath. An emergency could result in crushing and blocking of escape routes or people being thrust off the pavement into oncoming vehicular traffic, also intensified by the increased F&B needs for taxis and Ubers.

There are already too many premises for public safety to be upheld. The onus needs to be on the applicant to show how and why they would not be adding to this serious safety problem.

8. THE PREVENTION OF PUBLIC NUISANCE

According to the **Revised Guidance issued under section 182 of the Licensing Act 2003**, it is the responsibility of the licencing officers to take into account the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises, which may be disproportionate and unreasonable. We believe that this large premises would have a disproportionate effect on those living and working nearby.

The amenity of residents in this area is already compromised by a saturation of licenced premises. People coming out of bars have their voices elevated by drink. The canyon-like nature of these streets efficiently transmits noise up to our bedrooms – including the bedrooms of young children and babies in this area. Meanwhile, the arch of the bridge in Stoney Street provides an excellent sound chamber where drunks or even merry people like to test their voices, by yodelling, for example.

Southwark Council cannot enforce on this kind of disturbance: it is labelled 'transient noise'. A resident whose children are woken by revellers – even those settling in for a private party - under the bedroom window will get short shrift from Southwark's noise team. With no enforcement possible, the prevention of this kind of noise cannot be 'conditioned' into any licence. The licensee takes no responsibility for the behaviour of those carrying away the beer and wine he/she has sold to them. The licensee takes no responsibility for the bottles and cans left in the residential streets.

The only way to prevent nuisance of this kind is to stop licensing large bars and restaurants in this Cumulative Impact Zone.

9. OFF-LICENCE SALES MUST BE EXCLUDED FROM LICENCE

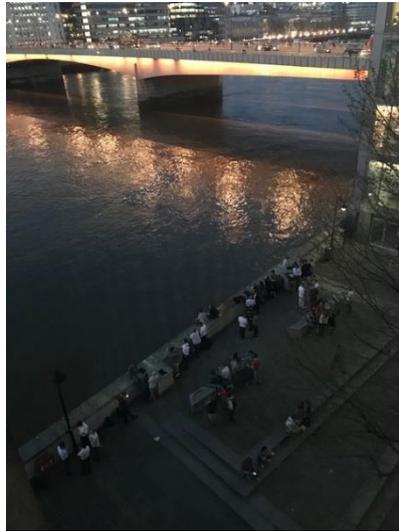
The applicants want to sell alcohol for consumption off the premises until midnight on Friday and Saturday and until 11pm on other days, seven days a week.

After hours, off-sales drinks would be taken for consumption under the homes of residents in the early hours.



Off-licence sales - these drinkers are seated in front of the entrance to the residential apartments at Evans Granary, just round the corner from these premises. When they leave, they will leave their bottles and other litter.

Drinkers will even break the necks of bottles if they want to keep drinking, especially with a lovely view of the Illuminated River at Cathedral Square ... under the bedrooms of residents including children. The picture below shows people with off-licence wine and beer at Cathedral Square.



late night drinkers with off-licence alcohol – immediately under the residents of Minerva House

Are the applicants going to send staff to Cathedral Square to tell their patrons to stop upsetting residents and waking up children? Are they going to interrupt a parting patron who prefers to urinate in the arch in front of Pickford's Wharf rather than queue for a toilet inside?

Are the applicants going to clean up the bottles and cans they sold drinkers like these, also under Minerva House?



Off-licence sales cannot be provided by these premises without causing serious public nuisance and compromising public safety, and must be removed from any licence granted.

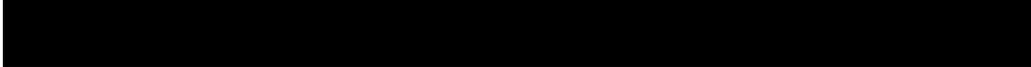
10 CONDITIONS

We sincerely hope that this licence is denied for all the above reasons. But if the Licensing Officer is minded to grant it, then the following conditions would be vital to the protection of the amenity of the residential neighbours:

- double lobbies to the doors with inner doors kept shut after 9m
- windows rather than French windows on the street.
- No street queuing
- A taxi marshalling service

- No off-licence sales after 9pm
- No tables in the street
- No heat lamps in the street
- No music audible from outside

- provision to stop football-related events and large sports screens that would attract notoriously difficult football clubs;
- commitment to actual decibel levels;
- airlock doors to prevent repeated slamming;
- No event dismantling after or before hours.
- A dispersal policy agreed in conjunction with the licence



APPENDIX A: CONGESTION OF STREETS SURROUNDING THESE PREMISES



CLINK STREET



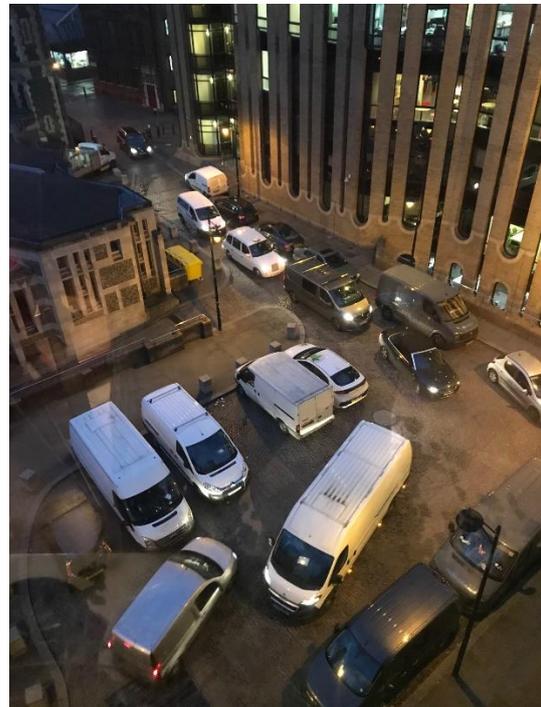
WINCHESTER WALK



STONEY STREET



STONEY STREET



MONTAGUE CLOSE

Other person 3

From: [REDACTED]
Sent: Tuesday, March 30, 2021 7:55 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: New Hibernia House. REF 874398 premises licence - objection
Importance: High

Dear Sirs,

New Hibernia House. REF 874398 premises licence

[REDACTED] wish to **object** to this application.

[REDACTED] to these premises and object to the license on the following grounds:

1. Cumulative Impact Zone
2. Hours longer than Southwark Licencing Policy
3. Servicing; no legal parking for taxis and Ubers: precedents for refusal; Deliveroo bikes
4. Design offers no mitigation for the protection of residents
5. The protection of children from harm.
6. Off-licence sales after hours consumed where?
7. Conditions

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The application contravenes key licencing objectives as follows:

5. THE PROTECTION OF CHILDREN FROM HARM

████████████████████ - SEE ATTACHED PHOTO OF VIEW FROM MY WINDOWS DIRECTLY NEXT DOOR TO THE PREMISES UNDER CONSTRUCTION.

████████████████████ will be affected by all of this noise and disruption that is planned to enter the area, specifically the drunken revellers pouring out late at night, and the pollution and noise from the idling uber and taxi engines sure to be underneath our windows on Winchester Walk as we are right by one the main entrance.

There are a number of children under the age of ten living within yards of the proposed premises. Most of these children have their bedrooms on the street. Their sleep stands to be disrupted by departing drinkers, as well as by music and elevated voices emanating from these premises.

The World Health Organisation is now reporting on the damage caused to hearing by 'leisure noise'. Children are particularly vulnerable. The World Health Organisation's current studies on noise show that disturbed nights have a serious effect on children. Their concentration the next day is compromised. They can develop headaches and permanent hearing problems.

We also wish to draw the committee's attention to the problem of people fuelled by drink who leave the place where they have spent their money and wander through residential streets, under the windows of apartments with children, and indulge in explicit talk. In licensing terms, the protection of children from harm includes the protection of children from moral, psychological and physical harm: for example, exposure to strong language and sexual expletives, or the sight of drinkers exposing themselves to urinate on their doorsteps.

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Are the applicants going to send staff to outside our residences to tell their patrons to stop upsetting residents and waking up children? Are they going to interrupt a parting patron who prefers to urinate in our doorway rather than queue up for a toilet inside?

Are the applicants going to clean up the bottles and cans they sold drinkers?

Off-licence sales cannot be provided by these premises without causing serious public nuisance and compromising public safety, and must be removed from any licence granted.

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We sincerely hope that this licence is denied for all the above reasons.

But if the Licensing Officer is minded to grant it, then the following conditions would be vital to the protection of the amenity of the residential neighbours:

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- A taxi marshalling service
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- provision to stop football-related events and large sports screens that would attract notoriously difficult football clubs;

- commitment to actual decibel levels;

- airlock doors to prevent repeated slamming;

- No event dismantling after or before hours.

- A dispersal policy agreed in conjunction with the licence

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



