

Other person 1

Councillor Adele Morris

adele.morris@southwark.gov.uk

Date: 27 April 2021

Southwark Council Licensing Team

Licence Application: 874495

Applicant: The Lost Estate

Application details: New premises licence for plays, films, live music, recorded music, performances of dance, entertainment similar to music and dancing all indoors 0800-0100 Mon-Sat 0800-0000 Sun, late night refreshment indoors 2300-0130 Mon-Sat 2300-0030 Sun, sale of alcohol on and off the premises 0800-0100 Mon-Sat 0800-0000 Sun. Opening hours 0800-0130 Mon-Sat, 0800-0030 Sun

Dear Licensing

I write to make a representation against this licence application, on behalf of myself and my ward colleague David Noakes.

There is a Cumulative Impact Policy in place in this area, which means that there is already a presumption against granting a new premises licence. Whilst I am conscious that there was previously a licence held by Hixter for a restaurant on this site, it was granted in 2014 before some changes were made to our licensing policy, and it was itself a resubmission of a licence granted to a previous applicant under a previous policy.

Hours of Operation

The Lost Estate is requesting opening hours until 1.30am Monday to Saturday, and until 00.30am on Sundays. They are also asking for on and off sales until 1am Monday to Saturday, and until midnight on Sundays.

This premises is a combination of restaurant with live entertainment, plus 2 bars. The nearest classification to this in our licensing policy appears to be:

Event premises/ spaces where sale of alcohol is included in, and ancillary to, range of activities including meals

The recommended opening hours for this type of venue are Fri – Sat 01:00, Sun – Thurs 00:00

Therefore the hours applied for exceed the hours recommended in our current licensing policy, and I have seen no justification for allowing hours to go beyond that.

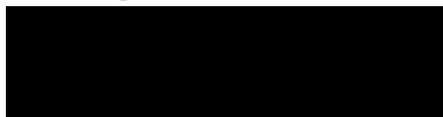
Prevention of Public Nuisance

The premises is close to residential properties, and there is the potential for large numbers of people to be leaving at the same time at the end of a show. I have not seen any crowd management plan to ensure that there is no noise disturbance to nearby residents.

In the event of this licence being granted, I would like it to include the following suggested conditions:

1. Taxi and private hire pickup should not take place on Gt Guildford St, so as to minimise noise nuisance to nearby neighbours.
2. There shall be no drinking outside the premises on Gt Guildford St.
3. There should be a restriction on the number of smokers outside at any one time. Smokers (including staff) should be restricted to the area to the side of the premises, and not allowed to smoke or congregate on Gt Guildford St, Wardens Grove or Keppel Row.
4. An onsite number shall be provided for local residents to call in the event of noise disturbance from the premises.
5. The licensing department shall be provided with the capacity limits of the premises, along with a dispersal management plan.
6. All servicing and bottling up should to place between 8am and 8pm.

Kind Regards



Councillor Adele Morris

Other person 2

Submission by [REDACTED] 28/04/2021
[REDACTED]
[REDACTED]

Application no 1652196 (874495?) 16 Great Guildford Street

I write to express my concerns about the application that has been made by Lost Estate Property Ltd for the grant of a premises license to use the premises at 16 Great Guildford St, SE1 0HS for the provision of regulated entertainment. This application is numbered 1652196, but on the Southwark website has also appeared under the ref 874495.

Background -

I own a property in [REDACTED] which is almost directly opposite this site, across the narrow width of Great Guildford Street. My property is apartment number [REDACTED] and our bedrooms on the [REDACTED] face directly onto Great Guildford Street. In total there are 22 residential apartments in America House, situated on the 2nd to the 6th floors. A substantial number of these apartments have bedrooms on this side of the building.

I am deeply worried by the prospect of any use of this neighbouring premise which either generates noise itself, or results in large numbers of people emptying the premise late at night into the narrow street below our windows. I believe that the presence of any venue offering live music and entertainment much beyond 10.15 pm (ie the same traditional cut off point for theatres and others in the West End and other parts of London) is going to lead to substantial disruption to residential properties and create a public nuisance.

Ten years ago, when we bought our property, Great Guildford Street was effectively a quiet back lane. Predominantly, it has remained so. But we do know from experience how noise can carry in this narrow road at night. We occasionally (or at least pre Covid) have groups of young people passing along the street very late at night, due to the proximity of large quantities of purpose-built accommodation for students. Voices carry up the buildings and even a group of 3 or 4 youngsters joking and chatting is loud in a confined empty space at night. On the whole, I think locals welcome students having fun, especially as highinks are rare and predominantly confined to the start of the academic year and post exam time. It does, however, give us the experience to understand how noise reverberates in Great Guildford Street and thus to predict how noise will affect us should a late night venue be opened here.

Previous use of no 16 -

The previous use of no 16 was as a steak-house style restaurant, offering substantial menu of a traditional English nature. The atmosphere was somewhat restrained while also being a nice place to go to. We ate there fairly frequently, and the average party size per table was generally small. I was never aware of any activity from the Hixter diners impacting on America House. Despite the late night licence it was generally not busy after 11pm, and what diners there were would leave in small

groups or, as mid-week these were predominantly post work dinners, many groups would break up inside the restaurant and leave individually after collecting coats. Most people leaving Hixter's would head off quietly on foot.

Scope of previous licence versus scope of application -

I have been unable to obtain a copy of the previous licence (number 865221) because it is no longer on the website, but I am fairly sure that Hixter's was not licenced as a performance arts venue and was licenced solely as a restaurant and bar. Thus this statement in the application by The Lost Estate can easily be read in a way that is misleading –

“This application is made by the new tenant for a performance arts venue and restaurant with restaurant and bar, subject to the same hours and conditions as previously authorised, with the addition of films and plays to the permitted activities and off sales for home delivery or in sealed containers.”

I believe the way this should be read is -

“This application is made by the new tenant for a performance arts venue and restaurant -

- with restaurant and bar, subject to the same hours and conditions as previously authorised, with
- the addition of films and plays to the permitted activities and
- off sales for home delivery or in sealed containers.”

That this is a change of use is reflected in the related planning application 21/AP/1232 | : Change of use from restaurant (E Use Class) to combined restaurant and theatre/performance space, including bar and cocktail experience spaces (Sui Generis).

The proposed events at the venue – The Lost Estate -

I have looked at the The Lost Estate website - <https://thelostestate.com/> and this confirms my assumption that, should this application be granted the use of no 16 will be very different to the previous use. The Lost Estate events seem to involve an immersive form of entertainment, where people come to both view and be part of a production. I did email The Lost Estate to ask for details of their proposals for events at No 16 but have had no reply. From what I can learn online it seems likely be a main performance interspersed with dining and interludes, and after this ends the theme continues with dancing, live music and drinking into the early hours. There will likely be a large number of attendees leaving at or near the end of the main performance, especially mid-week, and the later this point is in the evening the more disruption this will cause for neighbouring properties. Other attendees will be encouraged by continuing music and partying to stay on until closing time at 1.30. This will make the venue attractive for large groups celebrating life events, including quite probably stag parties and hen do's. In addition to this it appears The Lost Estate encourage those attending to “dress the part”, so those leaving are less likely to head off to public transport and more likely to call Ubers or taxis to pick them up

directly outside the building. This could lead to large noisy groups exiting as late as 1.30am and calling taxis and Ubers directly under the bedroom windows of America House. Not all the apartments in America House were built with air conditioning and so some apartments will not even be able to close windows to cut the air pollution and noise.

So this is a substantial change of use and this brings with it a substantially increased risk of public nuisance, in particular but not limited to residents in the nearby America House.

Potential issues of Public Nuisance –

1. **Noise pollution** created by a large number of people, including large numbers of people from further afield who may call taxis, emptying out, into a narrow street and almost directly below bedroom windows, after people have gone to bed and even as late as 1.30 am, on a regular basis. This is very likely exceed the level that is acceptable on a residential street and will thus constitute a public nuisance.
2. **Public nuisance in neighbouring streets.** Although America House will probably be the residential premise most affected by any crowds of event leavers in the early hours, it is highly likely that any large crowd will not entirely disperse on leaving events at number 16 but will continue, in large excited groups, cutting through other residential streets en route to the underground stations of Borough and Southwark. Public nuisance may thus also be an issue in other local streets such as Union Street, which contain housing estates and the homes of many families with young children.
3. **Public nuisance caused by smokers,** particularly in wet weather. It is probable that smokers will congregate outside the premises, since smoking is obviously not permitted indoors. There is no nearby shelter for smokers in the vicinity other than the shelter over the doorway to America House (on Keppel Row). This shelter is already heavily used by office workers during the day time and was previously frequently used by Hixter staff. Daytime use cannot be described as more than a passing nuisance, although the smell of smoke coming into the lobby on occasion can be more than this, but even a small group (2 or 3) of people congregating by the entrance of a residential building can seem intimidating at night. Even more so if this group of people are in costume for an event. In addition, we have in the past had problems with non-residents entering America House (following residents or when there have been issues of the door not closing automatically when it should) and using the stairwell for smoking, including the smoking of cannabis. It is also of note that automatic doors are very sensitive to being touched when closing, and there is every likelihood that this will happen as smoking usage increases outside, creating the risk the door to America House is open for longer than it should be, and an inherent security risk.

Measures proposed in the application to abate public nuisance –

There are 19 measures proposed in a schedule to The Lost Estate's application and I reproduce these here for reference -

1. Non standard timings for all licensable activities and opening hours from the end of permitted hours on New Years Eve to start of permitted hours on New Years Day.
2. Off sales will be in sealed containers only.
3. That an adequate and appropriate supply of first aid equipment and materials is to be available on the premises
4. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing an image of every person who enters the premises
5. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the police and the council
6. The licensee shall prominently display a notice reminding the patrons to leave the premises in an orderly fashion
7. That substantial food and suitable beverages other than intoxicating liquor shall be available during trading hours
8. The premises will be operated in accordance with Health and Safety and related legislation in order to ensure the safety of customers and staff
9. A register of refused sales of alcohol and if applicable, cigarette sales, which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the police
10. Customers shall use no outside area after 22:00hrs other than those who temporarily leave the premises to smoke a cigarette, and no more than 5 at any one time
11. That no drinking will be allowed outside the premises at any time
12. That servicing in terms of deliveries and waste removal will be between 7am & 10pm Monday to Friday and 8am & 10pm Saturday, Sunday and Bank Holidays
13. That bottle disposal will be between 8am & 10pm
14. That management regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment shall be kept at a level that does not cause disturbance at the closest noise-sensitive facade to ensure compliance with the licensing objective regarding the prevention of public nuisance
15. That all doors and openings at the premises shall be kept closed when licensable activities are taking place at the premises except for access and egress and in the event of an emergency
16. That any doors at the premises leading directly to the outside of the premises will be fitted with door bottom and perimeter acoustic seals so as to minimise noise escape from the premises
17. That all staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each

member of staff is trained, shall be available for inspection at the premises on request by the council's authorised officers or the police

18. Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required
19. The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or PASS approved proof of age card such as the Southwark Proof of Age (SPA) card

These measures go some way to address concerns, but not far enough.

The proposed measures should be modified as follows (numbering as above) -

2 No off-licence should be granted.

Reason : large groups who have been encouraged to party until 1.30 can potentially purchase alcohol before they leave to continue partying in Great Guildford Street and, indeed, the pedestrianised Keppel Row. Given the nature of the events The Lost Company is proposing, it is difficult to see why (in non-Covid times) an off-licence is needed by the proposed business model as a venue for "immersive theatre".

4 CCTV should be recorded 24 hours a day and not just during licensing hours.

Reason : so that The Lost Company can actively monitor for incidents of drinking outside the building, anti-social behaviour or public nuisance and in particular monitor whether these involve those who have been at their events. Further the council will be able to obtain this CCTV to view any incidents, if concerns are raised by neighbours.

6 There should be further measures to encourage patrons to leave in an orderly manner.

Reason : even a prominent notice reminding patrons to leave in an orderly fashion is unlikely to reduce the noise level inherent in a large number of people leaving a venue at the end of an event. At the very least, any group of over 4 booking or attending the event together should be warned at the time the booking is accepted of the need to leave the premises without noise (to minimise the impact or stag/hen parties) and then given a verbal reminder on the night. Even further such measures are unlike to totally remove the potential for public nuisance.

7 The liquor licence should only be for those ordering a meal. I rather suspect this was the case for Hixter.

Further questions for The Lost Estate -

10. The Lost Estate should be asked how they propose to monitor and ensure that no more than 5 person smoke outside at any given time after 10 pm. This seems extremely likely to be enforceable given that most smokers will want to take a

smoking break at exactly the same time ie the end of the performance. The Lost Estate should also be asked what measure they will put in place to ensure smokers, particularly in wet weather, do not cross into Keppel Row to make use of the shelter provided by the awning over the entrance to America House.

11. The Lost Estate should supply details of how they propose to ensure there is no drinking outside of the premises. In particular, if an off-licence is granted, how they propose to monitor those who have attended their events do not remain in the vicinity of Great Guildford Street and Keppel Row and continuing to party and drink after the end of the event, after the time people go to bed and even after 1.30 am.

Proposals which address, but not fully, concerns -

14. Monitoring of noise outside. This is obviously a crucial issue. The real concern for residents is that **any live performance** going on past the normal curfew for theatre events is likely to produce a public nuisance given the proximity of No 16 to bedroom windows across what is a narrow street.

15 and 16. Keeping windows and doors closed. These are welcome proposals but only if windows can be kept shut, which seems less likely in the summer months. Moreover, given the nature of the event (centred around a performance), doors are likely to be open for long periods of a time for egress whilst music continues to be played inside. A large number of attendees are likely to leave, post the main performance. However it seems to be proposed that, at the same time, live music can potentially continue for the entertainment of those choosing to remain until late. The noise escaping, when a group leaves while live music is still being played in the building, risks a public nuisance.

Changes to the licence conditions that might be considered to protect residents –

- 1. The off-licence application should not be granted** and all drinking and gathering outside the building should be banned, with The Lost Estate responsible for monitoring up to and including after 1.30pm (by ensuring all their clients have left the vicinity).
- 2. The licence for regulated entertainment should require any formal production finish at 10.15** or the latest 10.30 pm.
- 3. After 11 pm only the playing of recorded “background” music** with a specific decibel limit should be permitted whilst diners finish their meals or enjoy a post-performance drink.
- 4. A quiet post-performance atmosphere** should be created which aims to encourage attendees to leave the venue in a measured and calm manner.
- 5. The Lost Estate should** ensure there is no “one point” after 11pm at which large numbers leave. The aim after 11 pm should be that the majority of attendees vacate in small quiet groups, well before the final closing time for the late night refreshment licence. Large groups (as mentioned above) should be specifically reminded by staff at the point and time of exit to leave quietly, and that there are nearby residential buildings.

Changes to other matters which might further protect residents from potential public nuisance caused by this change of use –

1. **Great Guildford Street should become vehicular access for residents only after 10 pm**, ensuring that taxis and Ubers are not able to idle waiting for pick-ups from No 16 and that groups ordering taxis by app etc meet their car on the side of the main highway.
2. **The council should discuss with all interested parties the siting and provision of a shelter for smokers**, away from the entrance to America House on Keppel Row.

Many thanks for reading this,

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██

Other person 3

From: [REDACTED]
Sent: Wednesday, April 28, 2021 4:41 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; [REDACTED]

[REDACTED] APPLICATION NO: 1652196/874495R

Name: [REDACTED]

Correspondence Address: [REDACTED]
[REDACTED]

Email Address: [REDACTED]

Address of Property: As above

Date: 28/04/2021

**OBJECTION TO LICENSING APPLICATION NO: 1652196/874495R
16 GREAT GUILDFORD STREET, SE1 0HS**

I own an apartment at [REDACTED] on the [REDACTED] floor, Great Guildford Street side of the building. The above application for a premises license has been submitted on behalf of The Lost Estate Property Ltd and I wish to lodge an objection.

I believe this application is unreasonable and does not consider the impact these activities could have on the lives of residents. The organisation is seeking unreasonable hours given the number of residential properties in this area and the application shows little mitigation for the potential for nuisance caused when large numbers of people leave the venue.

The residents of America House and other residential properties in the vicinity will be faced with up to 500 people leaving the venue after a performance of plays, films, live music, recorded music, performance of dance or anything of a similar description on any day of the year the applicant wishes. The residents will have no recourse except via a lengthy complaints process to your Noise Nuisance Team to stop this if you grant this application.

Late night refreshment will also be available with the supply of alcohol and off-license facilities. This is unsuitable to a residential area where people's homes and indeed bedrooms border Great Guildford Street. I talk from experience when I say that late night and intoxicated revellers often behave in anti-social ways and urinate, defecate and vomit in doorways, side streets and even private gardens.

THE PREVENTION OF NUISANCE

The applicant has shown little evidence in the application by way of prevention of noise nuisance to residents of the area and I believe any average person would find this application unacceptable. This will impact the community by significantly interfering with the residents' quality of life. This license application is for every day of the week, for every day of the year with no respite and I believe this is

unacceptable in a street where bedrooms are located as it will cause a continual and repeated disruption to residents' enjoyment of their private homes.

The application claims the applicant will take measures to curb anti-social behaviour and nuisance but with 500 people leaving a venue after a performance how can the applicant realistically guarantee this? Putting up a sign will neither ensure people read it nor follow these instructions, especially if intoxicated. I would suggest the Council will receive many complaints of noise nuisance and anti-social behaviour if this license is granted. Furthermore, the public attending these performances will have consumed alcohol on the premises and then be making their way home by Tube, bus or taxis which will no doubt drive along Great Guildford Street in the night-time hours and potentially on every day of the year.

In summary, I would respectfully ask you to seriously consider the following points when determining this application:

1. This may result in a situation where there will be no respite for residents as this license seeks permission for something more than the occasional performance and it will not be a one-off occurrence.
2. Please consider the impact on residents of repeated loss of sleep and the associated health issues.
3. How this venue fits in with the wider "quiet zone" aims of the area.

Thank you,

████████████████████

Other person 4

Name: [REDACTED]

Correspondence Address: [REDACTED]

Email Address: [REDACTED]

Address of Property: Flat 17, America House, London SE1 0NJ

Date: 28th April 2021

OBJECTION TO LICENSING APPLICATION NO: 1652196/874495R 16 GREAT GUILDFORD STREET, SE1 0HS

I own an apartment at America House which overlooks Great Guildford Street, SE1. The above application for a premises license has been submitted on behalf of The Lost Estate Property Ltd and I wish to lodge an objection.

The application seeks a license allowing it to be open to the public from 0800 to 0130 Monday to Friday and 0800 to 0030 Sunday for every day of the year.

The application seeks a license for performances/music from 0800 to 0100 Monday to Saturday and 0800 to 1200 Sunday for every day of the year.

The application seeks a license for late night refreshment from 2300 to 0130 Monday to Saturday and 0800 to 1230 Sunday for every day of the year.

The application seeks a license to allow deliveries and waste collection from 0700 to 2200 every day of the week and again every day of the year.

Even if this application was solely for days over the weekend it would be too much.

MY REPRESENTATIONS

I believe this application is unreasonable and does not consider the impact these activities could have on the lives of residents. These are unreasonable hours given the number of residential properties in this area and the application shows little mitigation for the potential for nuisance caused when large numbers of people leave the venue.

The residents of America House and other residential properties in the vicinity will be faced with up to 500 people leaving the venue after a performance of plays, films, live music, recorded music, performance of dance or anything of a similar description on any day of the year the applicant wishes. The residents will have no recourse except via a lengthy complaints process to your Noise Nuisance Team to stop this if you grant this application.

Late night refreshment will also be available with the supply of alcohol and off-license facilities. This is unsuitable to a residential area where people's homes and indeed bedrooms border Great Guildford Street. I talk from experience when I say that late night

and intoxicated revellers often behave in anti-social ways and urinate, defecate and vomit in doorways, side streets and even private gardens.

THE PREVENTION OF NUISANCE

The applicant has shown little evidence in the application by way of prevention of noise nuisance to residents of the area and I believe any average person would find this application unacceptable. It is of particular concern that due to the nature of the site being enclosed between the railway line, high buildings, narrow streets and alleyways in this area the sound will be greatly amplified potentially resulting in noise nuisance during night-time hours every day of the year. This will impact the community by significantly interfering with the residents' quality of life. This license application is for every day of the week, for every day of the year with no respite and I believe this is unacceptable in a street where bedrooms are located as it will cause a continual and repeated disruption to residents' enjoyment of their private homes.

The application claims the applicant will take measures to curb anti-social behaviour and nuisance but with 500 people leaving a venue after a performance how can the applicant realistically guarantee this? Putting up a sign will neither ensure people read it nor follow these instructions, especially if intoxicated. I would suggest the Council will receive many complaints of noise nuisance and anti-social behaviour if this license is granted. Furthermore, the public attending these performances will have consumed alcohol on the premises and then be making their way home by Tube, bus or taxis which will no doubt drive along Great Guildford Street in the night-time hours and potentially on every day of the year.

STATUTORY AND POLICY DOCUMENTS

I would refer to:

1. The Environmental Protection Act 1990, Section 79(1)(g) and (ga). These continual activities could prove to be "prejudicial to health" if this results in a continued lack of sleep for residents due to noise nuisance.
2. This could cause an issue of statutory nuisance if it proves to be unreasonable and causes substantial interference in the use and enjoyment of a person's property.
3. Southwark's own guidance regarding "commercial noise from pubs, nightclubs, restaurants etc". The Council has a duty to mitigate the potential harmful effects and to reduce noise exposure. The Noise Policy Statement for England states Councils should ensure "effective management and control of neighbourhood noise ..." and consider the "quality of life" of residents. By not granting this license in its current form, the Council can head off a potential and serious issue here for residents in the area.
4. 3.1.3 of the National Planning Practice Guidelines regarding noticeable and disruptive practices which have an adverse effect on the community.

I do not believe there is a wider public benefit in the granting of this license. There are plenty of similar entertainment venues and in more suitable locations currently available to the public.

In summary, I would respectfully ask you to seriously consider the following points when determining this application:

1. This may result in a situation where there will be no respite for residents as this license seeks permission for something more than the occasional performance and it will not be a one-off occurrence.
2. Please consider the impact on residents of repeated loss of sleep and the associated health issues.
3. The real impact on how we can enjoy our homes.
4. This is not an issue of sensitivity and my representations are made using objective standards; if granted this application will undoubtedly affect average people just going about their daily lives.

 - As of 28th April 2021



Other person 5

From: [REDACTED] >
Sent: Wednesday, April 28, 2021 3:41 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Premises license ref 1652196/874495 - OBJECTION

To whom it may concern

License application:

Lost Estate Property Ltd, 16 Great Guildford St, London, SE1 0HS for the provision of regulated entertainment

Reference number: 1652196/874495

Date: Wednesday 28th April 2021

I live opposite 16 Great Guildford Street on the [REDACTED] [REDACTED] of America House, [REDACTED] [REDACTED] and look out directly to the building requesting the licence application above.

I purchased this property eight years ago on a previously quiet pocket of Southwark. Over recent years numerous evening venues have opened nearby which has meant the footfall and general night-time noise levels have increased greatly.

Better Bankside recently (two years) refitted Keppel Row (where our front entrance is, and a majority of the resident's bedrooms are also located) with a nice walkway and lovely planters which can be used in the daytime for seats.

We now find people using the outside of our building at all hours as a convening point: for drinking, smoking, and relieving themselves.

This obviously creates late night disturbance, conflict with tenants, and then we are greeted in the mornings with; wine/beer bottles, cigarettes, drug paraphernalia and human body waste.

I am deeply concerned about the potential of a late-night music licence at this location. This will no doubt attract a great amount of noise to the area at the proposed closing time of 1am with people leaving (some intoxicated) creating a general noise and littering nuisance outside our homes.

Previously when the location was 'Hixter' and 'Marks Bar' we experienced several occasions where clients would leave after 12 in dribs and drabs intoxicated and caused a general nuisance to the area. The worry of having a music venue would be that large numbers of people all leave at the same time and create a large single disturbance on the street whilst they slowly disburse around 1am. This would be awful and significantly worse than small groups of people leaving over the last few hours of opening time when it was 'Hixter' and 'Marks Bar'.

A licence until 11pm would surely be late enough and a happy medium, we as long-term residents should not be expected to put up with even more disturbance and nuisance in what was previously a quiet and respectful area.

Caravan Bar and Restaurant next door generally abide by the rule of keeping their windows closed when they have music playing. Their closing time is 11pm and whilst this does cause a slight noise nuisance around this time it is acceptable and reasonable considering our Central London location.

I therefore strongly reject a licence of 1am and believe 11pm would be the latest that should be granted.

[REDACTED]

Other person 6

28/04/21

SE1 0FB

Objection to licence reference number 874495 - 16 Great Guildford Street SE1 0HS

I wish to lodge an objection to the proposed development at 16 Great Guildford Street and the application by by Lost Estate Property Ltd for the grant of a premises license to use the premises for the provision of regulated entertainment.

I am a resident at [REDACTED] and have lived at this accommodation for 10 years. The flat directly faces onto Great Guildford Street. Over this 10 year period our neighbourhood has been subject to incremental commercial development with associated noise and disruption adversely affecting quality of life.

I am particularly concerned that the proposed development will significantly add to this disruption. I note that the entertainment model involves musical entertainment, dancing and alcohol consumption into the morning hours. I believe this is likely to cause considerable noise on the street with patrons arriving and leaving the venue, especially in large groups. This is likely to involve the frequent use of taxis beyond midnight. I understand this is a significant change in licencing to Hixter restaurant which served largely alcohol within the context of the purchase of a substantial meal. The licence is for extended hours (0800-0100 6 days a week and 0800-1230 Sunday).

There has recently been a venue ('One Night Records', Wardens Grove) opposite America House which I believe held a similar entertainment model. This was associated with significant night time noise with patrons smoking and socialising on the street into the early hours and an increase in transport disruption. In addition residents noted that several patrons utilised the entrance canopy to America House to smoke in rainy weather which could feel intimidating.

I note the measures included in the application to abate public nuisance but do not feel they are adequate to address these concerns. I believe that no off-licence should be granted as continued drinking is currently a public nuisance issue in the area. CCTV recording would not address the issue of patrons arriving and leaving the venue creating disturbance. In addition patrons leaving other venues in the vicinity often remain in the area whilst intoxicated and create considerable noise. There has been an increase in litter, vomit and urination in the vicinity. In addition it is not clear that measures have been considered to address wider noise leakage from the venue especially given the proposal for plays, films, live music, recorded music and dance.

I believe that a balanced neighbourhood environmental policy considers the well-being of its residents. Arguably recent commercial developments have encroached upon those that live in the area and adversely affected their quality of life and health. I believe that this proposed development will considerably add to this process.

Thank you for considering this submission

[REDACTED]

Other person 7

OBJECTION TO LICENSING APPLICATION NO: 1652196/874495R 16 GREAT GUILDFORD STREET, SE1 0HS

I own an apartment at America House which borders Great Guildford Street, SE1. The above application for a premises license has been submitted on behalf of The Lost Estate Property Ltd and I wish to lodge an objection.

The application seeks a license allowing it to be open to the public from 0800 to 0130 Monday to Friday and 0800 to 0030 Sunday for every day of the year.

The application seeks a license for performances/music from 0800 to 0100 Monday to Saturday and 0800 to 1200 Sunday for every day of the year.

The application seeks a license for late night refreshment from 2300 to 0130 Monday to Saturday and 0800 to 1230 Sunday for every day of the year.

The application seeks a license to allow deliveries and waste collection from 0700 to 2200 every day of the week and again every day of the year.

Even if this application was solely for days over the weekend it would be too much.

MY REPRESENTATIONS

I believe this application is unreasonable and does not consider the impact these activities could have on the lives of residents. These are unreasonable hours given the number of residential properties in this area and the application shows little mitigation for the potential for nuisance caused when large numbers of people leave the venue.

The residents of America House and other residential properties in the vicinity will be faced with up to 500 people leaving the venue after a performance of plays, films, live music, recorded music, performance of dance or anything of a similar description on any day of the year the applicant wishes. The residents will have no recourse except via a lengthy complaints process to your Noise Nuisance Team to stop this if you grant this application.

Late night refreshment will also be available with the supply of alcohol and off-license facilities. This is unsuitable to a residential area where people's homes and indeed bedrooms border Great Guildford Street. I talk from experience when I say that late night and intoxicated revellers often behave in anti-social ways and urinate, defecate and vomit in doorways, side streets and even private gardens.

THE PREVENTION OF NUISANCE

The applicant has shown little evidence in the application by way of prevention of noise nuisance to residents of the area and I believe any average person would find this application unacceptable. It is of particular concern that due to the nature of the site being enclosed between the railway line, high buildings, narrow streets and alleyways in this area the sound will be greatly amplified potentially resulting in noise nuisance during night-time hours every day of the year. This will impact the

community by significantly interfering with the residents' quality of life. This license application is for every day of the week, for every day of the year with no respite and I believe this is unacceptable in a street where bedrooms are located as it will cause a continual and repeated disruption to residents' enjoyment of their private homes.

The application claims the applicant will take measures to curb anti-social behaviour and nuisance but with 500 people leaving a venue after a performance how can the applicant realistically guarantee this? Putting up a sign will neither ensure people read it nor follow these instructions, especially if intoxicated. I would suggest the Council will receive many complaints of noise nuisance and anti-social behaviour if this license is granted. Furthermore, the public attending these performances will have consumed alcohol on the premises and then be making their way home by Tube, bus or taxis which will no doubt drive along Great Guildford Street in the night-time hours and potentially on every day of the year.

STATUTORY AND POLICY DOCUMENTS

I would refer to:

1. The Environmental Protection Act 1990, Section 79(1)(g) and (ga). These continual activities could prove to be "prejudicial to health" if this results in a continued lack of sleep for residents due to noise nuisance.
2. This could cause an issue of statutory nuisance if it proves to be unreasonable and causes substantial interference in the use and enjoyment of a person's property.
3. Southwark's own guidance regarding "commercial noise from pubs, nightclubs, restaurants etc". The Council has a duty to mitigate the potential harmful effects and to reduce noise exposure. The Noise Policy Statement for England states Councils should ensure "effective management and control of neighbourhood noise ..." and consider the "quality of life" of residents. By not granting this license in its current form, the Council can head off a potential and serious issue here for residents in the area.
4. 3.1.3 of the National Planning Practice Guidelines regarding noticeable and disruptive practices which have an adverse effect on the community.

I do not believe there is a wider public benefit in the granting of this license. There are plenty of similar entertainment venues and in more suitable locations currently available to the public.

In summary, I would respectfully ask you to seriously consider the following points when determining this application:

1. This may result in a situation where there will be no respite for residents as this license seeks permission for something more than the occasional performance and it will not be a one-off occurrence.
2. Please consider the impact on residents of repeated loss of sleep and the associated health issues.

3. The real impact on how we can enjoy our homes.
4. This is not an issue of sensitivity and my representations are made using objective standards; if granted this application will undoubtedly affect average people just going about their daily lives.



Other person 8

From: [REDACTED]
Sent: Wednesday, April 28, 2021 12:17 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: OBJECTION TO LICENSING APPLICATION NO: 1652196/874495R 16 GREAT GUILDFORD STREET, SE1 0HS

**OBJECTION TO LICENSING APPLICATION NO: 1652196/874495R
16 GREAT GUILDFORD STREET, SE1 0HS**

28th April 2021

To whom it may concern

Licence application: Lost Estate Property Ltd, 16 Great Guildford St, London. SE1 0HS for the provision of regulated entertainment.

We live in a property on the [REDACTED] SE1 0FB and have windows that look onto Great Guildford St.

We are very worried about the prospect of noise that the grant of the above licence may have on our narrow street and our quality of life living here.

Since moving into our home 10 years ago we have already seen a substantial increase in noise to our flats from increased trains (which granted is public transport which we need) with the expansion of London Bridge station and an extra railway track outside the building, also we now have the bistro/restaurant Caravan directly opposite and the large music/bar venue Flat Iron Square very close which is also creating substantial noise coupled with this we have seen a huge increase in student accommodation in the area which has also led to large groups of people creating noise in this narrow street. Having a late-night venue opposite will almost certainly add to the existing noise levels.

My Representations

I strongly feel that the proposed change of use from what was a restaurant (which delivered minimal noise) in the past to an entertainment venue which will bring large numbers of up to 500 people to/from our narrow street 7 days a week and up to 1.30am is unlikely to be below an acceptable level on a residential street. i.e. taxis, crowds leaving on route to Borough & Southwark Tubes (that are 24hrs at weekends).

The proposed opening hours are unreasonable and with little mitigation for the nuisance this venue could cause. The only option to residents would be to complain via the noise police, which is time consuming and not designed for these type of venues that produce loud noise. I do not believe the proposed measures to try and stop any ant social behaviour from this venue are realistic and achievable, once someone leaves the venue, the operators simply do not see it as their problem anymore.

I realise we live in a central London location and there will always be noise, but the area still houses residential properties where people are entitled to live in peace in

our homes after 11pm. The idea of regular disturbances up to 2am will I fear make our homes unliveable and have a serious impact on our health.

I would be grateful if you could acknowledge receipt of this application before the deadline.

[REDACTED]

Other person 9

From: [REDACTED]
Sent: Tuesday, April 27, 2021 7:35 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: License application: Lost Estate Property Ltd, 16 Great Guildford St.
Reference number: 1652196/874495

License application:
Lost Estate Property Ltd, 16 Great Guildford St, London, SE1 0HS for the provision of regulated entertainment
Reference number: 1652196/874495

We live in a property on the [REDACTED] SE1 0FB and all our bedrooms are in close proximity to Great Guildford St.

We are very worried about the prospect of noise that the grant of the above licence may have on our narrow street and our quality of life. Keppel row is an island of quiet and we feel strongly that it should be preserved. Just recently, Better Bankside renovated it and added a small garden.

I understand that other residents in the building have attempted to engage the proposer in conversation. These attempts have failed. It appears that they do not want to integrate with their local community. This makes it look like they do not wish to live in harmony with their neighbours.

I am also mindful of the restrictions that have been placed on the neighbouring Caravan restaurant in regard of music. It is my understanding that the windows of the property must be closed before music can be played. I would ask that these restrictions apply to this application as well. There have been numerous violations of these restrictions by Caravan, at least one of which required council involvement to resolve.

Parking and space for the dropping off and picking up of nightclub-goers is painfully limited, and I expect traffic congestion will be caused by the increase in the number of cars.

I am also concerned about why anyone would want to open a nightclub during a pandemic! Surely there is already adequate nightclub provision in South London, given that most are currently struggling. And with this application, we are inviting some of the least responsible people into our area. If you consider it a good idea to go to a nightclub at this time, it is unlikely that you have taken the necessary precautions to avoid COVID-19.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Other person 10

From: [REDACTED]
Sent: Thursday, April 29, 2021 2:34 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: 16 Great Guildofrd St SE1 0HS

I write to express my concerns about the application that has been made by Lost Estate Property Ltd for the grant of a premises license to use the premises at 16 Great Guildford St, SE1 0HS for the provision of regulated entertainment. This application is numbered 1652196, but on the Southwark website has also appeared under the ref 874495.

Background -

I own a property in [REDACTED] which is almost directly opposite this site, across the narrow width of Great Guildford Street. My property is apartment [REDACTED], with the bedroom facing out onto Keppel Row

I am deeply worried by the prospect of any use of this neighbouring premise which either generates noise itself, or results in large numbers of people emptying the premise late at night into the narrow street below our windows. I believe that the presence of any venue offering live music and entertainment much beyond 10.15 pm (ie the same traditional cut off point for theatres and others in the West End and other parts of London) is going to lead to substantial disruption to residential properties and create a public nuisance.

Previous use of no 16 -

The previous use of no 16 was as a steak-house style restaurant. Despite the late night licence it was generally not busy after 11pm, and diners would leave in small groups or, as mid-week these were predominantly post work dinners, many groups would break up inside the restaurant and leave individually. Most people leaving Hixter's would head off quietly on foot.

Scope of previous licence versus scope of application -

The applicant has applied for a change of use which is reflected in the related planning application 21/AP/1232 | :*Change of use from restaurant (E Use Class) to combined restaurant and theatre/performance space, including bar and cocktail experience spaces (Sui Generis)*

I object to the change of use because there is a substantially increased risk of public nuisance, in particular but not limited to residents in the nearby America House.

Potential issues of Public Nuisance –

1. **Noise pollution** created by a large number of people, including large numbers of people from further afield who may call taxis, emptying out, into a narrow street and almost directly below bedroom windows, after people have gone to bed and even as late as 1.30 am, on a regular basis. This is very likely exceed the level that is acceptable on a residential street and will thus constitute a public nuisance.
2. **Public nuisance in neighbouring streets.** Although America House will probably be the residential premise most affected by any crowds of event leavers in the early hours, it is highly likely that any large crowd will not entirely disperse on leaving events at number 16 but will continue, in large excited groups, cutting though other residential streets en route to the underground stations of Borough and Southwark. Public nuisance may thus also be an issue in other local streets such as Union Street, which contain housing estates and the homes of many families with young children.
3. **Public nuisance caused by smokers,** particularly in wet weather. It is probable that smokers will congregate outside the premises, since smoking is obviously not permitted indoors. There is no nearby shelter for smokers in the vicinity other than the shelter over the doorway to America House (on Keppel Row). This shelter is already heavily used by office workers during the day time and was previously frequently used by Hixter staff. Daytime use is already a nuisance, but a small group (2 or 3) of people congregating by the entrance of a residential building can also be intimidating at night. In addition, we have in the past had problems with non-residents entering America House (following residents or when there have been issues of the door not closing automatically when it should) and using the stairwell for smoking, including the smoking of cannabis. It is also of note that automatic doors are very sensitive to being touched when closing, and there is every likelihood that this will happen as smoking usage increases outside, creating the risk the door to America House is open for longer than it should be, and an inherent security risk.

I would have no objection to the continuation of a restaurant licence similar to that that was in place for Hixter.

Thank you for your assistance

██████████

██████████████████

██████████████████████████████

Other person 11

From: [REDACTED]
Sent: Thursday, April 29, 2021 1:34 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>
[REDACTED]
Subject: 874495 / 1652196 Licensing application

Good afternoon,

I write to formally raise my and my husband's concerns regarding the application by Lost Estate Property Ltd for the licence to use the premises at 16 Great Guildford St, SE1 0HS.

My husband and I own and live at a property at [REDACTED] The bedrooms of our flat faces onto the corner of Keppel Row and Great Guildford St.

We are extremely concerned about the potential of the licencing application being granted. This would change the premises from a restaurant with a laid back, never full bar to a venue that encourages late night drinking to 1am and the resulting behaviours. We were rarely disturbed by people leaving the Hixter restaurant and not very late. Our expectations is that this will significantly change with a late music venue being at the property instead.

We believe that the change to the licencing will result in a substantial increase in public nuisance including:

- being kept awake during and after closing at 1am
- people outside smoking and talking loudly
- customers waiting for their taxis and ubers and the noise while they wait
- the increased traffic in the narrow street

We are able to typically enjoy quiet evenings which is surprising for such a central part of London. We do sometimes get woken up by the staff when they leave Caravan but fortunately this is infrequent. If the licence being applied for is granted and implemented, this could only increase noise levels both for frequency, volume level and the duration of disturbance to the point where it will constitute a public nuisance to those living in the building and the surrounding apartments that are along the path to public transport.

The council and Better Bankside recently renovated Keppel Row and added seating areas across from the entrance. These are immediately below our bedrooms. The aim was to create a "clean air" area but instead has resulted in smokers congregating on these seats. It is not hard to imagine that the patrons of the music venue would discover these seats and use them to smoke at. This would result in both increased noise, litter and also likely smoke entering into the flats above when windows are open with the resulting known health hazards. The proximity of this noise would impact significantly on residents.

We are also aware that an off-licence application has been submitted and do not understand the need for this given that the application states there will be no outside area use after 10pm. There are plenty of shops selling alcohol up to 10pm in close

proximity to the venue and see no logical reason why this is required - the implication is that this licence would allow sale of alcohol after local shops close and therefore would encourage drinking in our local streets after 10pm.

As a minimum we would hope that the concerns above would result in a licence to use the premises be granted only until 10pm on Friday and Saturdays and 9pm for the remainder of the week given the residential nature of area.

We are aware that a detailed objection has been made by [REDACTED] and we fully support this and echo its content.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]

Other person 12

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
SE1 0FB

28 April 2021

Dear Sir/Madam

Application no 1652196 (874495?) 16 Great Guildford Street

I am writing to express concern about the application made by Lost Estate Property Ltd for the grant of a premises license to use the premises at 16 Great Guildford St, SE1 0HS for the provision of regulated entertainment. This application is numbered 1652196, but on the Southwark website has also appeared under the ref 874495.

I own and live in [REDACTED] is almost directly opposite this site, across the narrow width of Great Guildford Street. In total there are 22 residential apartments in America House, situated on the [REDACTED] floors. The entrance to our building is on Keppel Row, a narrow, pedestrianised lane recently categorised as a quiet way.

I believe that the presence of a venue offering live music and entertainment much beyond 10.15 pm (i.e., the same traditional cut off point for theatres and others in the West End and other parts of London) will be a substantial disruption to me as a local resident and create a public nuisance.

Having read the related planning application 21/AP/1232 | : Change of use from restaurant (E Use Class) to combined restaurant and theatre/performance space, including bar and cocktail experience spaces (Sui Generis) and looked at the The Lost Estate website - <https://thelostestate.com/>, should this application be granted the use of no 16 will be very different to the previous use. The Lost Estate events seem to involve an immersive form of entertainment, where people come to both view and be part of a production. My neighbours did email The Lost Estate to ask for details of their proposals for events at No 16 but have had no reply. From what I can learn online it seems likely be a main performance interspersed with dining and interludes, and after this ends the theme continues with dancing, live music and drinking into the early hours.

My concern is the large number of attendees leaving at or near the end of the main performance, especially mid-week, and the later this point is in the evening the more disruption this will cause for neighbouring properties. Other attendees will leave at closing time, currently indicated as 1.30am.

The proposed immersive entertainment will make the venue attractive for large groups who will potentially use Keppel Row to continue conversations and/or smoke

together during and after the venue has closed. These groups could be intimidating to residents late at night. We could also expect these groups to begin calling taxis and Ubers directly under the bedroom windows of America House. Not all the apartments in America House were built with air conditioning and so some apartments will not even be able to close windows to cut the air pollution and noise.

My other concern is the late-night closing will increase the propensity for individuals to harass, fight, litter, urinate, defecate and sleep on Keppel Row. Together these concerns demonstrate a substantially increased risk of public nuisance, in particular but not limited to residents in the nearby America House.

Potential issues of Public Nuisance –

1. **Noise pollution** created by a large number of people, either in groups or individuals, either travelling along or lingering on Keppel Row before, at and after closing time. This is unacceptable on a residential street and will thus constitute a public nuisance.
2. **Public nuisance in neighbouring streets.** Other residential streets enroute to London Bridge and Blackfriars Rail stations and the underground stations of London Bridge, Borough and Southwark will be affected by groups and individuals travelling home late at night. Public nuisance may thus also be an issue in other local streets such as Union Street, which contain housing estates and the homes of many families with young children.
3. **Public nuisance caused by smokers,** particularly in wet weather. It is probable that smokers will congregate outside the venue, since smoking is obviously not permitted indoors. There is no nearby shelter for smokers in the vicinity other than the shelter over the doorway to America House (on Keppel Row). This shelter is already heavily used by office workers during the daytime and was previously frequently used by Hixter staff. The smell of smoke and the debris left has an environmental impact.

A small group (2 or 3) of people congregating by the entrance of a residential building can seem intimidating at night. Even more so if this group of people are in costume for an event. In addition, we have in the past had problems with non-residents entering America House (following residents or when there have been issues of the door not closing automatically when it should) and using the stairwell for smoking, including the smoking of cannabis. It is also of note that our automatic doors (a requirement for our wheelchair using residents) are very sensitive to being touched when closing causing them to remain open. There is every likelihood that this will happen as smoking usage increases outside. This creates the risk the door to America House remains open and unlocked whilst there are many non-residents using the lane: an inherent security risk.

Measures proposed in the application to abate public nuisance –

There are 19 measures proposed in a schedule to The Lost Estate's application and I reproduce these here for reference -

1. Non-standard timings for all licensable activities and opening hours from the end of permitted hours on New Year's Eve to start of permitted hours on New Year's Day.
2. Off sales will be in sealed containers only.
3. That an adequate and appropriate supply of first aid equipment and materials is to be available on the premises
4. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing an image of every person who enters the premises
5. That all CCTV footage shall be kept for a period of thirty-one (31) days and shall, upon request, be made immediately available to officers of the police and the council
6. The licensee shall prominently display a notice reminding the patrons to leave the premises in an orderly fashion
7. That substantial food and suitable beverages other than intoxicating liquor shall be available during trading hours
8. The premises will be operated in accordance with Health and Safety and related legislation in order to ensure the safety of customers and staff
9. A register of refused sales of alcohol and if applicable, cigarette sales, which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the police
10. Customers shall use no outside area after 22:00hrs other than those who temporarily leave the premises to smoke a cigarette, and no more than 5 at any one time
11. That no drinking will be allowed outside the premises at any time
12. That servicing in terms of deliveries and waste removal will be between 7am & 10pm Monday to Friday and 8am & 10pm Saturday, Sunday and Bank Holidays
13. That bottle disposal will be between 8am & 10pm
14. That management regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment shall be kept at a level that does not cause disturbance at the closest noise-sensitive facade to ensure compliance with the licensing objective regarding the prevention of public nuisance

15. That all doors and openings at the premises shall be kept closed when licensable activities are taking place at the premises except for access and egress and in the event of an emergency

16. That any doors at the premises leading directly to the outside of the premises will be fitted with door bottom and perimeter acoustic seals so as to minimise noise escape from the premises

17. That all staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the council's authorised officers or the police

18. Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies, and proof of age may be required

19. The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or PASS approved proof of age card such as the Southwark Proof of Age (SPA) card

These measures go some way to address concerns, but not far enough.

The proposed measures should be modified as follows (numbering as above) -

2 No off-licence should be granted.

Reason: large groups who have been encouraged to party until 1.30 can potentially purchase alcohol before they leave to continue partying in Great Guildford Street and, indeed, the pedestrianised Keppel Row. Given the nature of the events The Lost Company is proposing, it is difficult to see why (in non-Covid times) an off-licence is needed by the proposed business model as a venue for "immersive theatre".

4 CCTV should be recorded 24 hours a day and not just during licensing hours.

Reason: so that The Lost Company can actively monitor for incidents of drinking outside the building, anti-social behaviour or public nuisance and in particular monitor whether these involve those who have been at their events. Further the council will be able to obtain this CCTV to view any incidents, if concerns are raised by neighbours.

6 There should be further measures to encourage patrons to leave in an orderly manner.

Reason: even a prominent notice reminding patrons to leave in an orderly fashion is unlikely to reduce the noise level inherent in a large number of people leaving a venue at the end of an event. At the very least, any group of over 4 booking or attending the event together should be warned at the time the booking is accepted of the need to leave the premises without noise (to minimise the impact or stag/hen parties) and then given a verbal reminder on the night that they are on CCTV. Even further such measures are unlike to totally remove the potential for public nuisance.

7 The liquor licence should only be for those ordering a meal. I rather suspect this was the case for Hixter.

Further questions for The Lost Estate -

10. The Lost Estate should be asked how they propose to monitor and ensure that no more than 5-person smoke outside at any given time after 10 pm. This seems extremely likely to be enforceable given that most smokers will want to take a smoking break at exactly the same time i.e., the end of the performance. The Lost Estate should also be asked what measure they will put in place to ensure smokers, particularly in wet weather, do not cross into Keppel Row to make use of the shelter provided by the awning over the entrance to America House.

11. The Lost Estate should supply details of how they propose to ensure there is no drinking outside of the premises. In particular, if an off-licence is granted, how they propose to monitor those who have attended their events do not remain in the vicinity of Great Guildford Street and Keppel Row and continuing to party and drink after the end of the event, after the time people go to bed and even after 1.30 am.

Proposals which address, but not fully, concerns -

14. Monitoring of noise outside. This is obviously a crucial issue. The real concern for residents is that **any live performance** going on past the normal curfew for theatre events is likely to produce a public nuisance given the proximity of No 16 to bedroom windows across what is a narrow street.

15 and 16. Keeping windows and doors closed. These are welcome proposals but only if windows can be kept shut, which seems less likely in the summer months. Moreover, given the nature of the event (centred around a performance), doors are likely to be open for long periods of a time for egress whilst music continues to be played inside. A large number of attendees are likely to leave, post the main performance. However, it seems to be proposed that, at the same time, live music can potentially continue for the entertainment of those choosing to remain until late. The noise escaping, when a group leaves while live music is still being played in the building, risks a public nuisance.

Changes to the licence conditions that might be considered to protect residents –

1. The off-licence application should not be granted and all drinking and gathering outside the building should be banned, with The Lost Estate responsible

Other person 13

From: [REDACTED]
Sent: Wednesday, April 28, 2021 9:44 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Regen, Licensing <Licensing.Regen@southwark.gov.uk>; Krishnan, Anusyutha <Anusyutha.Krishnan@southwark.gov.uk>
Subject: Application no 1652196 (874495?) 16 Great Guildford Street

I write to express my concerns about the application that has been made by Lost Estate Property Ltd for the grant of a premises license to use the premises at 16 Great Guildford St, SE1 0HS for the provision of regulated entertainment. This application is numbered 1652196, but on the Southwark website has also appeared under the ref 874495.

I have read and adopt as my own in all respects the submission that [REDACTED], has made and which I have pasted below.

I also attach photographs I took yesterday that show the proximity of [REDACTED] and the residential accommodation in America House. One photo is taken from [REDACTED], and the other is taken from the [REDACTED] of our flat, [REDACTED].

The risk of public nuisance is very high with this change of use from the previous use as a restaurant, is incompatible with the mixed business and residential character of the area and presents real concerns for anyone who works normal office hours and needs to be asleep at a normal time.

[REDACTED]
[REDACTED]
[REDACTED]

28 April 2021





Submission by [REDACTED] 28/04/2021

Application no 1652196 (874495?) 16 Great Guildford Street

I write to express my concerns about the application that has been made by Lost Estate Property Ltd for the grant of a premises license to use the premises at 16 Great Guildford St, SE1 0HS for the provision of regulated entertainment. This application is numbered 1652196, but on the Southwark website has also appeared under the ref 874495.

Background -

I own a property in [REDACTED] which is almost directly opposite this site, across the narrow width of Great Guildford Street. My property is apartment [REDACTED] and our bedrooms on [REDACTED] face directly onto Great Guildford Street. In total there are 22 residential apartments in America House, situated on the 2nd to the 6th floors. A substantial number of these apartments have bedrooms on this side of the building.

I am deeply worried by the prospect of any use of this neighbouring premise which either generates noise itself, or results in large numbers of people emptying the premise late at night into the narrow street below our windows. I believe that the presence of any venue offering live music and entertainment much beyond 10.15 pm (ie the same traditional cut off point for theatres and others in the West End and other parts of London) is going to lead to substantial disruption to residential properties and create a public nuisance.

Ten years ago, when we bought our property, Great Guildford Street was effectively a quiet back lane. Predominantly, it has remained so. But we do know from experience how noise can carry in this narrow road at night. We occasionally (or at least pre Covid) have groups of young people passing along the street very late at night, due to the proximity of large quantities of purpose-built accommodation for students. Voices carry up the buildings and even a group of 3 or 4 youngsters joking and chatting is loud in a confined empty space at night. On the whole, I think locals welcome students having fun, especially as highjinks are rare and predominantly confined to the start of the academic year and post exam time. It does, however, give us the experience to understand how noise reverberates in Great Guildford Street and thus to predict how noise will affect us should a late night venue be opened here.

Previous use of no 16 -

The previous use of no 16 was as a steak-house style restaurant, offering substantial menu of a traditional English nature. The atmosphere was somewhat restrained while also being a nice place to go to. We ate there fairly frequently, and the average party size per table was generally small. I was never aware of any activity from the Hixter diners impacting on America House. Despite the late night licence it was generally not busy after 11pm, and what diners there were would leave in small groups or, as mid-week these were predominantly post work dinners, many groups would break up inside the restaurant and leave individually after collecting coats. Most people leaving Hixter's would head off quietly on foot.

Scope of previous licence versus scope of application -

I have been unable to obtain a copy of the previous licence (number 865221) because it is no longer on the website, but I am fairly sure that Hixter's was not licenced as a performance arts venue and was licenced solely as a restaurant and bar. Thus this statement in the application by The Lost Estate can easily be read in a way that is misleading –

“This application is made by the new tenant for a performance arts venue and restaurant with restaurant and bar, subject to the same hours and conditions as previously authorised, with the addition of films and plays to the permitted activities and off sales for home delivery or in sealed containers.”

I believe the way this should be read is -

“This application is made by the new tenant for a performance arts venue and restaurant -

- with restaurant and bar, subject to the same hours and conditions as previously authorised, with
- the addition of films and plays to the permitted activities and
- off sales for home delivery or in sealed containers.”

That this is a change of use is reflected in the related planning application 21/AP/1232 | : Change of use from restaurant (E Use Class) to combined restaurant and theatre/performance space, including bar and cocktail experience spaces (Sui Generis).

The proposed events at the venue – The Lost Estate -

I have looked at the The Lost Estate website - <https://thelostestate.com/> and this confirms my assumption that, should this application be granted the use of no 16 will be very different to the previous use. The Lost Estate events seem to involve an immersive form of entertainment, where people come to both view and be part of a production. I did email The Lost Estate to ask for details of their proposals for events at No 16 but have had no reply. From what I can learn online it seems likely be a main performance interspersed with dining and interludes, and after this ends the theme continues with dancing, live music and drinking into the early hours. There will likely be a large number of attendees leaving at or near the end of the main

performance, especially mid-week, and the later this point is in the evening the more disruption this will cause for neighbouring properties. Other attendees will be encouraged by continuing music and partying to stay on until closing time at 1.30. This will make the venue attractive for large groups celebrating life events, including quite probably stag parties and hen do's. In addition to this it appears The Lost Estate encourage those attending to "dress the part", so those leaving are less likely to head off to public transport and more likely to call Ubers or taxis to pick them up directly outside the building. This could lead to large noisy groups exiting as late as 1.30am and calling taxis and Ubers directly under the bedroom windows of America House. Not all the apartments in America House were built with air conditioning and so some apartments will not even be able to close windows to cut the air pollution and noise.

So this is a substantial change of use and this brings with it a substantially increased risk of public nuisance, in particular but not limited to residents in the nearby America House.

Potential issues of Public Nuisance –

1. **Noise pollution** created by a large number of people, including large numbers of people from further afield who may call taxis, emptying out, into a narrow street and almost directly below bedroom windows, after people have gone to bed and even as late as 1.30 am, on a regular basis. This is very likely exceed the level that is acceptable on a residential street and will thus constitute a public nuisance.
2. **Public nuisance in neighbouring streets.** Although America House will probably be the residential premise most affected by any crowds of event leavers in the early hours, it is highly likely that any large crowd will not entirely disperse on leaving events at number 16 but will continue, in large excited groups, cutting though other residential streets en route to the underground stations of Borough and Southwark. Public nuisance may thus also be an issue in other local streets such as Union Street, which contain housing estates and the homes of many families with young children.
3. **Public nuisance caused by smokers**, particularly in wet weather. It is probable that smokers will congregate outside the premises, since smoking is obviously not permitted indoors. There is no nearby shelter for smokers in the vicinity other than the shelter over the doorway to America House (on Keppel Row). This shelter is already heavily used by office workers during the day time and was previously frequently used by Hixter staff. Daytime use cannot be described as more than a passing nuisance, although the smell of smoke coming into the lobby on occasion can be more than this, but even a small group (2 or 3) of people congregating by the entrance of a residential building can seem intimidating at night. Even more so if this group of people are in costume for an event. In addition, we have in the past had problems with non-residents entering America House (following residents or when there have been issues of the door not closing automatically when it should) and using the stairwell for smoking, including the smoking of cannabis. It is also of note that automatic doors are very sensitive to being touched when closing,

and there is every likelihood that this will happen as smoking usage increases outside, creating the risk the door to America House is open for longer than it should be, and an inherent security risk.

Measures proposed in the application to abate public nuisance –

There are 19 measures proposed in a schedule to The Lost Estate's application and I reproduce these here for reference -

1. Non standard timings for all licensable activities and opening hours from the end of permitted hours on New Years Eve to start of permitted hours on New Years Day.
2. Off sales will be in sealed containers only.
3. That an adequate and appropriate supply of first aid equipment and materials is to be available on the premises
4. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing an image of every person who enters the premises
5. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to officers of the police and the council
6. The licensee shall prominently display a notice reminding the patrons to leave the premises in an orderly fashion
7. That substantial food and suitable beverages other than intoxicating liquor shall be available during trading hours
8. The premises will be operated in accordance with Health and Safety and related legislation in order to ensure the safety of customers and staff
9. A register of refused sales of alcohol and if applicable, cigarette sales, which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the police
10. Customers shall use no outside area after 22:00hrs other than those who temporarily leave the premises to smoke a cigarette, and no more than 5 at any one time
11. That no drinking will be allowed outside the premises at any time
12. That servicing in terms of deliveries and waste removal will be between 7am & 10pm Monday to Friday and 8am & 10pm Saturday, Sunday and Bank Holidays
13. That bottle disposal will be between 8am & 10pm
14. That management regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment shall be kept at a level that does not cause disturbance at the closest noise-sensitive facade to

ensure compliance with the licensing objective regarding the prevention of public nuisance

15. That all doors and openings at the premises shall be kept closed when licensable activities are taking place at the premises except for access and egress and in the event of an emergency
16. That any doors at the premises leading directly to the outside of the premises will be fitted with door bottom and perimeter acoustic seals so as to minimise noise escape from the premises
17. That all staff involved in the sale of alcohol shall be trained in the age check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the council's authorised officers or the police
18. Age check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age check 'Challenge 25' policy applies and proof of age may be required
19. The premises shall operate an age check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or PASS approved proof of age card such as the Southwark Proof of Age (SPA) card

These measures go some way to address concerns, but not far enough.

The proposed measures should be modified as follows (numbering as above) -

2 No off-licence should be granted.

Reason : large groups who have been encouraged to party until 1.30 can potentially purchase alcohol before they leave to continue partying in Great Guildford Street and, indeed, the pedestrianised Keppel Row. Given the nature of the events The Lost Company is proposing, it is difficult to see why (in non-Covid times) an off-licence is needed by the proposed business model as a venue for "immersive theatre".

4 CCTV should be recorded 24 hours a day and not just during licensing hours.

Reason : so that The Lost Company can actively monitor for incidents of drinking outside the building, anti-social behaviour or public nuisance and in particular monitor whether these involve those who have been at their events. Further the council will be able to obtain this CCTV to view any incidents, if concerns are raised by neighbours.

6 There should be further measures to encourage patrons to leave in an orderly manner.

Reason : even a prominent notice reminding patrons to leave in an orderly fashion is unlikely to reduce the noise level inherent in a large number of people leaving a venue at the end of an event. At the very least, any group of over 4 booking or attending the event together should be warned at the time the booking is accepted of the need to leave the premises without noise (to minimise the impact or stag/hen

parties) and then given a verbal reminder on the night. Even further such measures are unlikely to totally remove the potential for public nuisance.

7 The liquor licence should only be for those ordering a meal. I rather suspect this was the case for Hixter.

Further questions for The Lost Estate -

10. The Lost Estate should be asked how they propose to monitor and ensure that no more than 5 person smoke outside at any given time after 10 pm. This seems extremely likely to be enforceable given that most smokers will want to take a smoking break at exactly the same time ie the end of the performance. The Lost Estate should also be asked what measure they will put in place to ensure smokers, particularly in wet weather, do not cross into Keppel Row to make use of the shelter provided by the awning over the entrance to America House.

11. The Lost Estate should supply details of how they propose to ensure there is no drinking outside of the premises. In particular, if an off-licence is granted, how they propose to monitor those who have attended their events do not remain in the vicinity of Great Guildford Street and Keppel Row and continuing to party and drink after the end of the event, after the time people go to bed and even after 1.30 am.

Proposals which address, but not fully, concerns -

14. Monitoring of noise outside. This is obviously a crucial issue. The real concern for residents is that **any live performance** going on past the normal curfew for theatre events is likely to produce a public nuisance given the proximity of No 16 to bedroom windows across what is a narrow street.

15 and 16. Keeping windows and doors closed. These are welcome proposals but only if windows can be kept shut, which seems less likely in the summer months. Moreover, given the nature of the event (centred around a performance), doors are likely to be open for long periods of a time for egress whilst music continues to be played inside. A large number of attendees are likely to leave, post the main performance. However it seems to be proposed that, at the same time, live music can potentially continue for the entertainment of those choosing to remain until late. The noise escaping, when a group leaves while live music is still being played in the building, risks a public nuisance.

Changes to the licence conditions that might be considered to protect residents –

- 1. The off-licence application should not be granted** and all drinking and gathering outside the building should be banned, with The Lost Estate responsible for monitoring up to and including after 1.30pm (by ensuring all their clients have left the vicinity).
- 2. The licence for regulated entertainment should require any formal production finish at 10.15** or the latest 10.30 pm.

Other person 14

From: [REDACTED]
Sent: Wednesday, April 28, 2021 11:24 PM
To: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Cc: Regen, Licensing <Licensing.Regen@southwark.gov.uk>
Subject: Concern re. licensing at 16 Great Guildford Street

Dear Sir/Madam -

I am writing to express significant concern relating to an application that has been made by Lost Estate Property Ltd for the grant of a premises license to use the premises at 16 Great Guildford St, SE1 0HS for the provision of regulated entertainment. I believe this application is numbered 1652196, but on the Southwark website has also appeared under the ref 874495.

I own [REDACTED] in the residential block America House across the street from 16 Great Guildford Street. The previous use of 16 Great Guildford street was as a restaurant only - as such, there were limited noise issues. The recently proposed use/licensing of the site now **risks very significant noise disturbance both to my apartment, and to my many neighbours in this block and others in the immediate surroundings.**

Thank you.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]