From Keith Badrick <KBadrick@lambeth.gov.uk>
Sent: 10 September 2020 18:06
To: Chris Grist
Cc: Licensing Police (ASMailbox.LambethLicensing@met.police.uk) <ASMailbox.LambethLicensing@met.police.uk>; Licensing <XDESLICENSE@lambeth.gov.uk>; PPDutyDesk; Pam Riley <PRiley@lambeth.gov.uk>
Subject: REPRESENTATION AGAINST 20/09949/TEN (REC 08.09.20 -REP10.09.20) for 53 Mount Ephraim Lane, SW16 1JE event dates 18.09.20 to 20.09.20

Dear Mr Grist

I write on behalf of the London Borough of Lambeth Public Protection Team with regard to:

20/09949/TEN (REC 08.09.20 -REP10.09.20) for 53 Mount Ephraim Lane, SW16 1JE event dates 18.09.20 to 20.09.20

Notice of objection under Section 104 (2) of the Licensing Act 2003

Unfortunately The Public Protection Team are entering a **representation against** the above mentioned TEN application on the grounds of the following licensing objectives:

- Prevention of Public Nuisance.
- Public safety.

Public Protection have received multiple complaints with regards to the last two temporary event you held on 21st to 23rd August 2020 and 29th to 30th August 2020.

These complaints include;

Noise nuisance to properties interfering with residents rights to enjoy their home.
Concerns over lack of social distancing and failing to follow current government COVID guidelines.

Please see the complaint details from one local resident:

The owner of 53 Mount Ephraim is having paid concerts in his front garden selling tickets with at least 30-40 people then catered tickets dinners after which the public pay for. The noise was still going at 12.45 on a Sunday night when we have to work at 7 am. Not only have they held them on previous Sundays they also held a classical concert on the 21st and 22bd making it 3 nights in a row. I am not sure the licences or legality of having ticketed concerts in a quiet residential street and the.nouse of people until late. It is a nuisance and inconsiderate to the neighbours especially when the people are making a noise leaving late. Please advise what will be done thank you. I have a video and photos . There is another one if not more scheduled for next week. It also takes all the parking on the street. This area is conservation and not a secret garden concert ensue as advertised it a residential home.

When did the incident happen? Sun, 23/08/2020
What time did the incident happen? 12:45 pm

We also received multiple complaints from local resident Dr Haseeb Rahman, the complaints are detailed below and Dr Rahman has also provided an impact statement as attached.
Loud music regularly coming from the above address. Can be heard over the TV. This is not the first time it has happened. Takes place during the day and evenings including on weekdays at times. Once or twice it wouldn’t be a problem and I wouldn’t bother with any complaint. But this is now a regular occurrence. Pedestrians passing by the house stop to look into the premises to see what is going on.

When did the incident happen? Sat, 22/08/2020
What time did the incident happen? 7:45 pm

Loud music that can be heard down the street. New neighbours, usually a quiet street. Large gathering of people. The music can be heard even when I watch TV. I do not want my hearing to be affected by having to increase the volume. As a doctor I am fully aware of the affects of noise pollution of all types. This is a regular occurrence, happening a few times a week especially at weekends but not only.

When did the incident happen? Sun, 23/08/2020
What time did the incident happen? 9:00 pm

Holding yet another concert with a large gathering in their front garden so close to the street so the noise easily travels to homes in the street. No social distancing.

When did the incident happen? Sat, 29/08/2020
What time did the incident happen? 9:00 pm

Band rehearsing in the front garden of the property prior to a concert later in the evening. As it is in the front garden close to the street the loud music travels easily to surrounding homes in the street and drowns out TV, radio or conversations in my home.

When did the incident happen? Sun, 30/08/2020
What time did the incident happen? 4:00 pm

Loud music in their front garden so close to the street which allows the music to be heard in all the surrounding homes. The music can be heard over TV and conversations etc. Large gathering of people with hardly any social distancing at best. Goes on for at least a couple of hours. Also increased parking in the street, parking on white lines affecting entry/exit to driveways etc.

When did the incident happen? Sun, 30/08/2020
What time did the incident happen? 9:00 pm

As a result of these complaints Public Protection believe that this event will cause detriment to the neighbouring community, therefore we are representing against this application.

The Lambeth Licensing Team will be in contact with you regarding this application.

Kind Regards

Keith Badrick
Public Protection Officer
Public Protection, Assurance & Regulatory Services
Environment Directorate
Resident Services
London Borough of Lambeth
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STATEMENT OF WITNESS
(CJ Act 1967, s9; MC Act 1980, ss5A(3)(a) and 5B, MC Rules 1981, r70)

Statement of: Dr Haseeb Rahman

Occupation of Witness: General Practitioner (Doctor)

Age of Witness: Over 18

Pages:

“This statement has been taken over the telephone by Nicholas Anderson-Cottee. I have had the opportunity to review the contents of the statement and confirm that the contents are accurate and true.”

Signed

Date: 07/09/2020

I currently live in Mount Ephraim Lane and have done so for almost all of my life. Mount Ephraim Lane is a very quiet neighbourhood. The street is blocked off at one end meaning it is not a thoroughfare and there is not large amounts of traffic (vehicular or pedestrian). It is also not a neighbourhood that in the main has disturbances from other residents. This has meant that the completely residential area is generally very quiet at all times.

Recently I have had reason to make several complaints in relation to neighbours living at 53 Mount Ephraim Lane, Streatham, SW16 1JE. They moved into number 53 during the winter/spring season just gone. The property itself is a newly built property that took the best part of three years to complete.

There have been multiple occasions where my family and I have been disturbed. I remember the first time that I was disturbed was on the 2nd of August. At the time I had believed it was just a party but my sister informed me after this first event that this property was being used for paid commercial events. Subsequent and frequent events where my family and I have been disturbed have occurred on the 9th, 21st, 22nd, 23rd, 29th & 30th of August.

All of these events have taken place in the front garden of number 53 which is surrounded by a fence. My property is located opposite number 53. Our properties are located on a lane and as such the carriageway is narrow so there is not much distance between our properties. From the rooms on the first floor and above within my property I can see directly into the garden of number 53 and can see the audience and the performers.

These events are primarily live music events except for the event held on Saturday 29th of August which appeared to be an improvised play that took place. Whilst different from the music events, the actors themselves projected loudly and vocally throughout the performance and the audience was very loud with periodic laughing and cheering through to the end. Also on the days when a music event has been held the performers have also held rehearsal sessions earlier in the day in the garden of number 53 so the disturbance is not just confined to the event itself.
From within my property and with my windows shut I am able to hear the performances clearly. When I try to watch TV I am unable to do so without increasing the volume, which I cannot do, as this would then disturb other members in my household even more. The music is even loud enough to be heard in my own back garden and is a disturbance that I have had to put up with when I have wanted to enjoy the use of my back garden whilst the weather has been good.

During the events there is also an increase in the traffic on Mount Ephraim Lane which has led to parking issues as there are no parking restrictions around the area. At the end of the events there are also the problems that arise from so many people leaving at once: loud talking, laughing and shouting, as well as the sound of multiple vehicles all leaving at the same time.

On most if not all occasions, when the events finish, the residents of number 53 will then gather and congregate in the garden and there will always be loud voices, shouting and loud laughter as they have some kind of gathering which normally goes on for up to a couple of hours after the event. I am under the impression that the congregation is also made up of other guests who had attended the event beforehand.

As a GP I am dismayed by the lack of social distancing that I have observed at times during the events as well as a distinct lack of mask wearing by the majority of people on site. With the residents of number 53, the performers, the audience and the event/catering staff I would estimate there to be up to 50 people at each event. With us being in the middle of a pandemic and with COVID numbers on an increase not just in London but specifically Lambeth I believe that these events are a significant public health risk to my neighbourhood and the local area.

As mentioned earlier I am a GP which is a stressful job at the best of times and it is a well known fact that GPs are retiring early across the country due to the stresses. I currently work on the front-line for the Camden COVID Response Unit which is a highly intensive and stressful environment. As such during my time off I need to be able to relax and recuperate in my own home, to recharge my physical and mental batteries, so that I can be ready to help those in need of my medical skills when back at work. Unfortunately I have not been able to relax in my own home due to these events which have affected my well-being, both physically and mentally. This has the potential to put patient safety at risk should these commercial events continue to be held in a residential area in the future.

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Haseeb Rahman
Miss Bina Patel  
Licensing Manager  
Lambeth Borough Council

**RE: Objection – 53 Mount Ephraim Lane, SW16 1JE**

**20/09949/TEN**

Date of event – 18th to 20th September 2020  
Time from – 1800 hours  
Terminal Time – 2200 hours  
Capacity – 100

On the premises.

**Notice of objection under Section 104 (2) of the Licensing Act 2003**

Dear Miss Patel,

Notice of objection is hereby given on behalf of the Commissioner of Police for the Metropolis for the above Temporary Event Notice (TEN) on the grounds:

- Prevention of Public Nuisance.

This TEN was received on 8th September 2020 by Police

As per section 100 Licensing Act 2003 subsection 7a:

(7) The temporary event notice—
(a) must be given to the relevant licensing authority (in duplicate) no later than ten working days before the day on which the event period begins,

This is a Late TEN.

With regards to London Borough Of Lambeth’s Statement of Licensing Policy 2019 – 2024
‘12.11. When a TENs is submitted the Authority expects that the following information will be provided:

- A risk assessment and capacity determination;
- Any other information that is relevant or pertinent to the TENs. In this case the concerns with regards to noise nuisance & social distancing have not been addressed.

While it is noted that there is support for this event, Lambeth Council have informed myself that there have been complaints from residents. This formed part of their objection for TEN 20/08643 over August Bank Holiday period.

It is also alleged that social distancing was not being managed and the previous event went past it’s allotted time.

There is to be a change in law taking place on 14th September 2020. (It is accepted this was submitted prior to this update from the Government) to address the concerns of Covid-19 spreading.


As such the expectation is, more is required to combat this virus. This should be reflected in an updated risk assessment.

**Conclusion**

The Metropolitan Police Service recommends that a counter notice be served for this Late TEN.

Yours sincerely,

Mike Constable | PC 1596 AS - Licensing & Night Time Economy Team | Lambeth Borough

Address Civic Centre, 3rd Floor, 6 Brixton Hill, SW2 1EG