

Licensing

Subject: FW: ASB complaints Lewisham High Street.

From: Charlotte [redacted] [mailto:charlotte [redacted]]
Sent: 15 July 2019 09:21
To: Licensing
Subject: ASB complaints Lewisham High Street.

Dear whom it may concern

I am writing this email in regards to a complaint for the noise and anti social behaviour in my local area.

I am a resident of Lewisham High Street and for the past few months have been subjected to 2 clubs disruptions weekends and weekdays until as late as 5.30am.

Firstly I would like to highlight that both Vibes and Alpha Lounge are the clubs i am referring to. Both clubs are situated on the High Street.

I have complained to the council previous and I am aware my neighbours have too. They have been offered chances to curb the noise and behaviours of patrons but yet no change has been seen.

These clubs firstly allow dozens of cars to be parked on the pavements where the market is usually places which are not valid car park space. In turn this means when the patrons have left the clubs usually around 5am they all continue the party in their cars. Beeping horns and making "exchanges" through the windows and subsequently driving off into the night very clearly under the influence.

The club regularly attracts a spectrum of antisocial and criminal behaviour locally – drugs and vehicles and drunks in the alleyway, people making noise in the streets after closing, etc.

Dear Lewisham Council

I understand that Club Vibes, 100-104 Lewisham High Street, SE13 will have its license reviewed by Committee in August 2019.

I live very near to Club Vibes and often walk past it on my way home. When I do, it is lovely to see Lewisham High Street being so vibrantly alive and seeing happy people having and exuberantly and raucous evening. The Door staff are pleasant and polite to me.

I have noticed that the parking directly outside the club seems to be shambolic, unsystematic and chaotic. It's a nuisance for those of us who are just trying to walk past and not wanting to get caught up in the Club Vibes clientele trying to park, and then enter/egress the Club. It's also difficult for taxis/Uber etc. trying to pull up near to the Club. I'm just wondering how unsafe this is as it seems to be a dangerous, disorganised hot mess!

Down my road, in the early hours of the morning – say from 2am to 4.30 am+ there is the clientele's leaving the club cacophony of noise nuisance: Of finding their cars/taxis/Ubers, boisterous "goodbyes/plan making" and anti-social drunkenness behaviour and remonstrations. The noise is amplified as it is so quiet in our residential area at that time in the morning.

I would like to ask that if Club Vibes keep the right to hold a license to operate that they would take on the responsibilities to keep the associated noise in the commercial area of Lewisham High Street and ensure that it does not spill over into the quiet residential areas? Maybe, if they could systematically organise the parking outside, designated walkways and a designated drop off/pick area for cars/taxis/Ubers?

At this stage I would prefer it that my name is not disclosed to Club Vibes and is only used by Lewisham Licensing in this capacity.

Yours faithfully

Denise

Licensing

From: Nick [REDACTED]
Sent: 09 July 2019 18:00
To: Licensing
Subject: Club Vibes

Hello

I am a resident [REDACTED] in Central Lewisham. At night, this is a quiet and fairly peaceful residential street. I understand that Club Vibes' licence is being reviewed on the 17th July and write as someone who has been affected by the noise from people attending this club.

In short, there is a lot of noise from its customers between 11am and 5am on Saturday nights. Clarendon Rise is used for parking because it is free to park and near to the club. This means that we get a procession of cars with loud music, lots of shouting and high spirits as people arrive excited by the prospect of a club night. That is between 11pm and 1am.

From about 3am, we get people returning to their cars having had a good evening clubbing and so are getting to know other customers, saying goodbye and turning on their car sound-systems. The side-effects of this are lots of shouting and noise. This week (6th/7th), we had half-an-hour of yelling as a clubber had a flat tyre and was trying to involve lots of people in helping her so she could drive back to Birmingham. At one point, she sat in the middle of the road shouting.

I can understand that people are energetic and noisy as they attend and leave a club. What I don't think is fair is that this behaviour turns quiet residential streets into an outdoor party zone each week. Having opened a club near a residential area, I am surprised that the bar-management have not done more to mitigate and contain the noise and I am surprised that they have been granted a licence that extends to 4am.

I hope this description of my experience is helpful and I am happy to provide further information as requested.

[REDACTED]
[REDACTED]
Lewisham

Licensing

From: Jono [REDACTED]
Sent: 09 July 2019 22:10
To: Licensing
Subject: FW: Club Vibes - Lewisham High Street : Noise Pollution

From: Jono [REDACTED]
Date: Tuesday, 9 July 2019 at 22:07
To: <licencing@lewisham.gov.uk>
Subject: Club Vibes - Lewisham High Street : Noise Pollution

Dear Sir/Madam,

I am a resident [REDACTED] in Central Lewisham, which is a quiet residential street. I understand from neighbours that Club Vibes' licence is being reviewed on the 17th July, and write to you as someone whose family have regularly been affected by the noise from people attending this club.

There is a lot of noise from club customers between 11am and 5am on Saturday nights.

Access (11pm and 1am) Gilmore Road, Clarendon Rise and the Clarendon Rise car park are all used for parking because they are free to park, and near to the club. This means that we get a procession of cars with loud music, lots of shouting and high spirits as people arrive excited by the prospect of a club night.

Egress (from 3am): Patrons returning to their cars turning on their car sound-systems. The side-effects of this are lots of shouting and noise. The shouting is often aggressive, with swearing and fighting.

I can understand that people are energetic and noisy as they attend and leave a club. What I don't think is fair is that this behaviour turns quiet residential streets into an outdoor party zone every week. Club management have not done enough to mitigate and contain the noise and I am surprised that they have been granted a licence that extends to 4am.

I hope this description of my experience is helpful and I am happy to provide further information as requested.

[REDACTED]

12th July 2019

Sam

SE13

Dear Licensing,

I wanted to write to you to make formal representation in regards to the Review of the premises licence, under the Licensing Act 2003, of:

Club Vibes
2nd Floor
100-104 Lewisham High Street
London
SE13

I live at the same address as..., whose representation letter provides a substantive summary of the situation. I don't need to repeat it in the same detail, but I do have a several points that I wish to add:

The context:

- I sympathise with both the local business and the council
- A strong network of local businesses of all varieties creates a strong community that caters to a variety of tastes
- This strong community can then help foster further enterprises in a virtuous circle
- The current set up with Vibes however, does not achieve that
- Vibes has not been in situ for so long to be a local 'establishment'
- Dialogue has been attempted and failed

The issues:

- **Loud music at all hours** - Vibe play music at a exceptionally loud volume, many nights of the week, late into the night (the license is all nights of the week till 4 am but there are times it drifts over slightly)
- **Drunk, loud attendees** - This attracts a large number of drunk people to the area from the evening till late at night - leading to problems with further noise from those outside the club, public urination on the entrance to the flat (and there are also instances of drug deals and sex acts that I, my flatmates or visitors have seen - this I can't say is Vibes fault at all, but the environment they consistently produce does further develop it)
- **Unsafe driving** - There are also many people who drive to the club - this worries me threefold; firstly, the risk of those attending for drink driving, secondly, the risk of accidents because I often hear these cars revving / racing off, and thirdly the noise it creates because

- **Unchanged behaviours** - abatements and breaches haven't altered behaviours, and I personally have been at the flat when sound engineers have visited, seeing the management turn down the music and feign cooperation only to turn it right back up again later on

The impact:

- **An intolerable living environment** - to have this kind of nuisance and noise pollution at this frequency means that there is a reduction in my ability to sleep, which does not coincide well with a job that requires normal office hours
- **Worsened mental health** - I suffer from anxiety and depression already. Now whilst I wouldn't expect a business to change behaviours because of that, this level of noise and antisocial behaviour at late hours when I need to rest only further impacts my mental health by blocking my ability to rest, increasing stress and reducing underlying health
- **Reduced use of property** - I have friends who no longer feel comfortable visiting the property during evenings because of the atmosphere created by the antisocial attendees of the club

The proposal:

- Vibes has show its unwillingness to control the noise, and inability to control the impact of its attendees therefore:
- **Real sound control** - impose a responsible timeframe for opening hours (e.g. only till late on Fridays and Saturdays), with proper soundproofing, proper sound limitation and action if this is not adhered to
- **Proviso of no antisocial behaviour** - whilst Vibes are not responsible for the actions of individual attendees, they are for the atmosphere. If they create an atmosphere where attendees are loud, antisocial, publicly urinating and racing cars then they should not be allowed to continue to cater to these clients
- **Police / council presence and action and complaints procedure** - to ensure the above two points are held to, members of the police and council should attend the vicinity to 'keep the peace', with an adequate ability for feedback from the local residents

Dear Licensing,

I wanted to write to you to make formal representation in regards to the Review of the premises licence, under the Licensing Act 2003, of:

Club Vibes

2nd Floor

100-104 Lewisham High Street

London

SE13

There have been club premises licenced at this location for some time, but as of Club Vibes taking over the premises as of March 2019, the situation has been significantly worse than in previous years.

The sound system they have brought in has been totally unacceptable in terms of noise produced. This is an issue they have admittedly sought to rectify, but the sound insulation they have put in place is sub-par and it took them nearly five months to install a professional limiter on their system – something which should have been done immediately.

In previous years, whilst the noise was audible it was nothing like what Vibes produces now. They are fundamentally using a sound system which is *way beyond* what has been used in the past in regards to its loudness. Just because you have a licence to play music it doesn't mean you can produce the level of noise you'd expect at the main stage at Glastonbury.

And it is the regularity with which they are licenced to produce it that is most concerning. For the music to play late (until 4AM) on a Friday and a Saturday is one thing. But their licence

permits them to play until this time *every day of the week* and this is something that does happen. I have submitted diary sheets to Crime Enforcement previously, and it is a regular occurrence that there is extremely loud music playing 5 days a week, 5 days in a row.

This is an issue that Crime Enforcement, local Councillors and the local MP have been made aware of. The issue is exacerbated by having two clubs playing in the same venue, but Vibes is by far the worse and it is Vibes that is being handled as of now.

All residents have noticed the environmental change since Vibes have started up. All residents are deeply affected by the regularity of noise and knock-on antisocial behaviour that has occurred as a consequence of this club's opening. Even though similar licences have been granted to other operators in the past, the difference in this instance is massive and the change is of great detriment to the lives of those who live here. There has been a fundamental change of usage and this needs to be addressed.

It makes for a horrific and unbearable living environment to have this noise pollution pounding through the walls almost every day of the week until the small hours every morning. Crime enforcement have witnessed this several times, and the excessive nature of this noise is confirmed by them by way of an abatement and two breaches served. This isn't taking into account the numerous times Crime Enforcement have come over to witness the noise just to take note of the fact the situation is out of control and not improved.

Crime enforcement have deemed the noise situation to be a statutory violation. I have since been looking at the Law, especially in regards to the Environmental Protection Act 1990, section 79 and 80.

Section 79 F4 (g) states a noise violation as "noise emitted from premises so as to be prejudicial to health or a nuisance". The crime enforcement officers have *already ascertained* that the noise being caused by these venues is beyond excessive; they have already issued an abatement and breaches, and so we can take it as read that a statutory violation exists as of now.

F20 deems that "Noise includes vibration" – the officers will attest to the fact that furniture and the windows in the flat are vibrating with the noise.

F38 9) (d) also states that "in circumstances where a code of practice under section 71 of the M4Control of Pollution Act 1974 (noise minimisation) is applicable, regard shall also be had to guidance given in it". The law here rather strongly infers the responsibility of a governing body to take definitive enforcement action and compel a venue to effectively manage the noise production, even after the fact of the licence being granted.

In regards to human rights, this issue is in conflict with *the right to respect for privacy and family life*, the right to peace and quiet. It is in conflict with our rights under Article 8 of The Human Rights Act 1998

In regards both to the above, the witnessing thereof by Lewisham Crime Enforcement and the conclusions they have drawn, there has been enough evidence gathered to determine that the noise pollution generated by this venue is a violation both of the statutory and human rights of the residents who are subjected to this.

This affects all residents who live in the alley areas near the clubs. I hope that they will make their own representation, but I can also confirm that the residents above 108-112A are elderly and English is not their first language. They will be experiencing the worst of this as they share walls with the club, even if they don't make personal representation. 114A is another residence where English is not their first language, but they have young children living there. Whether or not they make personal representation, I can assure you – having spoken to them personally – they are deeply troubled by the noise levels and the regularity with which this is now occurring.

The sound pollution is not the only outstanding issue. Other issues affect the residents too, especially those with children. The alleyway that leads to Burton Yard splits off into two at the end. The clubs do not have permission to use the alleyway to store vehicles at night, nor to keep the black gates of the alleyway open. And yet they do, and the crime enforcement officers have witnessed this with me. The gates are open and drunk club-goers urinate in the alleyway, cars are parked there, people are smoking weed round the back, and several residents have witnessed drug deals on their own stairway into their residence. These issues are distinct but

connected. This is not a safe environment to be subjecting children to, and it is an environment that has changed for the worse since Vibes has opened.

The issues are exacerbated by the fact that the area now has a reputation for being a hotspot for late night activity, almost every day of the week, owing to the late and regular operating hours of the venue. This encourages criminal and antisocial behaviour as people know that there is activity happening there until 4AM almost every single day, so it becomes attractive as a place to spend time, and given the nature of the alleyways it is also a secretive place for antisocial/criminal behaviour to take place.

There is a new unmanaged influx of people treating the alleyway like their own toilet and drug deal spot at night, with the gates being left open by the venue security and club vehicles being kept there. I have even been aggressed by the club security for asking them to not open the gates and to not permit both foot and vehicular traffic within. Pretty much opposite Lewisham police station. All whilst unmanaged and un-soundproofed music is blasting into the residents' walls. And I would point out again that there are families with children living here. Sometimes the club will put security by the alleyway to prevent this, but they should be doing this every single time the venue is open, which is not the case.

When it comes to patrons leaving the venue at the end of a night, there is no robust system in place by the club to tell patrons to leave quietly and to disperse from the area. Whenever the clubs close, there is absolute chaos on the street of people running about drunkenly shouting and creating a massive nuisance, waking up residents all down the high street - not just those living behind.

Crime enforcement are aware of all of this but I now appeal to you to take some definitive action to regulate all of this antisocial behaviour, and to compel the first step in this regard to be taken. The treatment of the alleyway is terrible, but the music issue is horrifying. I cannot understand how these licences have been granted in the first place, and how the act of receiving a licence seems to have resulted in a green light to for Vibes to do whatever it is they want to do, however they want to do it. There are times when the music plays five nights in a row. It blasts through the wall. Their dampening is sub-par. It is terrorising and horrendous. It is sleep deprivation and is affecting my mental health and that of others. Children and the elderly live in this newly chaotic environment. There are apparently no control methods in place to manage this and it has all come to a point recently and, in my opinion, needs to be taken very seriously indeed. It is a serious issue and it is having a serious affect on my and others' lives.

I believe enough time has passed for Vibes to take matters into their own hands and behave in a way that is respectful towards residents. There has been no evidence of their doing so, as the abatement and two breaches will attest to. With that in mind, the problem areas can be boiled down to:

- The noise alone produced by this venue is inherently antisocial and a violation of human and statutory rights
- Their licence to produce this noise seven days a week until 4AM is completely unacceptable
- The club does not respect residents by playing quietly during the week; they play at full volume whenever they play
- The regularity of their opening regularly attracts a spectrum of antisocial and criminal behaviour locally – drugs and vehicles and drunks in the alleyway, people making noise in the streets after closing, etc.

The biggest issue is that a respectful living environment should be created for the residents. In my opinion this should be:

- Absolutely ZERO noise and antisocial chaos during the working week/evenings before weekdays
- This means Sunday night, Monday night, Tuesday night, Wednesday night and Thursday night the venues should be SILENT and there should be *nobody* loitering in the alleyways as consequence of their visitation of the venue

- In the absence of the venue's willingness to enforce this themselves (as they have proved themselves incapable over the last five months) I would suggest a licence to play until late ONLY Friday and Saturday night
 - Of course, all residents would prefer that the entire venue and club gets shut down entirely given the lack of respect or control they seem to have, but it is not clear if such extreme action is realistic
- A Friday/Saturday-ONLY licence is *normal* for a club venue, especially in a residential area
- Given the venue's proven inability to be respectful during the week, I would suggest either *complete removal* of a weekday licence, or that they must be shut *by 11PM*, which is again normal for a venue in a residential area (Sunday – Thursday)
- There should be on-going observation of the venue to ensure that they adhere to respectful operation in regards to residents. This means that they must keep the noise to a respectful level *even on Fridays and Saturdays*. This could even entail compelling them to use different and quieter/smaller equipment/speaker systems, given their current setup is excessively loud and regularly prevents sleep for residents.
- Enforcement of prevention of antisocial behaviour locally, including but not limited to:
 - Keeping people, drugs and vehicles out of the alleys and away from residents
 - Controlling the exit procedure of patrons at the end of the night so they disperse away from the local high street area and don't create a loud commotion which wakes residents

Kind regards,
Alex