

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Michael Paterson

Martin Whelton

James Williscroft

A meeting of the Licensing Sub-Committee will be held on:

Date: 24 March 2023

Time: 2.30 pm

Venue: These are virtual meetings and therefore not held in a physical location

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 EFES Premium, 27-29 Hartfield Road, Wimbledon, London, SW19 3SG 1 - 78

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the licensing decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3357.

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Procedure to be followed at Licensing Hearing

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14.
If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Chair will inform those present that all parties should receive a written copy of the decision notice within 5 working days. The Legal Officer and Clerk will be invited to also retire.

Public Information

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Agendas can also be viewed online in the Borough's libraries and on the Mod.gov paperless app for iPads, Android and Windows devices.

Licensing Sub-Committee Report

Subject of hearing: **Efes Premium, 27-29 Hartfield Road, Wimbledon SW19 3SG**

Date **24 March 2022**

Time: **2.30pm**

Venue: **Virtual Meeting**

1. Special Policy Area (premises licences and club certificates)

1.1 The premises are in the special policy area, and as such section 9 and appendix 3 of the Council's Statement of Licensing Policy will apply.

2. Type of hearing and powers of the sub-committee

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers appropriate for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 New premises licence: s18

(i) To grant the licence subject to conditions

(ii) To exclude from the scope of the licence any of the licensable activities to which the application relates

(iii) To refuse to specify a person in the licence as the premises supervisor

(iv) To reject the application.

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundles together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing.

4. Legal advice to the sub-committee

4.1 A legal officer appointed by the Assistant Director of Corporate Governance and Head of Legal Services will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer comments

5.1 This application is in a special policy area on cumulative impact covering Wimbledon Town Centre and as such section 9 and appendix 3 of the Council's Statement of Licensing Policy will apply.

5.2 This is an application for a new premises licence, for a premises described in the application as a restaurant.

- 5.3 The applicant has applied for
- i. Live music, indoors on Sunday to Thursday from 09:00 to 24:00 and on Friday and Saturday from 09:00 to 01:00 the following morning.
 - ii. recorded music, indoors on Sunday to Thursday from 09:00 to 24:00 and on Friday and Saturday from 09:00 to 01:00 the following morning.
 - iii. Performance of dance, indoors on Sunday to Thursday from 09:00 to 24:00 and on Friday and Saturday from 09:00 to 01:00 the following morning
 - iv. late night refreshment, both indoors and outdoors, on Sunday to Thursday from 23:00 to 24:00 and Friday and Saturday from 23:00 to 01:00 the following morning.
 - v. the supply of alcohol for consumption both on and off the premises, on Sunday to Thursday from 09:00 to 24:00 and on Friday and Saturday from 09:00 to 01:00 the following morning.
 - vi. To apply to all of the above activities, when New Years Eve falls on Sunday to Thursday until 01:00 on New Years Day.
- 5.4 The opening hours are stated in the application as Sunday to Thursday from 09:00 to 24:00 and on Friday and Saturday from 09:00 to 01:00 the following morning.
- 5.5 The operating schedule of the application sets out steps that the Applicant will take to promote the four licensing objectives. Conditions could be created from some of these steps should the Sub-Committee decide to grant the application.
- 5.6 We received five representations regarding this application. One of which was from a Responsible Authority, Trading Standards, requesting conditions.
- 5.7 The applicant has agreed conditions with the Metropolitan Police.
- 5.8 For ease, we have put the conditions that we believe could be created from the application, the conditions requested by Trading Standards and the conditions agreed with the Metropolitan Police as an annex to this report. The Sub-Committee may choose to form some conditions on the licence from these should they decide to grant the licence and may change or add to these should they believe it appropriate.
- 5.9 On 3 March 2023, the applicant's agent sent an email containing floor plans, an acoustics report and a response to representations made. This information is attached.

For enquiries about this hearing please contact
Democratic Services
Civic Centre
London Road
Morden
SM4 5DX

Telephone: 020 8545 3616

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.

The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Applicant	
Berton Group UK Ltd	
Statutory Authorities	
Interested Parties	
Cllr Anthony Fairclough	
Kate Turner	
Kimberley Spencer	
Dr P Rinne	

Conditions that could be extracted from the application operating schedule

1. CCTV conditions are covered with the agreed Police condition.
2. All staff shall receive appropriate induction training in relation to their responsibilities under the Licensing Act, this is to include the authorisations of the premises licence and sales of alcohol. Training documents shall be signed and dated and shall be made available to police and authorised officers of the council on request. The records shall be retained for a minimum of 18 months. **There is some duplication with the trading standards conditions 3, 4 and 5**
3. The age at which the age verification policy required by the mandatory condition attached to this licence is set, shall be 25 years of age, in that anyone who appears to be aged 25 years or under shall be required to produce appropriate evidence as stated in the policy to prove they are 18 years of age or over.
4. A refusals log shall be kept at the premises to record details of all refusals to sell alcohol. This log shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale and the reason the sale was refused. The log shall be made available to police and authorised officers of the council on request.
5. The designated premises supervisor shall regularly check the refusals log to ensure it is being consistently used by staff.
6. Signs shall be placed in a prominent place at all exit points of the premises requesting patrons to respect the neighbours and leave quietly.
7. Deliveries to the premises shall be restricted to between the hours of 08:00 and 22:00.
8. No children shall be permitted on the premises unless accompanied by a responsible adult.

Conditions requested by Trading Standards

1. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.

2. An effective visual (and/or aural) reminder shall be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).
3. All staff that undertake the sale or supply of alcohol (and any other age-restricted product) shall receive appropriate refresher training in relation to undertaking appropriate age checks on such, at least every three months.
4. Records of all staff training, relating to the sale or supply of alcohol (and any other age-restricted product), along with any training material used, will be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.
5. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.

Conditions agreed with the Police

1. A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days, and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.
2. An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;
 - i. All crimes reported to the premises.
 - ii. All ejections of patrons.
 - iii. All complaints received concerning crime and disorder.
 - iv. All incidents of disorder.
 - v. All seizures of drugs or offensive weapons.
 - vi. Any faults in the CCTV system.
 - vii. Any visit by a relevant authority in relation to service.
 - viii. Any complaints from nearby residents.
3. A minimum of two (2) SIA approved door supervisors shall be on duty on any night when the premises is open beyond midnight for private functions or special events including when live music is played.

- 4 Where SIA registered supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.
- 5 Alcohol shall only be sold as an ancillary to the purchase of a meal for consumption on and off the premises.
- 6 Alcohol deliveries ancillary to a take-away or delivery meal shall only be made to business and/or private residences and not to any public/open spaces.
- 7 All members of customer facing staff, will be provided with Welfare and Vulnerability Engagement (WAVE) training to provide those working in the licensed industry with an awareness of vulnerability and their responsibilities towards people visiting their premises. This training is available at <https://nbcc.police.uk/guidance/wave-presentation>
- 8 All members of customer facing staff, will be provided with basic Counter Terrorism Awareness Training by the Premises Licence Holder. Such training is available at <https://www.gov.uk/government/news/act-awareness-elearning> or via the local Counter Terrorism Protect Officer (CTPO)
- 9 Duty managers will have access to the NaCTSO ACT App and / or PSO Shield App when on duty at the site.

The below, which was part of the agreement, would seem to be guidance, the links would perhaps change over time.

Both of which provide Counter Terrorism advice and guidance. See below links;

PSO London Shield App - <https://apps.apple.com/gb/app/pso-london-shield/id1482303493>

NaCTSO ACT App - <https://www.gov.uk/government/news/new-act-app-launched>

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Berton Group UK Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
EFES PREMIUM Hartfield Road Wimbledon			
Post town	London	Postcode	SW19 3SG

Telephone number at premises (if any)	TBC
Non-domestic rateable value of premises	TBC

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

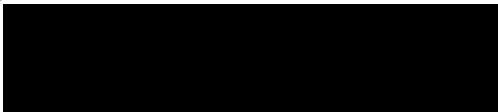

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Berton Group UK Limited
Address 
Registered number (where applicable) 
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 4 2 0 2 3

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Restaurant and premises

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
			When New Years Eve falls on Sunday to Thursday until 01:00 on New Years Day		
Sat	09:00	01:00			
Sun	09:00	24:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	09:00	24:00			
Tue	09:00	24:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	09:00	24:00			
Thur	09:00	24:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	09:00	01:00			
			When New Years Eve falls on Sunday to Thursday until 01:00 on New Years Day		
Sat	09:00	01:00			
Sun	09:00	24:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	09:00	24:00	<u>Please give further details here</u> (please read guidance note 4) Performances of Turkish dance for special occasions only	Both	<input type="checkbox"/>
Tue	09:00	24:00			
Wed	09:00	24:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	09:00	24:00			
Fri	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) When New Years Eve falls on Sunday to Thursday until 01:00 on New Years Day		
Sat	09:00	01:00			
Sun	09:00	24:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	23:00	24:00			
Tue	23:00	24:00			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed	23:00	24:00			
Thur	23:00	24:00			
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	23:00	01:00			
			When New Years Eve falls on Sunday to Thursday until 01:00 on New Years Day		
Sat	23:00	01:00			
Sun	23:00	24:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00			
Thur	09:00	24:00			
Fri	09:00	01:00			
Sat	09:00	01:00			
Sun	09:00	24:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			When New Years Eve falls on Sunday to Thursday until 01:00 on New Years Day		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Mr Dogukan Yel
Date of birth	██████████
Address	██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	██████████
Issuing licensing authority (if known)	London Borough of Richmond

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

CCTV to be installed to Home Office Guidance standards and maintained in a good working condition and cover the entrance of the premises and all external areas.

Recordings shall be kept for 31 days and shall be made available to police and authorised officers from London Borough of Merton

The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers receive an induction in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records shall be made available to police or authorised council officers on request. The records shall be retained for at least 18 months.

The Designated Premises Supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The Premises will operate the Challenge 25 Policy and this will be adhered to at all times.

Appropriate signage shall be displayed, in a prominent position, informing customers they are being recorded on CCTV.

A copy of the Premises Licence summary including the hours which are licensable activities are permitted shall be clearly visible from the outside entrance to the premises.

b) The prevention of crime and disorder

CCTV covering areas inside and outside of the premises shall be installed and maintained to police recommendations with properly maintained log arrangements. All images shall be stored for a minimum of 31 days and all recordings will show the correct date and time.

A staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times that the premises is open to the public. This staff member shall be able to show police recent data footage with the minimum of delay when requested. This data or footage reproduction shall be almost instantaneous.

A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to police or authorised council officers on request.

The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.

Alcohol will not be sold to any patron who appears in any way to be intoxicated

Water will be available to help with responsible drinking and negate any patron becoming intoxicated

c) Public safety

CCTV will be installed to the premises

Emergency lighting to be installed

All exits to be clearly visible and clear of any obstacles at any time

An incident log shall be kept at the premises and made available for inspection on request by an authorised officer of London Borough of Merton or to the Police which will include the following

- All crimes and incidents of disorder reported to the venue
- All ejections of patrons
- Any complaints received regarding crime and disorder
- Seizure of drugs and offensive weapons
- Any refusal of the sale / supply of alcohol
- Any faults in the CCTV system or searching equipment or scanning equipment

d) The prevention of public nuisance

Signs shall be placed in a prominent place at all exit points of the premises requesting patrons to respect the neighbours and leave quietly

Sound proofing to be installed to limit noise and public nuisance

Deliveries to the premises to be restricted to the hours 08:00 to 22:00

CCTV to be installed

Any incidents of anti social behaviour to be recorded in an incident book which shall be kept at the premises for inspection for at least 12 months

e) The protection of children from harm

A Proof of Age Challenge 25 scheme shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a driving licence or a passport shall be treated as acceptable forms of identification.

No children shall be permitted on the premises unless accompanied by a responsible adult

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or


my share code issued by the Home Office online right to work checking service
(please read note 15)

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	18 January 2023
Capacity	Agent

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

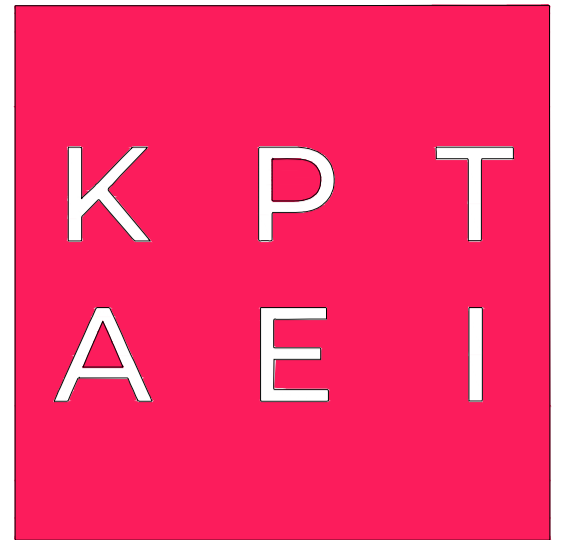
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Kevin Morris LHC Business Consultancy [REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises, and (b) ensures that each such screening abides by age classification ratings.

PLEASE VERIFY ALL DIMENSIONS ON SITE. DO NOT SCALE FROM DRAWINGS. LARGER SCALE DRAWINGS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. ANY DISCREPANCIES NOT BROUGHT TO OUR IMMEDIATE ATTENTION WILL BE DEEMED TO BE THE RESPONSIBILITY OF THE CONTRACTOR OR FABRICATOR INVOLVED. COPYRIGHT OF THIS DRAWING IS RESERVED BY KAPETI AND IT IS CREATED ONLY FOR USE IN WIMBLEDON RESTAURANT PROJECT.
IT IS ISSUED ON THE CONDITION THAT IT IS NOT REPRODUCED EITHER WHOLLY OR IN PART WITHOUT THE CONSENT OF KAPETI LTD. ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE SCHEDULE OF FINISHES AND THE SPECIFICATION DOCUMENTS.



Kapeti Interior Architecture

1ST FLOOR 34 HILL STREET
RICHMOND
TW9 1TW
www.kapeti.com

Project Title

27-39 Hartfield Road Wimbledon
Restaurant Project

LAYOUT PLAN

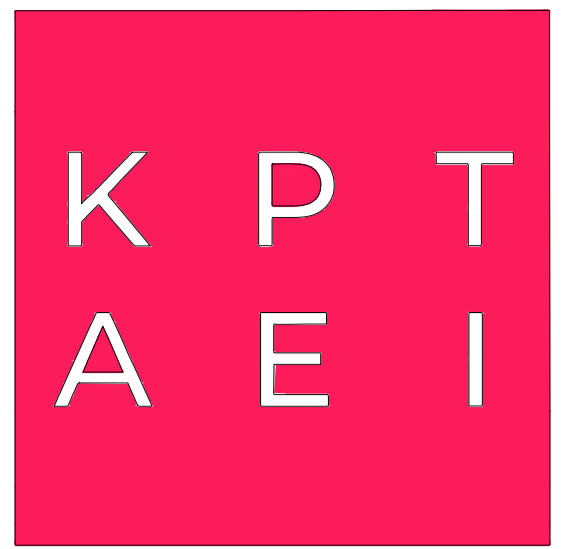
Furniture Legend	
MF 01	Leta Montreal Chair
MF 02	Leta Grooding Chair
MF 03	Leta Daidorf Chair
MF 04	Leta Avanos Chair
MF 05	Leta Boho Quilted Bar Chair
MF 06	Leta Outdoor Chair
MF 07	Leta 80x80 cm Marble Table Top
MF 08	Leta 70x80 cm Marble Table Top
MF 09	Leta 100cm Dia. Marble Table Top
MF 10	Leta 90x90cm Wood Top
MF 11	Leta 70x70cm Wood Top
MF 12	Leta 130cm Dia. Marble Table Top
MF 13	Leta 180cm Dia. Marble Table Top
MF 14	Leta 100cm Dia. Marble Table Top
MF 15	Leta 60x80cm Marble Table Top
MF 16	Outdoor 80cm Dia. Marble Table Top
MF 17	Outdoor 70x70cm Terazzo Table Top
MF 18	Outdoor 70x70cm Wood Table Top
BF 01	Leta B 5000 C Seating Set with Wood Frame
BF 02	Linear Seating 140 cm (Beige Leather+beige fabric)
BF 03	Linear Seating with Decorative Curtain 360 cm
BF 04	Linear Seating 500 cm
BF 05	Bar
BF 06	Reception Desk
BF 07	Wood DJ Cabinet
BF 08	Bar Arc Shaped Wood Shelf
BF 09	Bar Brass Hanging Shelf
BF 10	Entrance Aisle
BF 11	Triangle Servant
BF 12	Bar Separation
BF 13	Wicker Decorative L Shape Panel
BF 14	Decorative Metal Wine Racker
BF 15	Brass and Lacquer Servan
BF 16	Storage
BF 17	Servant
BF 18	Bar Shelf with Bevelled Mirror
BF 19	Bar
BF 20	Polyurethane Moulding Wall Decor
BF 21	Glass Railing
BF 22	Slab Front Face Steel Proile Cover

BF-Built-in Furniture
MF-Moveable Furniture

- GENERAL NOTES
 - *ALL WORK MUST COMPLY WITH LOCAL AND NATIONAL REGULATORY REQUIREMENTS. CONSULTANTS TO CONFIRM THAT SPECIFIED LAMPS AND WATTAGE ARE APPROPRIATE FOR INDICATED AREAS & APPLICATIONS.
 - *ALL WORKS TO BE UNDERTAKEN BY CERTIFIED INSTALLERS.
 - *DIMENSIONS IN TECHNICAL PROJECTS HAVE TO BE VERIFY BY MANUFACTURERS & INSTALLERS BEFORE APPLICATION, AND REQUIRED REVISIONS HAVE TO BE APPLIED.

Drawing Title		
GROUND FLOOR PLAN		
SHEET	3/34	SHEET SIZE A1
SCALE	1/50	
DESIGN TEAM	SERVETYUKSEL CUNEYDKARAASLAN CANANPERVIS	
CONTROLLED BY	KAPETIDESIGN	
DATE	18.11.2022	

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Kapeti Interior Architecture

Project Title

27-39 Hartfield Road Wimbledon
Restaurant Project

LAYOUT PLAN

Furniture Legend

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Drawing Title

MEZZANINE FLOOR PLAN

SHEET 4/34 SHEET SIZE A1

SCALE 1/50

DESIGN TEAM
SERVETYUKSEL
CUNEYDKARAASLAN
CANANPERVIS

CONTROLLED BY KAPETIDESIGN

DATE 18.11.2022

From: Councillor Anthony Fairclough

Sent: 19 February 2023 18:18

To: Licensing

Subject: Licence Application by Berton Group for Efes Premium, Hartfield Road, Wimbledon SW19 3SG

Dear Licensing

Please find attached my representation on the above application WK/202293993.

Special Policy on Cumulative Impact

It is not clear to me that the application as it stands has shown how it will not add to the cumulative impact of existing licenses in Wimbledon town centre, where I believe the Special Policy on Cumulative Impact still applies.

Prevention of Public Nuisance

The proposal for live and recorded music to midnight each night, and 1am on Fridays/Saturdays seems likely to will cause noise pollution at the end of Graham Road, a residential road. Would an earlier end to such, especially on Sunday and earlier in the week, be possible – especially as a way of showing how the application will not add to the cumulative impact of existing licences.

My address is

--

Cllr Anthony Fairclough

Wimbledon Town and Dundonald (Liberal Democrat

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

From:

Sent: 24 February 2023 15:08

To: Licensing

Subject: Breton Group Premier Inn Hartfield Road SW19 3SG

Dear Sir,

I am registering my objection to the proposed licensing times and the playing of live music at the above premises The times proposed are totally inappropriate- going into the early hours of the morning All the issues as identified on the council's own website will be impacted upon There will be a definite increase of crime and disorder within the local vicinity Public safety will be compromised - particularly for all residents in the local vicinity There will be a definite increase of public nuisance and rowdy behaviour not just in the local vicinity but in Wimbledon Town Centre There could be an impact on the safety of children and families as they enjoy the local cinema and restaurant facilities available in the are All the above the company seeking the license knows are genuine occurrences that history has shown us do happen and they will attempt to abrogate their responsibilities once any customer leaves their establishment The licence must be totally reconsidered

Dr P Rinne

From: Kate Turner

Sent: 01 February 2023 10:17

To: Licensing

Cc: Councillor Anthony Fairclough

Subject: Licence Application by Berton Group for Efes Premium, Hartfield Road, Wimbledon SW19 3SG - dated 27th January 2023

Dear Sirs

I live at [redacted] and write to object to the licence application above which is for premises on the corner of Hartfield and Graham Roads and so is very close to my home.

My first point is that despite being only 6 houses away from the premises I did not receive any notification of this application. The only notice I have seen is on the window of the premises covered in blue plastic that makes it very difficult to read.

My grounds for objection are under the headings prescribed in your objections procedure:

Prevention of Crime & Disorder:

The sale of alcohol until midnight everyday and until 1am on Saturdays and Sundays is far too late when the premises is at the corner of a residential street and is likely to produce drunks and other “highly excited” individuals who will congregate outside the premises on leaving and spill into our street. Historically we have suffered from individuals fighting, urinating in our front gardens and vandalising our cars and other property. The interests of residents need to come first and not the revellers from this establishment. Surely a licence to 11pm would suffice for a restaurant?

The notice also talks of “the provision of late night refreshments” as opposed to the sale of alcohol from 11pm to midnight everyday and from 11pm to 1am on Saturdays and Sundays. I am unsure why this is separate to the first statement on the sale of alcohol and would welcome some explanation and the chance to appear at the licensing committee.

This premises is part of the new Travelodge on Hartfield Road and when the planning application went in for this the units underneath we “retail outlets” and not bars/restaurants. There seems to have been a change of use here? I object to this and would like to see the change of use application.

Public Safety

We do not have any cctv in our road and nor is there any outside the Travelodge. It is a matter of police record that there have been several violent incidents in our road both in the daylight and at night. To encourage more drunks and gangs into our area and to walk down our road is frightening in a predominately family road. How does the restaurant plan to deal with this? Will they have security personnel working there?

Prevention of Public Nuisance

The proposal is for live and recorded music to midnight every night and 1am on Fridays and Saturdays accompanied by live dance performances. This will cause noise pollution and nuisance in our street. In particular those of us who live near to the premises will hear the music through the predominantly glass structure. There is no “inner door” or porch so every time the door opens the noise will get louder. In summer when it’s hot and we have our windows open and they prop their front door open this will be intolerable. We can already hear the noise from the Garratt & Gauge opposite this new premises and they have a 2 door system.

Once again the interest of residents should come first. We should be able to rest peacefully in our homes and get up refreshed for work or school without having spent the evening and early hours of the morning listening to noise pollution from this premises.

Protection of Children from Harm

I do not propose to make the same points as above as I have laid out where children and adults are at potential risk from this licence application.

I would like to make representations in person at the committee if possible.

Kate Turner

From: Kimberley Spencer

Sent: 06 February 2023 22:08

To: Licensing

Cc: Councillor Anthony Fairclough; Councillor Paul Kohler; Councillor Simon McGrath

Subject: Licence Application by Berton Group for Efes Premium, Hartfield Road, Wimbledon SW19 3SG

Dear Sirs,

I am writing to object to the licence application made by Berton Group for Efes Premium on Hartfield Road in Wimbledon on the 27th January 2023.

My grounds for objection are under the headings prescribed in your objections procedure:

Prevention of Crime & Disorder:

The sale of alcohol late into the night (until midnight everyday and until 1am on Saturdays and Sundays) is likely to produce drunks and other individuals or groups to congregate on a quiet residential street. This could lead to an increase in crime and vandalism of cars, properties or breaching the peace. A much earlier licence agreement would be more appropriately received for the new establishment.

Public Safety

As a quiet residential street there is no CCTV in our road or outside the Travelodge area. Looking at the Crime Rate in our local area, Beulah Road/Hartfield Crescent have had a number of incidents. To encourage more groups to walk down the road or congregate at the end of the road can be frightening for those who live nearby.

Will there be additional security for this, including CCTV around and near the premises?

Prevention of Public Nuisance

The proposal for live and recorded music to midnight every night and 1am on Fridays and Saturdays accompanied by live dance performances will cause noise pollution in our street. Residents should be allowed to relax in peace within their own homes and consideration needs to be taken about the level of noise live and recorded music will have on those living nearby.

I look forward to hearing how these issues can be resolved.

Kind regards,
Kimberley Spencer

From: Christopher Jones

Sent: 30 January 2023 21:09

To: Licensing

Subject: RE: Berton Group UK Limited t/a EFES Premium, 27-39 Hartfield Road, London SW19 3SG - Application for Licence

Dear Licensing Team,

After due consideration of the above application, and in its opinion to meet the licensing objectives of 'the prevention of crime and disorder' and 'the protection of children from harm', Merton Trading Standards Service would like to make the following representation requesting that these conditions be added,

1. Notices shall be placed at all points of sale detailing the restrictions on sales of alcohol to children.
2. An effective visual (and/or aural) reminder shall be in place at all points of sale to ensure staff undertake appropriate age checks on potential sales of alcohol (and any other age-restricted product).
3. All staff that undertake the sale or supply of alcohol (and any other age-restricted product) shall receive appropriate refresher training in relation to undertaking appropriate age checks on such, at least every three months.
4. Records of all staff training, relating to the sale or supply of alcohol (and any other age-restricted product), along with any training material used, will be kept and maintained by the Designated Premises Supervisor or the Premises Licence Holder.
5. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service, and officers of the Police.

Yours sincerely,

Christopher

Christopher Jones
Senior Principal Trading Standards Officer

From: Christopher Jones

Sent: 13 March 2023 13:33

To: Richard Seedhouse

Cc: Kevin Morris

Subject: RE: Licensing Sub-Committee Hearing - Berton Group UK Limited t/a EFES Premium, 27-39 Hartfield Road, London SW19 3SG - 24th March 2023 14:30 hours

Dear Richard,

The applicant for the Berton Group UK Limited t/a EFES Premium, 27-39 Hartfield Road, London SW19 3SG licence application has now accepted the conditions contained in my representation. As a consequence, I have withdrawn my representation and will no longer need to attend the Licensing Sub-Committee hearing at 14:30 hours on 24th March 2023.

Yours sincerely,

Christopher

Christopher Jones
Senior Principal Trading Standards Officer

From: Kevin Morris
Sent: 21 February 2023 15:03
To: Licensing
Cc: Avril O'Brien; Elizabeth Macdonald
Subject: New Premises Licence Application - EFES Premium - WK/202293993

Good afternoon

Metropolitan Police Representations

If the application is approved, the applicant is happy to include the conditions in the attached document in the Operating schedule following representations from PC O'Brien on behalf of the Metropolitan police (copied into this communication).

Kind regards

Kevin

----- Forwarded message -----

From:
Date: Tue, 21 Feb 2023, 14:42
Subject: EFES
To:

Good Afternoon Kevin,

Please see police conditions for EFES, Hartfield Road, SW19. The Metropolitan police request these conditions be added to the operating schedule, should the licence be granted.

If your client is happy to accept these conditions could you forward the agreement to licensing@merton.gov.uk and CC me in please.

Kind Regards,

Avril

PC Avril O'Brien 3406SW

South West Licensing – Merton

CCTV

A closed-circuit television (CCTV) system shall be installed at the premises. The CCTV system installed at the premises shall be maintained in effective working order, and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 31 days, and shall be made available on request to the Metropolitan Police, the Licensing Authority or other Responsible Authorities. At all times the premises is open to the public a minimum of one member of staff on duty will be able to operate the CCTV system.

Security incidents

An incident log shall be kept at the premises and made available on request to Metropolitan Police, the Licensing Authority or other Responsible Authorities. It must be completed within 24 hours of the incident and will record the following;

All crimes reported to the premises.

All ejections of patrons.

All complaints received concerning crime and disorder.

All incidents of disorder.

All seizures of drugs or offensive weapons.

Any faults in the CCTV system.

Any visit by a relevant authority in relation to service.

Any complaints from nearby residents.

SIA Supervisors

1. A minimum of two (2) SIA approved door supervisors shall be on duty on any night when the premises is open beyond midnight for private functions or special events including when live music is played.

2. Where SIA registered supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.

Restaurant Conditions

Alcohol shall only be sold as an ancillary to the purchase of a meal for consumption on and off the premises.

Delivery of Alcohol

Alcohol deliveries ancillary to a take-away or delivery meal shall only to be made to business and/or private residences and not to any public/open spaces.

Welfare and Vulnerability Engagement Training

All members of customer facing staff, will be provided with Welfare and Vulnerability Engagement (WAVE) training to provide those working in the licensed industry with an awareness of vulnerability and their responsibilities towards people visiting their premises. This training is available at <https://nbcc.police.uk/guidance/wave-presentation>

Counter Terrorism Awareness Training

All members of customer facing staff, will be provided with basic Counter Terrorism Awareness Training by the Premises Licence Holder. Such training is available at <https://www.gov.uk/government/news/act-awareness-elearning> or via the local Counter Terrorism Protect Officer (CTPO)

Duty managers will have access to the NaCTSO ACT App and / or PSO Shield App when on duty at the site.

Both of which provide Counter Terrorism advice and guidance. See below links;

PSO London Shield App - <https://apps.apple.com/gb/app/pslondon-shield/id1482303493>

NaCTSO ACT App - <https://www.gov.uk/government/news/new-act-app-launched>

London Borough of Merton Licensing Department

Dear Sirs

3 March 2023

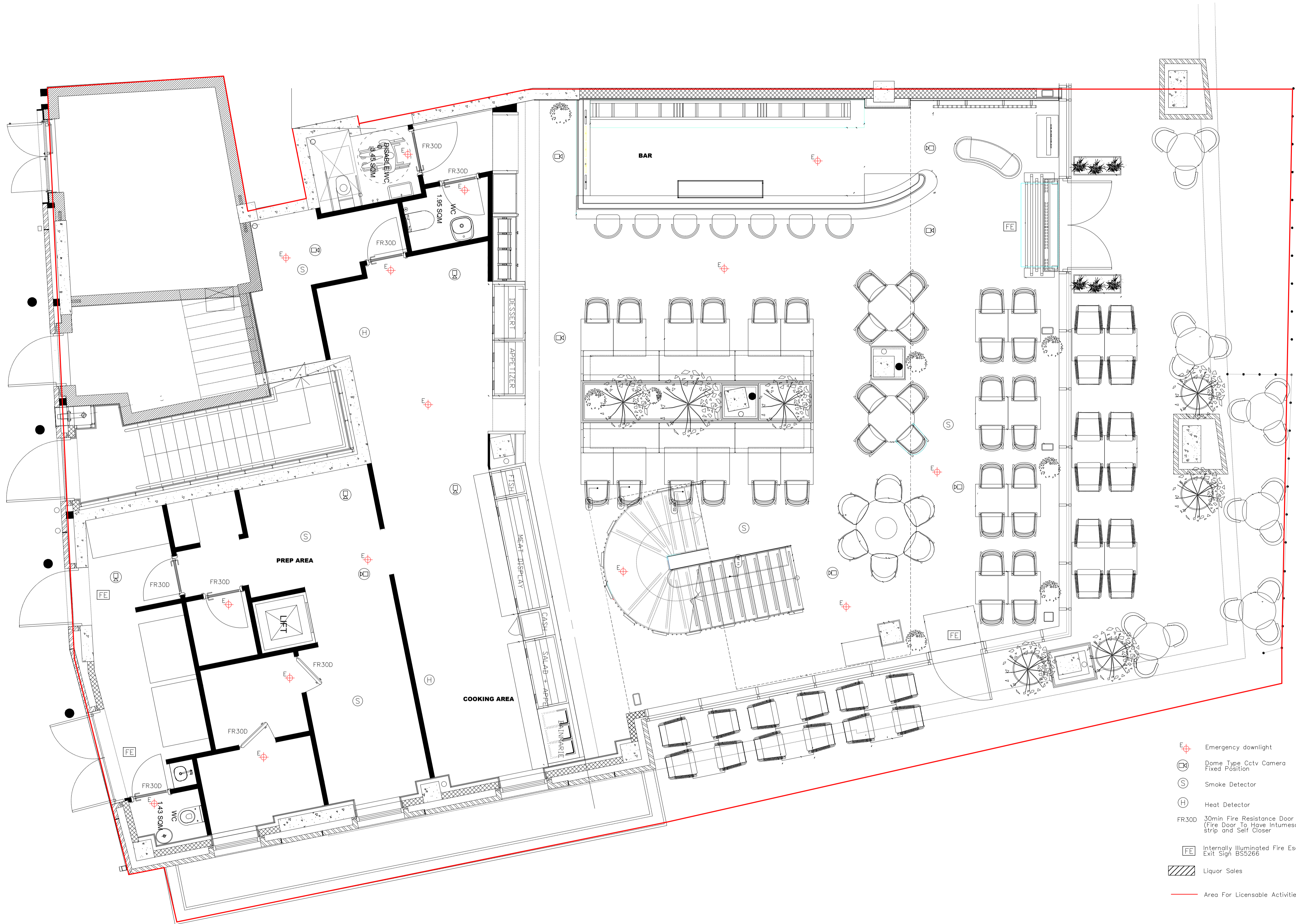
EFES Premium - Berton Group UK Ltd
27-39 Hartfield Road, Wimbledon SW19 3SG
WK/202293993

I am acting as agent for the applicant Berton Group UK Ltd.

In response to concerns raised by local residents and Cllr Anthony Fairclough during the consultation period I respond as follows

- 1) The premises is part of the new Travelodge construction with the retail units on the ground floor
- 2) London Borough of Merton approved the use of the premises as a restaurant
- 3) The terms of the lease limit noise levels and an extensive acoustics report dated 21 February 2023 is attached for your reference
- 4) The premises is currently an empty shell and once construction commences extra sound proofing materials and sound absorber panels will be fitted to minimise sound levels.
- 5) The premises will have air conditioning installed as per acoustics report (no need for windows to be open).
- 6) A Premises Licence for Tampopo who are located in the adjacent premises was granted in December 2022 with the same opening hours
- 7) Prior to making the application I did speak to both London Borough Merton and the Licensing agent for Tampopo and was advised this premises was not situated in the high risk area of the Cumulative Impact Zone (CIZ).
- 8) The premises is a licensed restaurant and all alcohol sales must be as an ancillary to the purchase of a meal for consumption on or off the premises. Included in licensing operating schedule
- 9) All members of customer facing staff will be provided with Welfare and Vulnerability Engagement (WAVE) - Included in licensing operating schedule
- 10) 99% of the time the restaurant will have background music only. Live, recorded music and performances of dance were purely sort if there were special or private events.
- 11) Attached are the renders, designs and floor plans for your perusal

Kevin Morris (Agent)
For and on behalf of Berton Group UK Ltd



- Emergency downlight
- Dome Type Cctv Camera Fixed Position
- Smoke Detector
- Heat Detector
- 30min Fire Resistance Door (Fire Door To Have Intumescent Strip and Self Closer)
- Internally Illuminated Fire Escape Exit Sign BS5266
- Liquor Sales
- Area For Licensable Activities

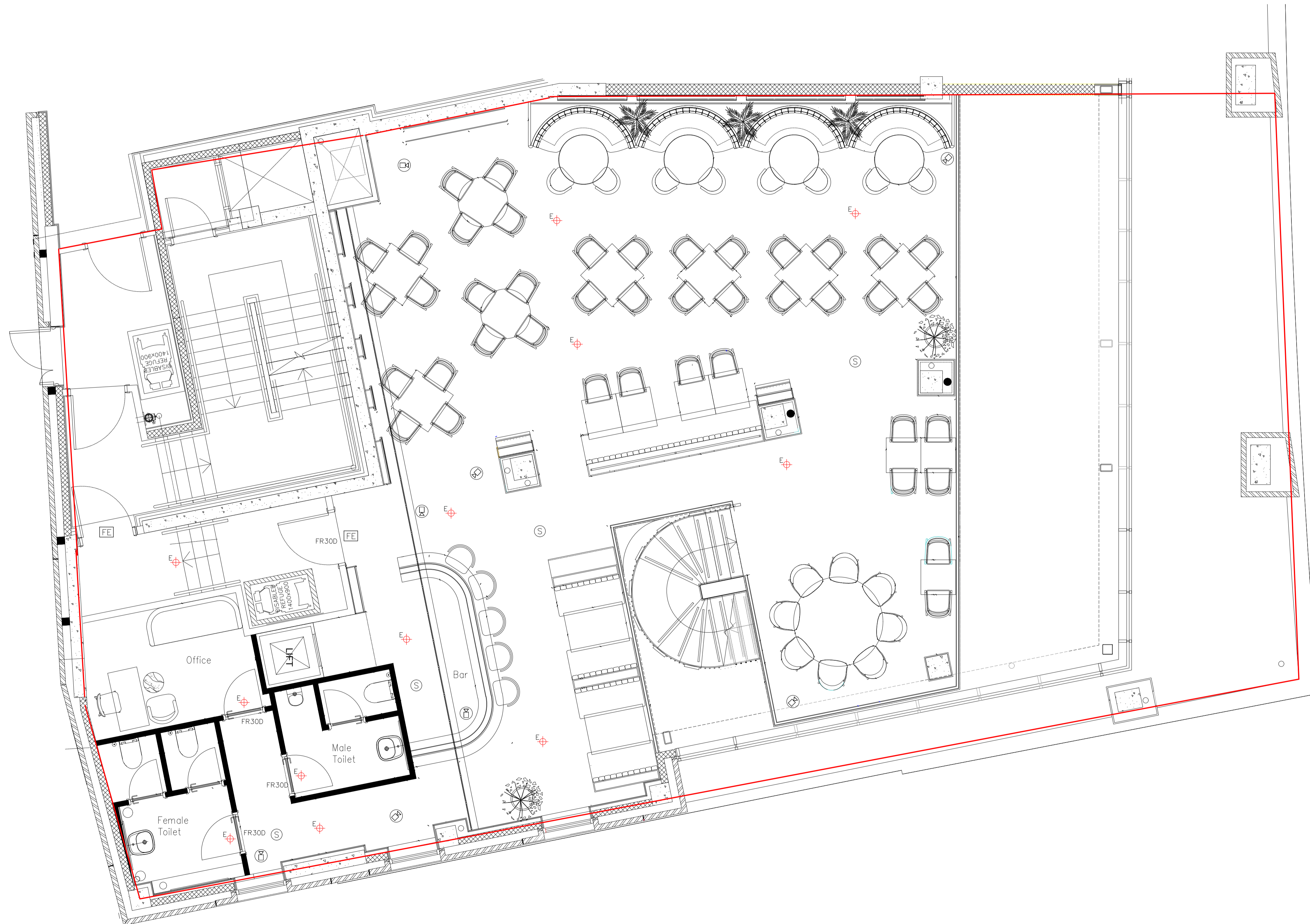
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Rev	Revision	By	Date
A			

job:
EFES PREMIUM
 location:
RETAIL UNIT 1, 27-31 HARTFIELD ROAD
 Drawing:
GROUND FLOOR LICENSE DRAWING

Scale	Date	Drawn By
1:50@A1	16-01-23	PM

Number	Rev
2229	REV



- Emergency downlight
- Dome Type Cctv Camera Fixed Position
- Smoke Detector
- Heat Detector
- 30min Fire Resistance Door (Fire Door To Have Intumescent strip and Self Closer)
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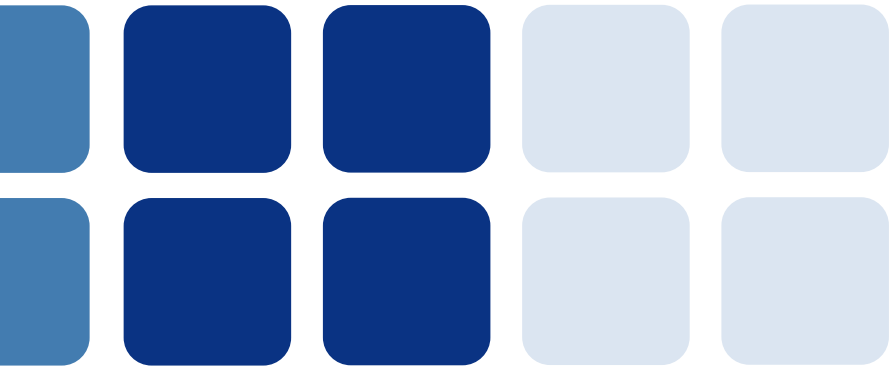
job:
EFES PREMIUM

location:
RETAIL UNIT 1, 27-31 HARTFIELD ROAD

Drawing:
FIRST FLOOR LICENSE DRAWING

Scale 1:50@A1	Date 16-01-23	Drawn By PM
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Number: 2229	Rev REV
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EFES, WIMBLEDON

Acoustic Report

Reference: 12474.RP01.AR.0

Prepared: 21 February 2023

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Efes Group

Acoustic Report



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Prepared: 21 February 2023

Revision	Comment	Date	Prepared By	Approved By
0	First issue of report	21 February 2023	James Stokes	Torben Andersen

Terms of contract:

RBA Acoustics Ltd have prepared this report in accordance with our Scope of Work 12474.SW01.0 dated 19 January 2023. RBA Acoustics Ltd shall not be responsible for any use of the report or its contents for any purpose other than that for which it was provided. Should the Client require the distribution of the report to other parties for information, the full report should be copied. No professional liability or warranty shall be extended to other parties by RBA Acoustics Ltd without written agreement from RBA Acoustics Ltd.

The recommendations within this report relate to acoustics performance only and will need to be integrated within the overall design by the lead designer to incorporate all other design disciplines such as fire, structural integrity, setting-out, etc. Similarly, any sketches appended to this report illustrate acoustic principles only and will need to be developed into full working drawings by the lead designer to incorporate all other design disciplines.

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1. INTRODUCTION

It is proposed to locate a new Efes restaurant within Retail Unit 1 (covering ground and a mezzanine level) of the newly developed 27-39 Hartfield Rd, London, SW19 3SG. RBA Acoustics have been commissioned to provide the required acoustic assessments to demonstrate compliance with both the London Borough of Merton (LBM) and the requirements of the Tenant's Specification Document - Note that the below report references the equivalent document for the adjacent Retail Unit 2 (ref. Tenant's Specification 220630 Retail Unit 2 LL Spec issue 01 Ir), which is understood to contain the same acoustic requirements. These requirements are listed below in Section 3.

RBA Acoustics have undertaken three acoustic surveys detailed in Section 4 to provide baseline noise levels at site as well as sound insulation levels of separating structures and source noise levels of an existing Efes Unit. The acoustic requirements relate to the following three elements of the acoustic design:

- External Plant Noise Emissions (see Section 5)
- Patron Noise from external seating area (see Section 6)
- Internal Noise Transfer to Adjacent Noise-sensitive spaces (see Section 7)

A summary of acoustic terminology is included in Appendix A.

2. SITE DESCRIPTION

The Efes restaurant is proposed in Retail Unit 1 of the multi-use development at 27-39 Hartfield Road. Retail Unit 1 comprises a ground and first-floor mezzanine level, with a small section at the front of the unit which is double-height, where the spaces are acoustically connected. The 'mezzanine' level comprises a full-width concrete slab, therefore acoustically this behaves more like a first floor than a mezzanine. Retail Unit 2 is located directly adjacent, at ground and first floor levels, and the remainder of the building is occupied by a Travelodge hotel. A number of non-sensitive hotel areas (entrance lobby and back of house (BOH) areas) are located at ground floor. At first floor there is the hotel restaurant, bar and kitchen/BOH areas – This area serves as a multi-purpose area and subjectively has a relaxed atmosphere. The Travelodge hotel bedrooms are located on the second floor and above. Note that due to the layout of the building, the only noise-generating area of the proposed Efes restaurant would be to the L2 hotel bedrooms above.

The site is located on Hartfield Road which is a one-way street which sees traffic movements from two bus routes. The site sits directly opposite two existing pub/restaurants. The surrounding area is populated by a mix of residential and commercial premises. To the north the site is bounded by Beulah Road, a smaller road which sees less traffic movements.

Within the ground floor of the proposed Efes restaurant there will be a customer facing bar and restaurant areas as well as the kitchen, washup and store areas. Within the first-floor mezzanine there will be customer and staff toilets, staff office and BOH storage. Therefore, the louder activities will all occur at lower levels.

The site is shown in relation to its surroundings in the site plan in Figure 1 (Appendix E) whereas internal spaces are shown in more detail in Figures 6-9 (Appendix E).

3. ACOUSTIC CRITERIA

3.1 Plant Noise Criteria (Local Authority)

The requirements of the LBM's Environmental Health Department regarding new building services plant are understood to be as follows.

"Noise levels, (expressed as the equivalent continuous sound level) L_{Aeq} (10 minutes), from the new plant/machinery shall not exceed $L_{A90} - 10dB$ at the boundary with the closest residential property."

Based on the above requirement and on the baseline noise survey results (See Section 4.1), plant noise limits are established below in Section.

3.2 Tenants Acoustic Criteria

The Tenant's Specification Document (ref. Tenant's Specification 220630 Retail Unit 2 LL Spec issue 01 lr, dated June 2022, produced by Reef Group) relating to the adjacent unit (Retail Unit 2) contains a number of acoustic criteria, which are understood to be applicable to Retail Unit 1. Section 23 of the document (entitled "Sound Ratings") provides the following clarifications:

"1.14.1 The Tenant will ensure its demise/unit will be capable of complying with the Local Authority sound requirements & Landlord noise reports including plant room areas."

"If there is a retail, commercial or residential use abounding the proposed unit which requires specific noise criteria, (i.e. a cinema or Hotel), then acoustic separation requirements must be met by the Landlord as part of his base build works and should fully comply with any current building regulation under Part E, or to further requirements as may deemed necessary by the local environmental health department."

"The tenant is to comply with the following landlord noise limits in all locations within their demise."

Table 1 – Landlord's Highest Allowable Noise Level

L_{max} (dB) at Octave Band Centre Frequency (Hz)								dBA
63	125	250	500	1k	2k	4k	8k	
87	83	82	82	82	82	82	82	90

"Sound insulation testing will be undertaken prior to handover, to demonstrate that the level of sound insulation between the retail unit and the hotel demise is compatible with the criteria in the table below, based on the specified limiting internal noise levels. Once this has been demonstrated, the tenant must not operate at a level that causes an exceedance of the criteria outlined below."

“Airborne and structure borne sound transmission from any other user in the same development, including bars / clubs / gyms or any other noise producing environment, shall be controlled such that the residual noise level in any adjacent hotel area does not exceed the criteria shown below at any time.”

Table 2 – Maximum Resultant Noise Levels in Hotel (due to Internal Noise Transfer)

Room Area	Noise Level
Bedrooms	25 dB, $L_{Aeq, 5min}^{(1)}$
Reception / Restaurant / Café / Bar	30 dB, $L_{Aeq, 5min}$ 35 dB, L_{Amax}

“(1) $L_{max,F}$ values in bedrooms to be at least 10 dB lower than the prevailing background noise level $L_{90,F}$ in the bedrooms, in all 1/3 octave bands, with windows closed and background ventilation operating normally.”

“The above noise limits relate to internal noise transfer.”

For noise transfer from patrons within external seating areas, the following criteria apply within the hotel bedrooms.”

Table 3 – Maximum Resultant Patron Egress Noise Level Criteria within bedrooms

Period	Noise Level
Daytime (07:00 – 23:00)	30 dB, $L_{Aeq, 5min}$
Night-time (23:00 – 07:00)	25 dB, $L_{Aeq, 5min}$ 30 dB, $L_{Amax, 1min}$

Gyms Acoustic Criteria

It is initially noted that the criteria given in Table 2 for maximum noise levels to bedrooms are onerous, when compared against the criteria for impact and airborne noise emissions from gyms to adjacent residential units, specified in the draft Gyms Acoustic Guidance document (GAG). The GAG document specifies compliance with G values (based on a 1/3 octave band values) which are roughly comparable (\pm approx 5dB) to NR values (based on 1/1 octave band values). The guidance provides a target of G15-G20 for night-time maximum noise events from impacts (i.e.: weight drops) which, in the worst-case, would equate to limits of around NR10-15, L_{fmax} . It is worth noting that such criteria are specified for activity which is likely to occur regularly (e.g.: multiple drops in short succession when gym users are working out), however review of the attached Figure 10 indicates that maximum noise events in fact occur far less frequently and rarely reach the worst-case levels used in our assessment.

3.2.1 Acoustic Test Requirements

The requirement for testing is further outlined in the below:

“Sound Insulation – A3/Retail Interfaces/Other third party uses

1. *Airborne sound insulation tests to be performed on the building shell construction to determine performance between A3/Retail spaces and any part of the hotel accommodation. The minimum level of sound insulation achieved must be shown to be in accordance with the Travelodge acoustic specification.*
2. *Maximum A3/Retail source noise levels shall be evaluated in relation to the acceptable room noise levels set out in the Travelodge acoustic specification. Where operations of A3/Retail tenants are expected to exceed these noise levels, a scheme of additional sound insulation works required to the A3/Retail spaces shall be identified. The landlord shall provide documentation, prior to the start of A3/Retail use, indicating that the A3/Retail tenant has undertaken these works and that noise levels in any part of the Travelodge demise will be in accordance with the Travelodge acoustic specification – at discretion of Travelodge, this may include sound insulation or acoustic commissioning tests.*
3. *Measurement to be performed in accordance with BS EN ISO 140-4:1998 and BS EN ISO 717-1:1997.”*

3.2.2 Additional Requirements

Lastly additional requirements are stated as follows:

- *No tenant works shall be undertaken to compromise the performance of the acoustic ceiling provided by the landlord. Any works that effect these shall be made good in accordance with a scheme that shall be submitted to the landlord for approval.*
- *The noise from plant, machinery and equipment, the use of the kitchen and footfalls with the A3 unit shall be inaudible within the hotel demises at all times.*
- *No speakers shall be mounted on either the acoustic or decorative ceiling, if required speakers shall be mounted resiliently on the walls, details of the mounts shall be submitted to the landlord for approval.*
- *The tenants shall comply with maximum plant noise limits at nearby noise sensitive receivers, these shall be confirmed by the landlord once planning approval has been granted.*
- *Tenants shall comply with the criteria contained in all planning conditions relating to noise egress, to be confirmed by the landlord once planning approval has been granted.*
- *The landlord to provide resilient acoustic drop rods for tenant services to finish below the acoustic ceiling. Details of proposed tenant Plant/Quantity and Spacing detail to be confirmed by tenant.*

4. ACOUSTIC SURVEYS

4.1 Baseline Noise Survey (October 2022)

4.1.1 General

Attended monitoring of the prevailing background noise was undertaken over the following period:

- 16:00 to 19:00 Wednesday 5 October 2022
- 22:00 Wednesday 5 October to 00:30 Thursday 6 October 2022

Conditions were generally considered suitable for obtaining representative noise measurements, being dry with little wind.

Measurements were made of the L_{A90} , and L_{Aeq} noise levels over sample periods of 15 minutes.

4.1.2 Measurement Locations

To determine the existing noise climate around the site measurements were undertaken at the following locations:

Measurement Position 1 – Hartfield Road: Measurements were undertaken on the pavement of Hartfield Road approximately 1m from the side of the road. Noise measurements at this position were dominated by traffic movements along Hartfield Road, including the movements of buses.

Measurement Position 2 – Beulah Road: Measurements were undertaken on the pavement of Beulah Road approximately 1m from the side of the road. Noise measurements at this position were dominated by traffic movements along Hartfield Road, including the movements of buses, as Beulah Road saw comparatively few traffic movements. In addition to this noise from train movements on nearby viaduct to the southwest of site were also audible.

Measurement Position 3 – Graham Road: Measurements were undertaken on the pavement of Graham Road approximately 1m from the side of the road. Noise measurements at this position were dominated by traffic movements along Hartfield Road, including the movements of buses, as Graham Road saw comparatively few traffic movements.

The measurement positions are also illustrated on the site plan attached in Figure 1 (Appendix E).

4.1.3 Instrumentation

For information regarding the equipment used for the measurements please refer to Appendix B.

The sound level meter was calibrated both prior to and on completion of the survey with no significant calibration drift observed.

4.1.4 Results

The lowest L_{A90} and the period L_{Aeq} noise levels measured are summarised in Table :

Table 4 – Measured L_{Aeq} and L_{A90} Levels

Measurement Position	Period	Measured L_{Aeq} (dB)	Lowest Measured $L_{A90, 15mins}$
Measurement Position 1	16:00-16:30	71	59
	17:30-18:00	71	59
	22:00-22:30	68	52
	23:30-00:00	67	49
Measurement Position 2	16:30-17:00	63	52
	18:00-18:30	60	50
	22:30-23:00	54	46
	00:00-00:30	51	42
Measurement Position 3	17:00-17:30	67	53
	18:30-19:00	60	51
	23:00-23:30	55	46

4.2 Efes Restaurant Noise Survey (February 2023)

4.2.1 General

Measurements were made in an existing Efes restaurant (1 Whitechapel Rd, London E1 6TY) to measure the noise levels produced within a typical restaurant unit. Measurements were made during a busy lunchtime service between 12:30-14:30 on Thursday 9 February 2023. It was noted that the main floor of the restaurant was approaching full capacity throughout the survey, meaning the measured levels are likely to represent a typical worst-case scenario for noise levels. Noise levels were measured in the main restaurant seating area as well as in areas nearer to the open-plan kitchen, however little variation was noted between these areas, given that the kitchen operations were generally relatively quiet, and the noise climate was dominated by conversation and low-level background music.

Measurements were made of the L_{Amax} and L_{Aeq} noise levels over multiple sample periods of approximately 5-minute duration.

4.2.2 Instrumentation

For information regarding the equipment used for the measurements please refer to Appendix B.

The sound level meter was calibrated both prior to and on completion of the survey with no calibration drift observed.

4.2.3 Results

Multiple measurements were made within the seating areas of the restaurant. The maximum level at each 1/3 octave band have been used for the average (Leq) levels. The worst-case maximum noise event (highlighted in the attached Figure 10) has been used for our assessment. The noise levels used in our assessment are provided below in Table 5.

Table 5 – Measured Efes Typical Noise Levels

		Typical Worst-case Efes Restaurant Noise Levels (Seating Area)	
		Average Noise Level L _{Aeq} (dB)	Maximum Noise Level L _{Afmax} (dB)
Measured Noise Levels (dB) at 1/3 Octave Band Frequency (Hz)	50	61	54
	63	69	56
	80	57	57
	100	61	57
	125	62	60
	160	61	59
	200	63	66
	250	63	63
	315	64	67
	400	66	70
	500	67	68
	630	68	70
	800	66	69
	1000	65	69
	1250	64	74
	1600	64	75
	2000	63	73
	2500	64	78
	3150	63	90
	4000	61	81
5000	60	80	
6300	56	73	
8000	54	67	
10000	52	64	
dBA		75	92

These levels are consistent with a busy restaurant playing low level background music. Graphical analysis of the measured noise levels traces relating to the above levels can be seen in the attached Figure 10 (Appendix E).

4.3 Sound Insulation Testing Survey (December 2022)

4.3.1 General

Following the shell-and-core fit-out of Retail Unit 2, a sound insulation testing visit was undertaken on Monday 19th December 2022 at site, to measure the sound insulation between the spaces. The following relevant acoustic test was undertaken of the separating constructions were noted to be acoustically significant and therefore require assessment, in accordance with the Tenant's Specification document. Following significant liaison with the Landlord's acoustic consultants, Sandy Brown Acoustics (SBA), in relation to Unit 2, it was agreed with SBA that the same testing data (from the units to L2 bedroom above) could be used for the assessment of noise transfer from Unit 1, on the basis that the separating constructions are acoustically equivalent in both units.

Table 6 – Acoustic Test Areas

Separating Construction Ref.	Source Area	Receive Area	Separating Construction
F1	L0 Retail Unit 2	L2 Hotel Bedroom	Floor

Based on the above, and on-site limitations, the following tests were undertaken on site:

F1 Testing

Due to the presence of a large concrete mezzanine level, much of the noise in the ground floor restaurant area would be significantly attenuated before arriving at the separating floor between Retail Unit 2 and the L2 Hotel Bedrooms above. Due to the staircases to the mezzanine not yet having been installed, access was not available to the mezzanine level, meaning testing could only be undertaken with the front of the retail unit where the mezzanine stops and there is a double-height area, with the separating floor directly above. However, in this location, because the upper levels of the building protrude further forward (off the front of the building) only around half of the bedroom floor area was shared with the restaurant below. As such, testing was undertaken into hotel bedroom 211.

4.3.2 Instrumentation

For information regarding the equipment used for the measurements please refer to Appendix B.

The sound level meter was calibrated both prior to and on completion of the survey with no calibration drift observed.

4.3.3 Testing & Analysis Methodology

The site measurements were undertaken following the general principles given in the following British Standards as required by the Tenants Specification document:

Airborne Sound: BS EN ISO 140-4:1998 "Acoustics – Measurement of sound insulation in buildings and of building elements – Part 4: Field measurements of airborne sound insulation between rooms"

The airborne sound insulation performance of the structures was determined by generating a broadband, random diffuse sound field in the source area and measuring the spatially averaged 1/3 octave band sound pressure levels in both the source and receive areas. The receive room levels were corrected for background noise in accordance with the procedure detailed in BS EN ISO 140-4. The source and corrected receive noise levels were then converted to 1/1 octave band levels. The corrected receive levels were subtracted from the

source levels to determine the 1/1 level differences, D_i , over the frequency range 63Hz-8kHz (which therefore included contributions from 1/3 octave bands 50Hz-10kHz). A single background noise level was measured in the receive room.

The octave-band level difference has subsequently been used to calculate the resulting average and maximum noise level in the adjacent noise-sensitive spaces, based on the measured source noise levels, given in Table 1. Note that no reverberation correction has been applied, as the receive locations were in their completed and fully finished/furnished state.

A summary of the measured 1/3 octave-band test noise levels is given below, for reference:

Table 7 – Measured 1/3 octave-band Test Noise Levels for F1

		Floor 1		
		Source Noise Levels (dB, Leq)	Uncorrected Receive Noise Levels (dB, Leq)	Background Level during test (dB, Leq)
Measured Sound Insulation Noise Levels (dB) at 1/3 Octave Band Frequency (Hz)	50	91	44	38
	63	99	38	24
	80	104	43	25
	100	105	42	32
	125	104	40	23
	160	102	34	19
	200	98	33	22
	250	97	31	22
	315	98	30	19
	400	96	26	17
	500	96	22	14
	630	95	15	11
	800	91	18	11
	1000	89	12	13
	1250	86	12	18
	1600	83	14	17
	2000	86	15	15
	2500	87	12	11
	3150	87	11	10
	4000	86	10	10
5000	86	10	9	
6300	84	8	8	
8000	81	8	8	
10000	79	9	10	

5. PLANT NOISE ASSESSMENT

This assessment has been based on the information provided to RBA Acoustics by Efes Group and Akart (KEF supplier). These details are described in the following sections:

5.1 Plant Noise Limits

In line with the requirements of , we would propose items of mechanical services be designed so that noise emissions from the plant do not exceed the following levels when assessed at the nearest noise sensitive location:

	<i>Position 1</i>	<i>Position 2</i>	<i>Position 3</i>
▪ Restaurant Hours (12:00 to 01:00)	39 dBA	32 dBA	36 dBA

5.2 Proposed Plant Items

The following plant is proposed for the scheme:

Table 8 – Plant Types

Proposed Plant	Location	Reference	Manufacturer/Model/Duty
Kitchen Extract Fan	Rooftop	EF-01 *	Helios GBD 630/4 T120
Ventilation Supply Fan	Ground Floor	SF-01	Helios GBD EC 500A
OU-01 - AC Outdoor unit	Rear Mezzanine Plant Area	OU-01	RYYQ14U
OU-02 - AC Outdoor unit	Rear Mezzanine Plant Area	OU-02	RZA200D
OU-03 - AC Outdoor unit	Rear Mezzanine Plant Area	OU-03	RZA200D
OU-04 – Coldroom Condenser	Rear Mezzanine Plant Area	OU-04	TFST-075
OU-05 – Coldroom Condenser	Rear Mezzanine Plant Area	OU-05	TSFT-130
OU-06 – Coldroom Condenser	Rear Mezzanine Plant Area	OU-06	TCST-200

* There is also a standby unit EF-02 which would only operate in case of failure of EF-01. As such our assessment only assumes the operation of 1no. unit.

The equipment positions are indicated in the attached Figure 3, 4 and 5 in Appendix E.

5.3 Plant Noise Levels

Information regarding the noise levels of the proposed plant has been provided by the manufacturer of the unit. The associated plant noise levels are detailed as follows:

Table 9 – Plant Noise Levels

Unit	Parameter	Sound Level (dB) at Octave Band Centre Frequency (Hz)							
		63	125	250	500	1k	2k	4k	8k
Kitchen Extract Fan (Helios GBD 630/4 T120)	In-duct Inlet (Lw)	74	74	83	80	79	78	75	67
	In-duct Outlet (Lw)	81	81	82	84	84	82	77	69
	Breakout (Lw)	66	66	67	65	65	65	61	55
Ventilation Supply Air Fan (Helios GBD EC 500A)	In-duct Inlet (Lw)	57	57	66	66	69	68	66	59
	In-duct Outlet (Lw)	61	61	66	70	74	72	68	60
	Breakout (Lw)	57	57	60	55	54	45	39	31
OU-01 - AC Outdoor unit	Lp @ 1m	61	63	60	60	53	49	48	46
OU-02 - AC Outdoor unit	Lp @ 1m	56	56	52	53	47	42	39	34
OU-03 - AC Outdoor unit	Lp @ 1m *	61	63	59	59	55	51	45	41
OU-04 – Coldroom Condenser	Lp @ 1m *	55	57	53	53	49	45	39	35
OU-05 – Coldroom Condenser	Lp @ 1m *	57	59	55	55	51	47	41	37
OU-06 – Coldroom Condenser	Lp @ 1m *	59	61	57	57	53	49	43	39

* Noise data for these units was provided as a single-figure value, so the noise spectrum for a typical medium-sized condensing unit has been translated accordingly for the purposes of our calculations

5.4 Location of the Nearest Noise-Sensitive Receptors

Receptor 1 – 1 Graham Road (Residential Receptor)

This receptor is located approximately 5m from the rear façade of the retail unit where the internal supply fan has its atmospheric intake grille, as well as 6no. condensers. This receptor is significantly screened from any rooftop plant. The receptor also has no direct line-of-sight to the rear mezzanine plant deck, to the front and rear facades of the house facing perpendicular to this area.

Receptor 2 – 2nd Floor Bedroom (Residential Receptor)

In order to ensure no disturbance to the occupiers of the hotel which sits within the same development an assessment of the ground floor plant terminating to the rear to the nearby 2nd floor hotel windows has been undertaken. The nearest windows sit vertically atop the plant terminations at a distance of approximately 5m.

Receptor 3 – 7th Floor Hotel Bedroom (Residential Receptor)

In addition, an assessment has been made from the rooftop extract fan to the 7th floor hotel bedroom windows. The nearest 7th floor windows sit at a distance of 4m from the nearest windows and are screened by the edge of the roof. Given the height of the building there is no nearby existing residential receptor with a direct line of sight to the rooftop unit.

The receptors are shown in the site plan in Figures 1 and 2 in Appendix E.

5.5 Proposed Mitigation

The following proposed acoustic mitigation measures will be included in the design, capable of achieving the following minimum insertion losses:

Table 10 – Mitigation Insertion Losses

Proposed Mitigation Type & Associated Plant	Indicative Mitigation Unit*	Sound Level (dB) at Octave Band Centre Frequency (Hz)							
		63	125	250	500	1k	2k	4k	8k
Kitchen Extract Fan, atmosphere-side attenuator	Acoustica CP03-C*P-0500-2D attenuator	4	10	16	26	29	29	29	20
Kitchen Extract Fan, Lagging to Fan Unit ¹	Muftilag 5b/10	8	11	15	19	21	23	25	25
Supply Fan, atmosphere-side attenuator	Acoustica CP03-C*-0500-1D	3	7	8	19	20	17	14	11

* Note that where indicative attenuator types are given, typically capable of achieving the octave-band specification, these are given to assist with the attenuator selection, however it is critical that the selected attenuator achieves the octave-band specification.

¹ Note that lagging to the fan unit should cover all exposed surfaces of the fan unit, all roomside ducting and atmosphere-side ducting up to and including the installed acoustic attenuators.

5.6 Calculation of Noise Levels at Nearest Noise-Sensitive Receptors

Our calculation method for predicting noise levels from the proposed plant at the nearest noise-sensitive receptors, based on the information above, is summarised below.

- Source Term SWL
- In-duct Losses
- Distance Attenuation
- Directivity
- Screening

Calculation sheets are attached for further information in Appendix C. The results of the calculations indicate the following noise levels at the nearest affected residential windows, with the inclusion of the above acoustic mitigation:

Table 11 – Predicted Noise Levels

Operating Period	Noise Level (dB) at Receptor 1 - 1 Graham Road		Noise Level (dB) at Receptor 2 - 2 nd Floor Hotel Bedroom		Noise Level (dB) at Receptor 3 - 7 th Floor Hotel Bedroom	
	Prediction	Criterion	Prediction	Criterion	Prediction	Criterion
12:00 – 01:00	36	36	36	36	31	32

Therefore, with the inclusion of the proposed attenuation, resulting noise from the plant installations meets the criteria at the nearest noise-sensitive receptors.

As such the proposed installation should be considered acceptable.

5.7 Vibration Control

In addition to the control of airborne noise transfer, it is also important to consider the transfer of noise as vibration to adjacent properties (as well as to any sensitive areas of the same building).

We would typically advise that fans be isolated from the supporting structure by means of either steel spring isolators or rubber footings. For particularly sensitive locations, or when on lightweight structures the mounts should ideally be caged and be of the restrained type.

It is important the isolation is not “short-circuited” by associated pipework or conduits. To this end, any conduits should be looped, and flexible connectors should be introduced between the condenser and any associated pipework. Pipework should be supported by brackets containing neoprene inserts.

5.8 External Plant Noise Conclusion

The results of the plant noise assessment indicate that, with the inclusion of the proposed acoustic mitigation in the form of in-line attenuation to ducted plant, that atmospheric noise emissions from the proposed plant meet the criteria required by the London Borough of Merton. As such, the proposed plant installations should be considered acoustically acceptable.

6. PATRON NOISE ASSESSMENT

6.1 General

RBA Acoustics have assessed patron noise to the nearest noise sensitive receptors. External seating proposals are shown indicatively in the attached Figure 11 (Appendix E), which shows 12no. seats facing Graham Road and 30no. seats facing Hartfield Road. In each case, there is no direct line of sight from the seating to the nearest Level 2 hotel bedroom windows above and noise from seating would only significantly affect the window directly above them, due to the further screening obtained by the corner of the building itself. As such, the worst-case scenario would be noise transfer from the front seating area 2nd floor hotel bedroom above, overlooking Hartfield Road.

6.2 Criteria

To assess the impact of specific noise sources such as those anticipated at this development a comparison has been made between the average noise level (L_{Aeq}) of the new noise sources with the existing L_{Aeq} noise level. Our analysis is therefore based upon this comparison.

'Guidelines for Environmental Noise Impact Assessment', produced by the Institute of Environmental Management and Assessment (IEMA), addresses the key principles of noise impact assessment, and provides guidance on how noise impact assessment should be approached.

This document recognises that each situation encountered is likely to be different and that there is no single set of subjective assessment criteria that would apply to all situations. When assessing the subjective impact of any development it is important to consider the specific circumstances of the site. In many cases, a simple comparison of changes in noise levels is sufficient to establish the noise impact; in others, other factors or features of the change might need to be considered to determine the extent of any effect and its significance.

In assessing the impact of specific noise sources such as those anticipated at this development it is usual to compare the average noise level (L_{Aeq}) of the noise source with the existing measured L_{Aeq} noise level.

IEMA also provides guidance on the relationship between noise impact and noise effect that can help in evaluating the significance of any effect.

The categorisation shown in Table 12 outlines the subjective impact due to the changes in noise level at the site from the new sources.

Table 12 – Impact of Changes in Noise Level

Change in Noise Level (dB L_{Aeq})	Impact	Description of Effect (Receptor Perception)
0 - 2.9	None / not significant	Non-intrusive
3 - 4.9	Slight	Slightly Intrusive
5 - 6.9	Moderate	Intrusive
7 - 9.9	Substantial	Slightly Disruptive
10 and above	Verv Substantial	Disruptive

In addition to the comparison of L_{Aeq} noise levels before and after the proposed development, it is important to understand the potential subjective effect of such changes in the noise level.

Table 13 compares the subjective response of typical subjects to variations in sound pressure level. Please note the change in loudness and how noticeable this may be is only applicable where the character of the existing and predicted noise is the same.

Table 13 – Subjective Response

Changes in Sound Level (dB)	Change in Power		Change in Apparent Loudness
	Decrease	Increase	
3	1/2	2	Just Perceptible
5	1/3	3	Clearly Noticeable
10	1/10	10	Half or Twice as Loud
20	1/100	100	Much Quieter or Louder

6.3 Assumptions

In order to undertake this assessment, the following assumptions have been made:

- The external seating area seats 30 patrons (as shown in Figure 11, Appendix E)
- Around a third of the patrons are talking in raised voices simultaneously (10 assumed as a worst-case assessment)
- A raised voice has a noise level of 77 dB, L_{Aw} as per BB93 (February 2015) – This value would be representative of typical louder conversations, contributing to the average noise emissions from the external seating area. Although BB93 does not provide any data for a higher vocal noise level, acoustic modelling software Odeon provides predicted levels for the human voice of 83dB, L_{Aw} (for “loud”) and 91dB, L_{Aw} (for “shout”). Given that we anticipate patrons won’t be shouting, but may speak loudly, we will use the value of 83dB, L_{Aw} to be representative of the maximum noise events.
- A distance loss of 8m from a seated patron (assumed 1m height) and the nearest hotel window
- There is significant screening loss due to no direct line of sight between the hotel bedrooms and the external seating area due to the overhang of the second-floor slab.
- It is noted that the Travelodge’s acoustic specification requires night-time noise to be controlled to no greater than 30dB, $L_{Aeq,1hr}$ from traffic sources. Therefore, for this to be achieved, windows would need to be closed during this period (due to external traffic noise levels of around 67dB, L_{Aeq} . Our assessment therefore assumes a closed window (1.2m x 1.2m) with a standard double-glazing performance with a performance of 32dB, R_w to represent the worst-case scenario.
- It is assumed that the external patron seating area would be used no later than 00:00 and would likely contain significantly fewer patrons towards the end of any given evening.

In addition to the above the noise levels measured at Position 1 are considered to be representative of noise levels experienced on the external seated area as well those to the noise sensitive receptors. As such our assessment will make a comparison of noise levels measured at this position between 23:30-00:00 and predicted noise levels.

6.4 Change in External Noise Level

We have considered how the introduction of patron noise may change the external façade noise levels outside the nearest bedroom windows, given the context of relatively high existing traffic noise along the road:

Table 14 – Predicted change in noise levels outside bedroom window due to Patron Noise

Measured Ambient Noise Level, L_{Aeq} [dB]	Predicted Resulting Patron Noise, L_{Aeq} [dB]	Predicted Resulting Cumulative Noise Level (=Ambient + Patron), L_{Aeq} [dB]	Change in Noise Level, L_{Aeq} [dB]	Associated Subjective Impact
67.0	55.6	67.3	0.3	None/Not significant

As can be seen in the table above the results of our assessment predicts a marginal 0.3 dBA increase in noise levels from the use of the external seated area. Comparing this against the change in noise levels listed in Table 12 it can be seen that this would be considered a non-intrusive increase in levels which could be considered as of having a negligible impact. As such we would consider use of the external seating area to be acceptable from an acoustic standpoint.

6.5 Resulting Internal Patron Noise Levels

Based on the above assumptions, the following resulting internal

Table 15 – Maximum Predicted Resulting Patron Noise Level within bedrooms

Period	Tenants Specification Criteria	Predicted Noise Level	Meets Criteria
Daytime (07:00 – 23:00)	30 dB, $L_{Aeq, 5min}$	18 dB, $L_{Aeq, 5min}$	Yes
Night-time (23:00 – 07:00)	25 dB, $L_{Aeq, 5min}$ 30 dB, $L_{Amax, 1min}$	18 dB, $L_{Aeq, 5min}$ 24 dB, $L_{Amax, 1min}$	Yes

6.6 Patron Noise Conclusion

As such, in the worst-case scenario, patron noise has been demonstrated to have an insignificant effect on the external noise levels and would result in internal noise levels in the nearest bedroom which comply with the Tenants Specification document. As such, the proposal for the restaurant to use the external seating area should be considered acoustically acceptable.

7. INTERNAL NOISE TRANSFER

7.1 Criteria Summary

To summarise the criteria given in Section 3.2, the landlord provides maximum allowable noise levels (see Table 1) within the units alongside a testing requirement to *determine* maximum allowable noise levels. The result of the testing is compared against the criteria provided by the hotel tenant to determine the maximum operating noise levels. As such RBA Acoustics would deem it appropriate to work on the assumption that the noise levels detailed in Table 1 are provided for guidance, given that the final acceptable internal noise level is determined by the testing.

It is noted that the Efes noise levels measured during the restaurant survey, detailed above in Table 5, slightly exceed the limits given in Table 2. As such RBA Acoustics have completed our assessment of sound transfer through base build constructions assuming these higher operational noise levels.

7.2 Drawings

Our noise transfer assessments have been made based on the proposed Efes layout drawings provided by Kapeti Interior Architecture (shown in the attached Figure 6) and Urban Reef (shown in the attached Figures 7-9). For convenience, the footprint the proposed Efes restaurant (Retail Unit 1) has been overlaid on Figures 6-9 to assist in the readers orientation of the spaces.

7.3 Basebuild Separating Constructions

Based on drawings made available to us it is understood that the separating floors consist of the following:

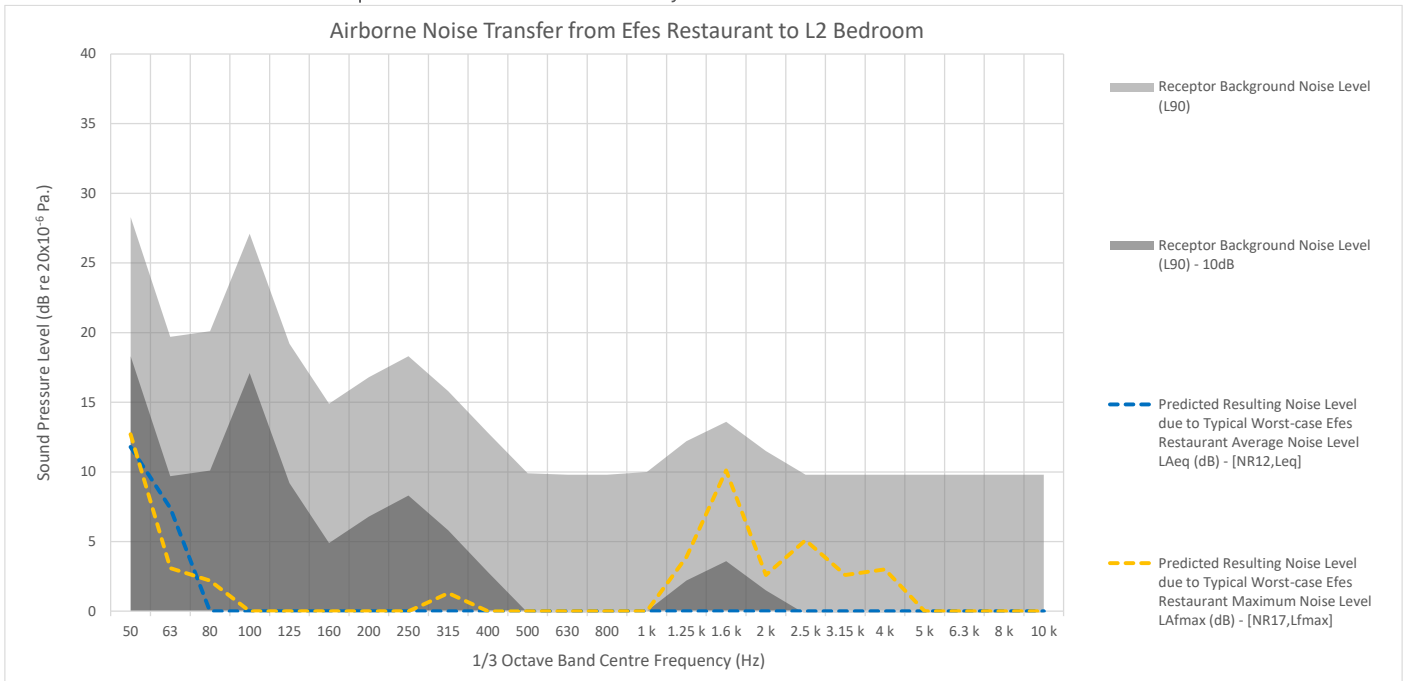
Mezzanine/First Floor to 2nd Floor Bedrooms

- 550mm RC Slab
- 500mm void filled with 100mm insulation
- 2no. layers 15mm dense plasterboard supported on Mason HDQF-A ceiling hangers

7.4 Predictions based on Measured Sound Insulation

As discussed above, the initial sound insulation testing was undertaken from Unit 2 to a L2 bedroom above, however it has been agreed with all parties that the test data could be reused for this assessment, given that the floor construction is the same and would therefore be acoustically equivalent. As such, based on the level differences measured across Floor F1 and the source noise levels given in Table 5, the following graphical analysis has been provided:

Graph 1 – Noise Transfer Analysis – Floor F1 – L0 & Mezzanine Restaurant to L2 Bedrooms



In the above, although the only exceedance of the criteria is a notable peak around 1.6kHz, it should be noted that the absolute noise levels displayed are extremely low, and the resulting maximum noise levels is 15dB, $L_{A_{fmax}}$. Based on site observation and through analysis shown of the attached Figure 10, such a peak event would occur fairly infrequently and are due to the highly localised clinking of crockery/cutlery occurring within approximately 1m of the measurement position. Therefore, in general, noise levels arriving at the separating slab would be quieter still due to some additional distance loss.

7.5 Summary of Noise Transfer Predictions based on Test Results

Based on the above analyses, the following resulting noise levels have been predicted in the resulting hotel spaces.

Table 16 – Noise Transfer Predictions based on Measured Test Results

Separating Construction Ref.	Source Area	Receive Area	Criteria	Predicted Resultant Level *	Meets Criteria
F1	L0 Restaurant (Unit 1 – Efes)	L2 Hotel Bedroom	25 dB, $L_{A_{eq}, 5min}$	<10dB, $L_{A_{eq}, 5min}$	Yes ¹

* Note that the stated result excludes frequencies worst-affected by background noise intrusion, excluding 1kHz-8kHz for all floors .

¹ Although the maximum $L_{A_{fmax}}$ noise level result exceeds the onerous target criteria between 1.6-5kHz, the absolute resulting noise levels are very low and therefore should be considered suitable. Further discussion is provided in Section 7.6 below.

7.6 Noise Transfer Discussion

From analysis of the predicted noise transfer to the worst-case hotel bedroom (Graph 1), the following can be noted:

- the resulting predicted L_{eq} and L_{fmax} noise levels are below the typical background (L_{90}) noise level at all octave-bands in the bedroom. Although resulting noise levels around 1.6-5kHz fall marginally short of the '10dB below background' criterion, it is noted that such events occur infrequently, and that the resulting overall noise level from such events would be in the region of 15dB, L_{Afmax} .
- When excluding mid/high frequencies which were background affected during testing (i.e.: 1kHz and above) we note that the resulting noise level in the bedroom were NR8, L_{eq} for average noise levels.
- The above predicted values comfortably meet the criteria given for impact and airborne noise emissions from gyms to adjacent residential units, specified in the draft Gyms Acoustic Guidance document (GAG).
- Even when including all frequencies (i.e.: not excluding background affected predictions) the resulting overall noise level prediction are:
 - 15dB, L_{Afmax} for maximum noise levels, which is comfortably below the 45dB, L_{Afmax} limit which is typically used as the upper limit for noise intrusion of maximum noise events, derived from WHO and 8233 guidelines.
 - 12dB, L_{Aeq} for average noise levels, which is comfortably below the night-time limit of 30dB, L_{Aeq} , derived from WHO and 8233 guidelines.

7.7 Noise Transfer Conclusion

Based on the above, it is concluded that, noise transfer predictions from the proposed Efes restaurant to the adjacent Travelodge Hotel Bedrooms meet the target criteria, with the exception of maximum noise levels. However, although the predicted levels fall short of meeting a level 10dB below the background level (L_{90}) at all octave-bands, we have demonstrated above that resulting absolute noise levels would be extremely low and therefore unlikely to cause any disturbance to future hotel patrons, which is ultimately the desired outcome of the Travelodge acoustic criteria.

8. CONCLUSION

RBA Acoustics has undertaken a series of surveys and assessments to demonstrate that the proposed Efes restaurant usage of Retail Unit 1 (27-39 Hartfield Road) would be compliant with the Tenants Specification document. The following conclusions can be drawn for each of the 3no. acoustic elements of the criteria.

- ***External Plant Noise***

The results of the plant noise assessment indicate that, with the inclusion of the proposed acoustic mitigation in the form of in-line attenuation to ducted plant, that atmospheric noise emissions from the proposed plant meet the criteria required by the London Borough of Merton. As such, the proposed plant installations should be considered acoustically acceptable.

- ***Patron Noise***

In the worst-case scenario, patron noise has been demonstrated to have an insignificant effect on the external noise levels and would result in internal noise levels in the nearest bedroom which comply with the Tenants Specification criteria. As such, the proposal for the restaurant to use the external seating area should be considered acoustically acceptable.

- ***Internal Noise Transfer***

It is concluded that, noise transfer predictions from the proposed Efes restaurant to the adjacent Travelodge Hotel areas meet the target criteria, with the exception of maximum noise levels. However, although the predicted levels fall short of meeting a level 10dB below the background level (L_{90}) at all octave-bands, we have demonstrated above that resulting absolute noise levels would be extremely low and therefore unlikely to cause any disturbance to future hotel patrons, which is ultimately the desired outcome of the Travelodge acoustic criteria.

Appendix A – Acoustic Terminology

A-weighting (e.g. dB(A))	A correction applied across the frequency bands to take into account the response of the human ear, and therefore considered to be more representative of the sound levels people hear.
DeciBel (dB)	Unit used for many different acoustic parameters. It is the logarithmic ratio of the level being assessed to a standard reference level.
L_{eq}	The level of a notional steady sound which, over a stated period of time, T , would have the same acoustic energy as the fluctuating noise measured over that period. Typically used to represent the average or ambient noise level.
$L_{Aeq,T}$	The A-weighted level of a notional steady sound which, over a stated period of time, T , would have the same acoustic energy as the fluctuating noise measured over that period. Typically used to represent the average or ambient noise level.
L_{An} (e.g. L_{A10} , L_{A90})	The sound level exceeded for $n\%$ of the time. E.g. L_{A10} is the A-weighted level exceeded for 10% of the time and as such can be used to represent a typical maximum level. Similarly, L_{A90} is the level exceeded for 90% of the measurement period, and is often used to describe the underlying background noise.
NR	Noise Rating – A single figure term to describe a measured noise level which considers the frequency content of the noise, generally used for internal noise level measurements (particularly mechanical services plant).

Appendix B – Instrumentation

The following equipment was used for the measurements.

Table B1– Baseline Noise Survey (Oct 2022) Equipment Calibration Details

Manufacturer	Model Type	Serial No.	Calibration	
			Certificate No.	Expiry Date
Norsonic Type 1 Sound Level Meter	Nor140	1406116	U36615	17 December 2022
Norsonic Pre Amplifier	1209	20295		
Norsonic ½" Microphone	1225	344468	36614	17 December 2022
Norsonic Sound Calibrator	1251	34307	U36613	17 December 2022

Table B2– Restaurant Noise Survey (9 Feb 2023) Equipment Calibration Details

Manufacturer	Model Type	Serial No.	Calibration	
			Certificate No.	Valid Until
Norsonic Type 1 Sound Level Meter	Nor140	1407793	4712338926	9 December 2023
Norsonic Pre Amplifier	1209	23228		3 December 2023
Norsonic ½" Microphone	1225	468954		
Norsonic Sound Calibrator	1255	125525796	Cal 022-2021-14779	8 December 2023

Table B3– Sound Insulation Survey (19 Dec 2022) Equipment Calibration Details

Manufacturer	Model Type	Serial No.	Calibration	
			Certificate No.	Valid Until
Norsonic Type 1 Sound Level Meter	Nor140	1407794	4712332270	9 December 2023
Norsonic Pre Amplifier	1209	23229		3 December 2023
Norsonic ½" Microphone	1225	468970		
Norsonic Sound Calibrator	1255	125525795	Cal 022-2021-14778	8 December 2023
JBL Loudspeaker	515XT	VTP1124-18980	N/A	N/A
NTI Minirator	MR2	G2L-RAAAX-F2	N/A	N/A
ANV Tapping Machine	EOS	NGE05251	UCRT22/1664	17 May 2024

Appendix C – Plant Calculations

Table C1 – Example Calculation – KEF unit breakout to Receptor 3

Unit	Sound Level (dB) at Octave Band Centre Frequency (Hz)								dBA
	63	125	250	500	1k	2k	4k	8k	
Sound Power Level	66	66	67	65	65	65	61	55	71
Distance Loss	-8	-8	-8	-8	-8	-8	-8	-8	
	58	58	59	57	57	57	53	47	63
Lw to Lp (Hemispheric)	-8	-8	-8	-8	-8	-8	-8	-8	
	50	50	51	49	49	49	45	39	55
Roof Edge Screening	-7	-8	-10	-13	-15	-18	-20	-20	
	43	42	41	36	34	31	25	19	39
Lagging (Muftilag 5b10)	-8	-11	-15	-19	-21	-23	-25	-25	
Resulting Noise Level at Receptor 3 (Lp)	35	31	26	18	12	7	0	0	22

Table C2 – Summary Noise Levels, Relevant Items to Receptor 3

Unit	Received noise level (dB) at 1m from Receptor 1
KEF grille termination	31
KEF unit breakout	22
Total Received Level	31

Appendix D – CDM Considerations

The likelihood the harm will occur can be assessed by applying an indicative score (from 1 to 5) as follows:

- 1 – Remote (almost never)
- 2 – Unlikely (occurs rarely)
- 3 – Possible (could occur, but uncommon)
- 4 – Likely (recurrent but not frequent)
- 5 – Very likely (occurs frequently)

The severity of harm can be assessed by applying an indicative score (from 1 to 5) as follows:

- 1 – Trivial (e.g. discomfort, slight bruising, self-help recovery)
- 2 – Minor (e.g. small cut, abrasion, basic first aid need)
- 3 – Moderate (e.g. strain, sprain, incapacitation for more than 3 days)
- 4 – Serious (e.g. fracture, hospitalisation for more than 24 hours, incapacitation for more than 4 weeks)
- 5 – Fatal (single or multiple)

The rating value is obtained by multiplying the two scores and is then used to determine the course of action.

Table D1 – Risk Ratings

Rating Bands (Severity x Likelihood)		
Low Risk (1 – 8)	Medium Risk (9 -12)	High Risk (15 – 25)
May be ignored but ensure controls remain effective	Continue, but implement additional reasonable practicable controls where possible	Avoidance action is required; therefore alternative design solutions must be examined. Activity must not proceed until risks are reduced to a low or medium level

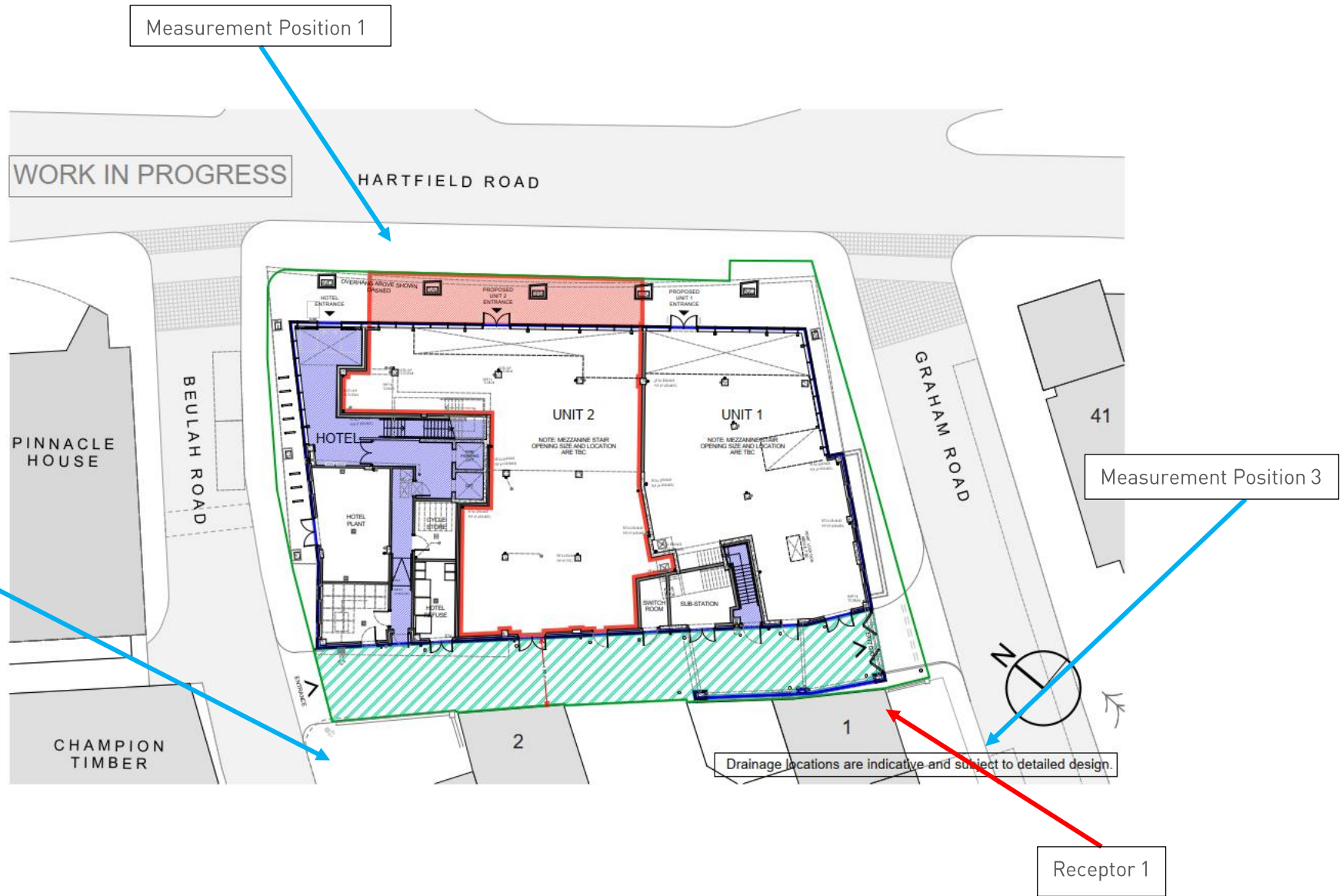
The following hazards pertinent to our design input have been identified and control measures suggested:

Table D2 – Risk Assessment

Hazard	Risk Of	At Risk	Rating			Control Measures	Controlled		
			L	S	R		L	S	R
Vibration Isolators	Injury to hands	Contractors	3	3	9	Care needs to be taken during adjustment. Follow manufacturers guidance	1	3	3
Attenuators/ Acoustic Lagging	Strain of neck, limbs or back.	Contractors	3	4	12	Provide sufficient manpower/ lifting gear	1	4	4
Attenuators/ Acoustic Lagging	Skin & respiratory irritation	Contractors	4	3	12	Wear gloves and mask	1	3	3

L: Likelihood S: Severity R: Rating

Appendix E – Graphs and Site Plans



2nd Floor

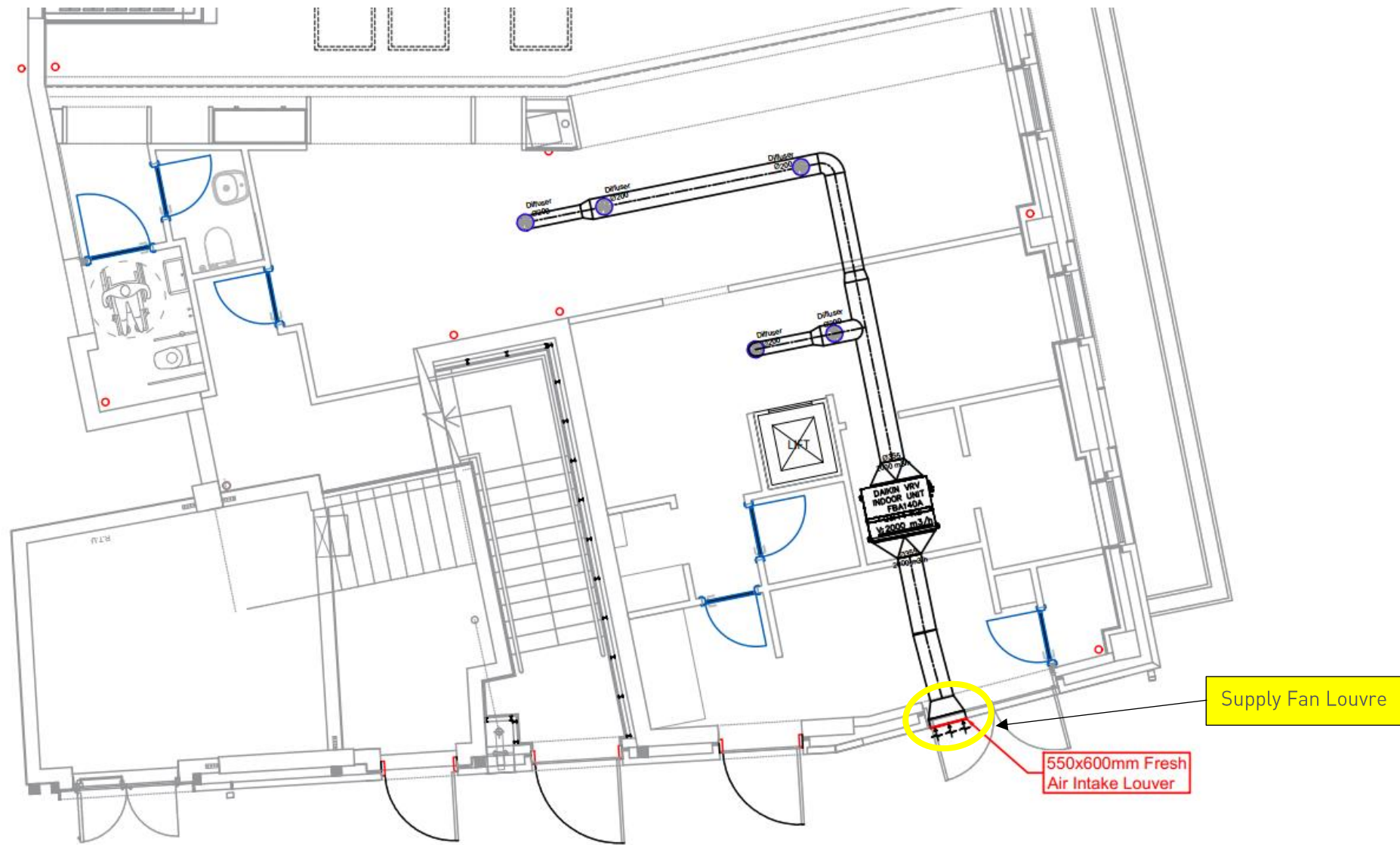


Receptor 2

7th Floor



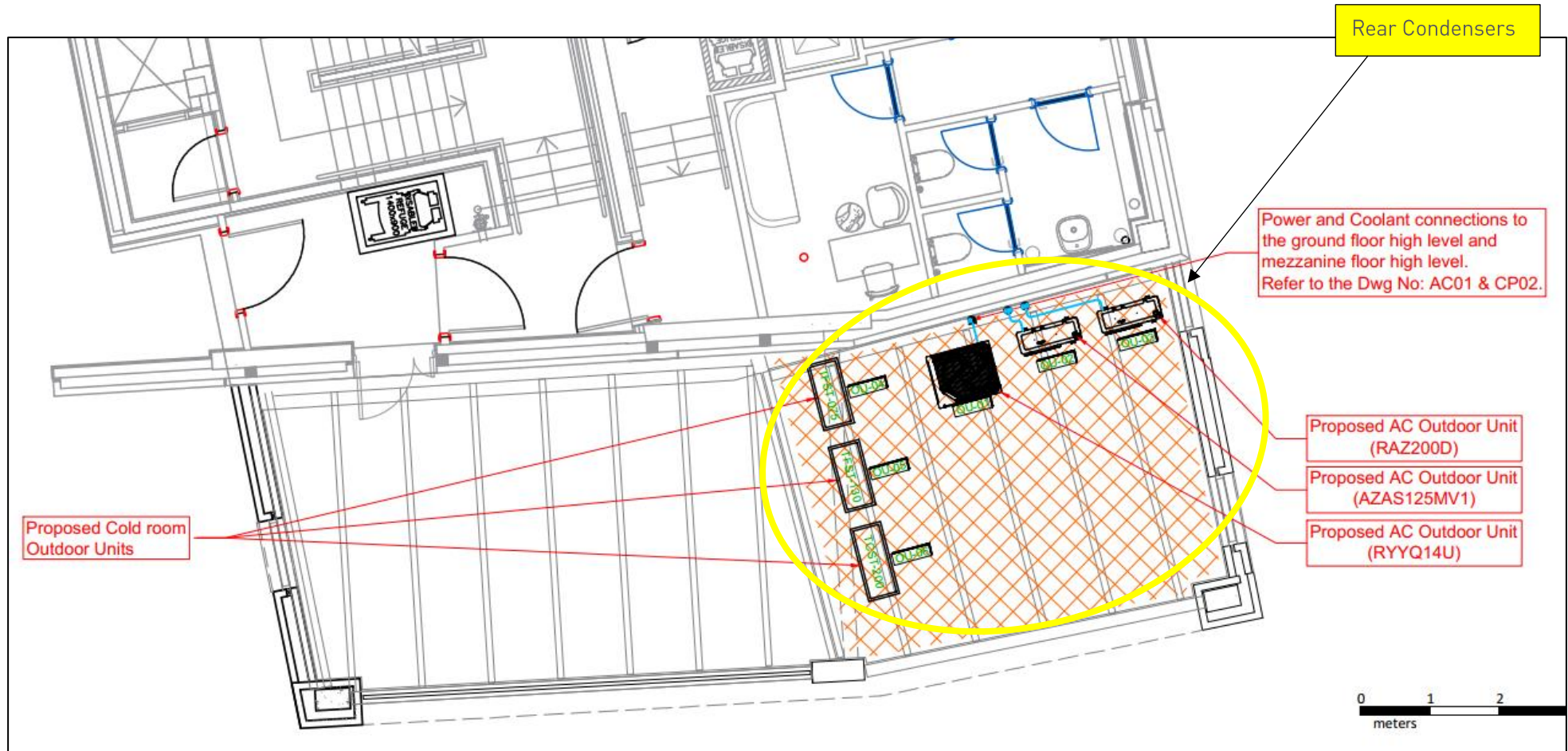
Receptor 3

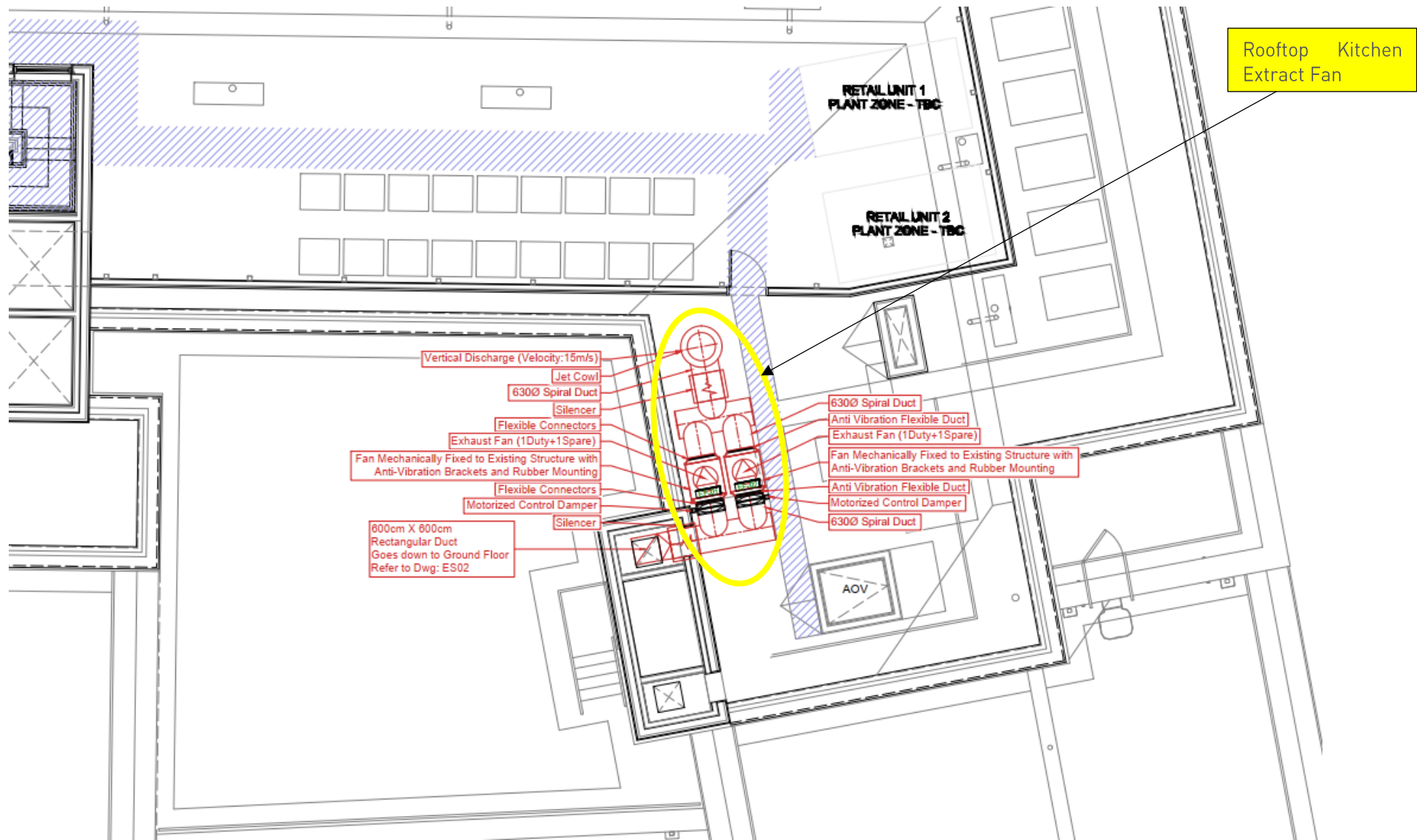


Efes, Wimbledon
Proposed Restaurant Plant at Ground Floor Level
Project 12474



Figure 3
21 February 2023
Not to Scale







Main Restaurant Seating Areas

Efes Zone Outlines:	
L0 Restaurant	
L0 Kitchen	



Ground Floor

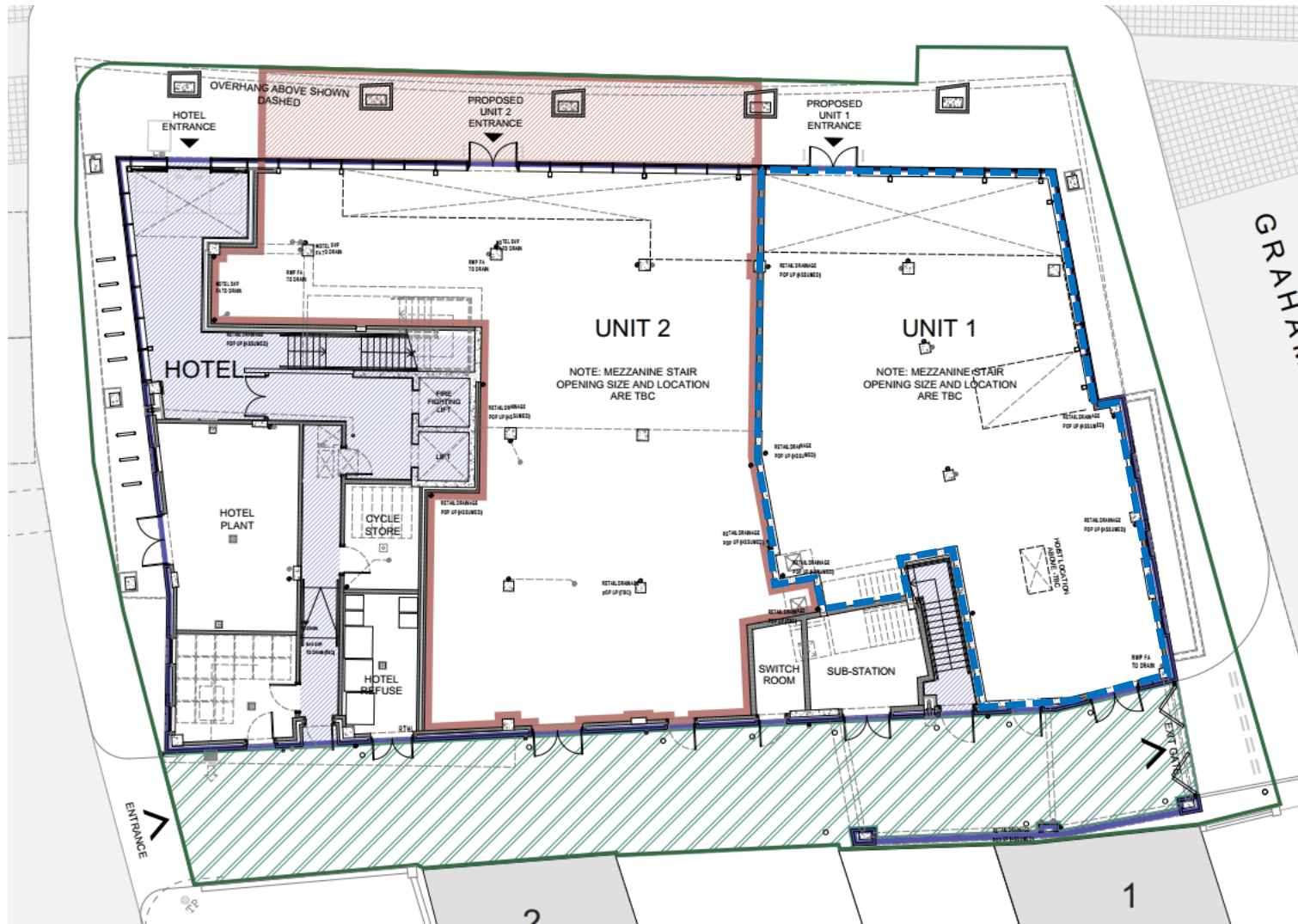
First Floor

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Efes, Wimbledon
Proposed Efes Layout in Retail Unit 1 (RCP shown)
Project 12474

Figure 6
21 February 2023
Not to Scale



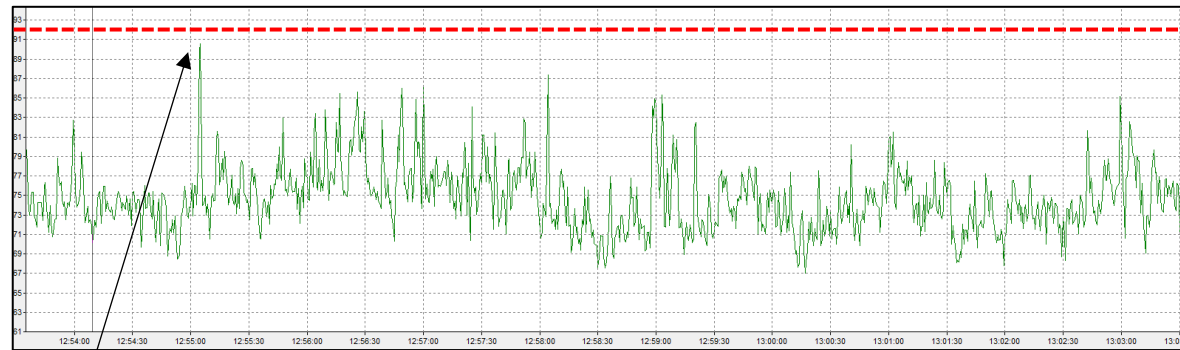




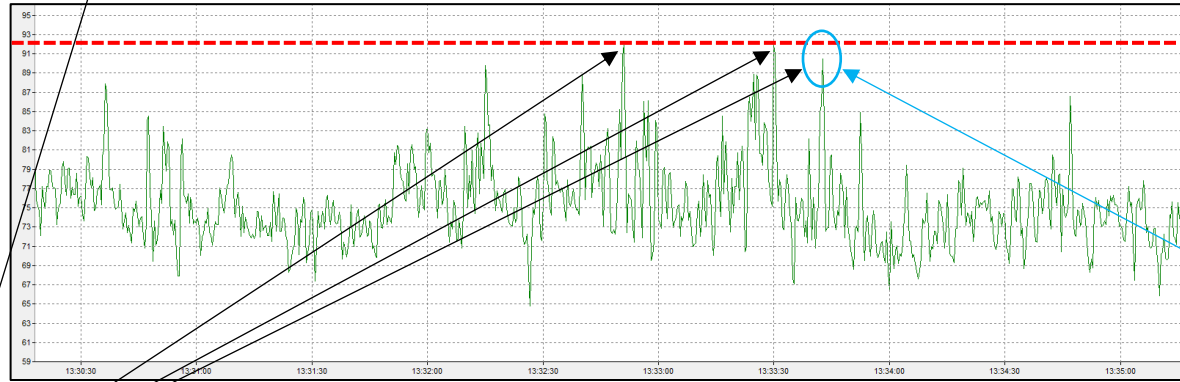
Efes, Wimbledon
GA drawings – Level 2 (Restaurant areas superimposed)
Project 12474

Figure 9
21 February 2023
Not to Scale



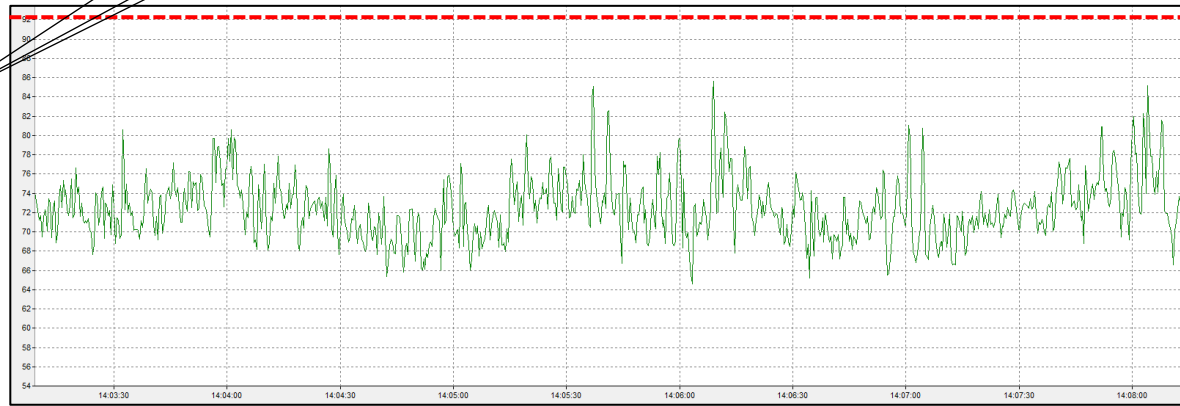


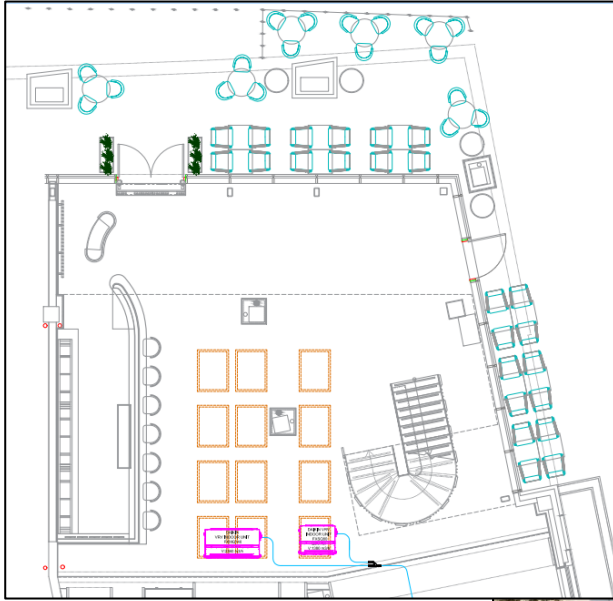
Worst-case Maximum Level Used in Assessment



Peak used in assessment

Worst-case Maximum Events due to highly localised 'clinking' of cutlery approx 1m from measurement position





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12no. external seats facing
Graham Road

30no. external seats facing
Hartfield Road



Kapeti Interior Architecture

Efes, Wimbledon
GCI of proposed external seating at Efes Restaurant
Project 12474

Figure 11
21 February 2023
Not to Scale



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