

# Licensing Sub-Committee Report

Item No:	
Date:	13 June 2019
Licensing Ref No:	19/04038/LIPN - New Premises Licence
Title of Report:	6 Walker's Court London W1F 0BU
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	5 April 2019		
<b>Applicant:</b>	Soho Estates Limited		
<b>Premises address:</b>	6 Walker's Court London W1F 0BU	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	According to the application form this is an application for a new premises licence by Soho Estates Ltd. The proposed use is as a theatre.		
<b>Premises licence history:</b>	<p>The premises (or part thereof) are currently licensed under reference: 13/09851/LIPN. The existing licence is in respect of the first and second floors, with entrance/exit at ground floor. The ground floor and basement are currently licensed as a restaurant under reference: 14/09064/LIDPSR.</p> <p>A copy of the existing licences appear at appendix 3 and appendix 4</p>		
<b>Applicant submissions:</b>	<p>It is proposed that, subject to the application being granted and completion of works, that both existing licences will be surrendered.</p> <p>The existing licence for the ground floor and basement is until 1.00am as a restaurant and, in simple terms, that use is being moved to the first floor.</p> <p>Extensive pre-application advice has been undertaken with the City Council and also with local residents, including two public exhibitions and walk-arounds.</p> <p>The terminal hour for licensable activities remains at 1.00 am with opening hours being slightly extended by 30 minutes to allow the gradual and controlled dispersal of patrons from the premises.</p> <p>Since the original licences were granted, an end user in Rachel Edwards of the Tooting Arts Theatre (and more recently the promoter of Sweeney Todd) has been identified as the producer and manager of the theatre.</p> <p>Considerable interest in a West End theatre club has also been shown and it is therefore proposed to introduce a membership scheme for such persons associated with the theatre industry.</p>		



<b>First Floor Bar (Hatched Blue)</b>							
After Core Hours, alcohol may be sold to members (or their guests) or persons either dining or attending a ticketed or pre-booked event							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	11:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  On Sundays prior to bank holidays/public holidays extended to 00:00.					

<b>Hours premises are open to the public</b>							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.  On Sundays prior to bank holidays/public holidays extended to 00:00.					
<b>Adult Entertainment:</b>		Some performances may contain nudity or scenes of a sexual nature, including burlesque-style.					

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Angela Seaward
<b>Received:</b>	02 May 2019
<p>I write in relation to the application submitted for a new premises licence for 6 Walker's Court, London, W1F 0BU.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority has considered your application in full.</p> <p>The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> <li>• Protection of Children from harm</li> </ul> <p>The application seeks the following Licensable Activities:</p> <p><b>First Floor Bar</b>  <b>Sale of Alcohol, Regulated Entertainment</b></p>	



Mon to Thu: 10:00 to 23:30

Fri-Sat: 10:00 to 00:00

Sun: 11:00 to 22:30

**Late Night Refreshment** Mon to Thu: 23:00 to 23:30

Fri to Sat: 23:00 to 00:00

**First Floor Restaurant**

**Sale of Alcohol** Mon to Sat: 10:00 to 01:00

Sun: 11:00 to 22:30

**Regulated Entertainment** Mon to Sat: 09:00 to 01:00

Sun: 09:00 to 23:00

**Late Night Refreshment** Mon to Sat: 23:00 to 01:00

**Auditorium & Theatre Bar**

**Sale of Alcohol** Mon to Sat: 10:00 to 01:00

Sun: 11:00 to 22:30

**Regulated Entertainment** Mon to Sat: 09:00 to 01:00

Sun: 09:00 to 23:00

**Late Night Refreshment** Mon to Sat: 23:00 to 01:00

**Opening Hours** Mon to Sat 08:00 to 01:30

Sun: 08:00 to 23:00

**Non Standard Hours**

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

On Sundays prior to bank holidays/public holidays extended to 00:00.

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1, PVC2 and PB2

At present, the hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises, Westminster's core hours are as follows:

Monday to Thursday: 10:00 – 23:30

Friday and Saturday: 10:00 – 00:00

Sunday: 12:00 to 22:30

The Licensing Authority would encourage the applicant to consider reducing the hours for licensable activities to be in line with those of Westminster's Core Hours Policy, HRS1.

The application proposes to operate as a performance venue and therefore the Council's PVC2 policy can be applied to aspects of this application which states that the applicant will have to demonstrate how they will not add to cumulative impact area. However under section 2.3.33 the policy advises that bars are a normal feature of performance venues but they should be ancillary to the overall use of the premises as a performance venue. The hours of operation of the bar will usually be those related to the times the premises are open for performances and should not extend later than the hours of performances. Any more general use of these bars in the Cumulative Impact areas will only be granted as an exception to policy which will have to be argued for on the grounds that it will not add to cumulative impact. The Licensing Authority require information regarding to the hours of the performances and what type of performances they will take place

Under condition 4 of the applicant's proposed conditions consistent with the operating schedule it states alcohol may only be sold after core hours to persons who are members of the Theatre Club and their bona fide guests and private pre-booked events. As this falls outside the policy of PVC2, PB2 will apply. Policy PB2 is to refuse applications in the Cumulative Impact Areas other applications to vary hours within core hours under HRS1.

The applicant is required to demonstrate how the membership will be managed. What is the criteria for a membership and how bona fide guests are recorded. Also with pre-booked events, how will this be managed does the premises intend to hold a specified number of pre-booked

event in any one calendar year .

According to the application form, the premises intends to have a restaurant on the first floor. However, no conditions have been offered in relation to this.

The Licensing Authority would like to suggest model condition MC66 to refer to the restaurant area:

*The premises shall only operate as a restaurant*

*(i) in which customers are shown to their table,*

*(ii) where the supply of alcohol is by waiter or waitress service only,*

*(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served*

*and consumed at the table using non disposable crockery,*

*(iv) which do not provide any take away service of food or drink for immediate consumption,*

*(v) which do not provide any take away service of food or drink after 23.00, and*

*(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.*

*Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.*

The Licensing Authority note that the applicant intends to surrender licence number 13/09851/LIPN and 14/09064/LIDPSR on the successful grant of the new premises licence application. Under policy 2.5.23 it states that it is of particular concern in Cumulative Impact Area where there had been a growth in the number of premises that primarily serve alcohol, resulting in or adding to cumulative impact. On the basis, the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the cumulative impact area should be limited to exceptional circumstances. It is therefore a decision for the Licensing Sub-Committee to determine whether the applicant has demonstrated any exceptional circumstance. The Licensing Authority encourages the applicant to provide further submissions as to how the operation of the premises, coupled with the proposed operating hours, will not add to cumulative impact in the cumulative impact areas in accordance with policy CIP1.

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Ian Watson
<b>Received:</b>	03 May 2019

I refer to the application for a New Premises Licence for the above premises.

**The premises are located within the West End Cumulative Impact area as stated in the City of Westminster's Statement of Licensing Policy.**

The applicant has submitted floor plans of the premises.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 01.00 hours and Sunday between 11.00 to 22.30 hours. New Year's Eve to New Year's Day. Sunday's before a Bank Holiday to 00.00 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Saturday between 23.00 and 01.00 hours. New Year's Eve to New Year's Day. Sunday's before a Bank Holiday to 00.00 hours.
3. To provide regulated entertainment 'indoors' comprising

- Plays
- Films
- Live Music
- Recorded Music
- Performance of Dance
- Anything of a similar description to Live Music, Recorded Music and Performance of Dance

Monday to Saturday between 09.00 and 01.00 hours and Sunday between 09.00 to 23.00 hours. New Year's Eve to New Year's Day. Sunday's before a Bank Holiday to 00.00 hours.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End CI Area.
2. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CI Area.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the West End CI Area.

The applicant states that the premises currently benefit from premises licenses for all the areas applied for. These licenses will be checked against this application to determine any changes to the approved layout or additional impacts.

2-B Other Persons	
(1) Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	02 May 2019
<p>I write on behalf of [REDACTED], as the outgoing chairman of [REDACTED] [REDACTED] which is a corporate member of [REDACTED] and as an individual member of [REDACTED]</p> <p>I copy in the Freeholder of The Salt House, the management team, and representatives of The Soho Society and the Berwick St group, and two members of Westminster Council who have formerly helped me with licensing application comments.</p> <p>Comments follow:</p> <p>We are relieved that this licence application on behalf of the Boulevard complex seeks a smaller extension to hours than the previous application in 2018.</p> <p>Nevertheless, the application seeks a licence with significantly more potential to impact on the promotion of the licensing objectives - particularly 'prevention of public nuisance', than the licences granted in 2013 for the development as it was then planned. I refer to licence ref: 13/09851/LIPN and licence ref: 14/09064/LIDPSR. Although the ultimate terminal hour is similar, the circumstances for sale of alcohol are different.</p> <p>In particular, there was no reference to a 'Theatre Club' in those previous applications (or in the 2018 application).</p> <p>The applicant will need to demonstrate an exception to Policy CIP1 in the Council's Statement of Licensing Policy. We are not currently clear what it is said this exception/s is/are.</p> <p>The terminal hour sought is still late, and we are very worried about late night noise levels. For your information, we attach the EEA 2014 report on urban noise and its depletion on health and wellbeing.</p> <p>The bedrooms of the Salt House flats (built 2008) that overlook Peter Street / Berwick Street</p>	

accommodate twenty five sleepers (see architects drawings attached)

Salvo House, also on Peter Street, is smaller and holds fewer residents - say twelve - and the rest of Peter Street is also residential. Along the north western end of Peter Street former offices are being replaced by a new 110 bedroom hotel, affordable housing, and a premium penthouse - apartments totalling 16 resident units. That's another 250 sleepers, maybe half of them with bedrooms giving onto Berwick Street, and some on Peter St.

But with recent building works, the soundscape around Peter St/Berwick St has completely changed.

For additional single and two storey extensions have been added along Berwick Street. These trap sound and funnel it upwards. Moreover the theatre, restaurant and bars buildings have added an extra floor on each building on Peter Street. Behind these, new floors rise up and back like a ziggurat, to six floors. These also trap sound and funnel it upwards. Moreover a new double-story glass footbridge has been installed across Walker's Court, and this hard surface also reflects sound back towards the upper floors of Peter Street. Plus the heightened noise has been reinforced by the resurfacing of Berwick St, which is now harder - ie cobblestone.

As The Boulevard complex is to hold somewhere between four hundred and six hundred people, we object to the proposed new license unless new mechanisms are put in place that guarantee to limit late night noise. In particular:

- o Route of dispersal. We believe guests departing from the Box/Boulevard complex should be prevented from dispersing North towards Peter Street and Berwick Street, which are residential. Instead they should be dispersed South along Walker's Court in the direction of Shaftesbury Avenue where they will find night buses, taxis and the nearest underground station. We believe this would best be achieved by the installation of a gate, open by day but shut by 22.00 to close off the north end of Walker's Court.

- o Restriction to use of 6 Walker's Court doorway - after 22.00 no ingress or exit (except in emergencies)

- o Quietness of dispersal. We suggest a fixed number of staff be positioned outside the premises every night to ensure orderliness and quietness of dispersing guests, and they should remain on site until the guests are dispersed. If complaints are received by the Council, the license should require an increase in the number of staff.

- o Restriction of numbers of guests on balconies

- o No sound from speakers outside entrance or on balconies

- o Noise restrictions are applied to the internal level of sound and of recorded music to prevent nuisance

- o No waste or stage equipment or empty bottles to be put outside or collected after 22.00 or before 08.00

- o No admittance or readmittance to premises after midnight.

In order to minimise noise and disorder we request that no alcohol whatsoever be taken off the premises.

No food be taken off the premises.

No glass of any kind be taken off the premises.

We accept that a licence may well be granted, and we do not oppose this per se. We are however insistent that the terms of any licence granted sufficiently robust to ensure that local residents are not unduly adversely affected by the new development. The measures we have outlined above are not finite, and we are happy to discuss as part of the licence process. We reserve the right to propose alternative and/or additional measures in due course.

Attachments: Architects Drawings of The Salt House 1st, 2nd, 3rd, 4th floors

EEA Report: Noise in Europe (2014)

**(2) Name:**

████████████████████

**Address and/or Residents Association:**

██

**Received:**

03 May 2019

Objection to the above application made on behalf of [REDACTED]  
We understand the reason for this new application, given the change in plans for the premises. However, we would note that the arguments made for objecting to the original applications on behalf of residents (made personally by [REDACTED]) still stand. If anything, they are stronger than back in 2014.

1. This is a highly residential part of the stress area. The decision to allow a licence beyond core hours was controversial, as it was difficult to see how this could not have a detrimental effect on residential amenity, in particular through introducing new noise nuisance from a large number of people leaving the premises at times when most residents would be attempting to sleep, into a part of Soho which had no other late night venues.

2. Since the 2014 decisions were made, there has been continuing growth in the use of pedicabs and PHVs in the West End, and it is clear that there is a fundamental inability on the part of the authorities to control the nuisance that arises. This is not the fault of the applicant, but it does mean that the likelihood of late night disturbance from traffic (particularly loud music from pedicabs, congregating of pedicabs to wait in Peter Street and the use of car horns by impatient drivers when the through route is blocked) because of patrons leaving the Boulevard premises has increased. There has been some experience of this in connection with the Box and the impact on residential amenity has been very unwelcome.

3. No changes in traffic management in this area which might have mitigated the risk of noise nuisance have been introduced.

4. . If we have understood the changes to the plans for the premises correctly, all patrons will now exit into Peter Street, increasing the likelihood that they will leave the area towards the relatively quiet residential locations, either on foot using pedicabs and PHVs.

5. Experience in the West End shows that claims that have been made for this, and many other, developments that they will bring about significant reductions in crime and antisocial behaviour are generally unfounded in practice. Natural or passive surveillance does not seem to have much impact on street crime/ASB activity. While there may be less of this activity in Walkers Court itself, it is likely only to be displaced a very short distance, probably into areas which will have more impact on residents,

6. In conclusion, our overall argument is that with the best will in the world (and we have no reason to doubt the integrity and ability of the current applicant to manage the premises) the application can only add to public nuisance in the area. We do not see how there will be any significant gains in terms of preventing crime and disorder, with residents more likely to experience crime and antisocial behaviour than before.

We did not agree with the decision to grant the existing licences beyond core hours. We therefore particularly object to any change which goes beyond these licences, in particular, extending the opening hours of the premises and permitting pre-booked private events beyond 10pm. We are unaware of any material change which would suggest a good reason to reconsider the 2104 decisions about these matters.

We are concerned about the permitted numbers, and surprised that the application does not specify what these should be. We would expect there to be a significant overall reduction from the total permitted under the previous licences.

We are unclear about the potential impact of the proposed Members Club, and ask that this should be clarified

**(3) Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]

**Received:**

3 May 2019

We write to make a relevant representation to the above application on behalf of [REDACTED]

[REDACTED] objects to this application as it is currently presented, on the grounds of

prevention of crime and disorder, prevention of public nuisance and cumulative impact in the West End Cumulative Impact Area.

About [REDACTED]

[REDACTED] is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

Application summary

New premises licence.

Sale of Alcohol

First Floor Bar: Mon to Thu: 10:00 to 23:30\*, Fri-Sat: 10:00 to 00:00, Sun: 11:00 to 22.30

First Floor Restaurant: Mon to Sat: 10:00 to 01:00, Sun: 11:00 to 22.30

Auditorium & Theatre Bar: Mon to Sat: 10:00 to 01:00, Sun: 11:00 to 22.30

\* After Core Hours, alcohol may be sold to members (or their guests) or persons either dining or attending a ticketed or pre booked event

Regulated Entertainment

First Floor Bar: Mon to Thu: 10:00 to 23:30, Fri-Sat: 10:00 to 00:00, Sun: 11:00 to 22.30

First Floor Restaurant: Mon to Sat: 09:00 to 01:00, Sun: 09:00 to 23:00

Auditorium & Theatre Bar: Mon to Sat: 09:00 to 01:00, Sun: 09:00 to 23:00

Late Night Refreshment

First Floor Bar: Mon to Thu: 23:00 to 23:30, Fri-Sat: 23:00 to 00:00

First Floor Restaurant: Mon to Sat: 23:00 to 01:00

Auditorium & Theatre Bar: Mon to Sat: 23:00 to 01:00

Opening Hours

Mon to Sat: 08:00 to 01:30

Sun: 08:00 to 23:00

The application

In comparing the 2013 licence to the new application we note the same terminal hour for licensable activities but also find a number of differences which raises concerns, these are detailed below.

- 1) Although the sale of alcohol until 1am has not changed there is however, when compared to the 2013 licence, a change in the opening hours of these premises until 1.30am which results in an 30 minute increase. Patrons will now leave the premises at 1.30am and will not completely disperse until 2am and beyond. There is no justification for this extension.
- 2) For the first floor Bar the application states ' \*After Core Hours, alcohol may be sold to members (or their guests) or persons either dining or attending a ticketed or pre booked event'. This is different from the 2013 licence, whereby the theatre licence only permitted private and pre-booked events until 10pm and the bar area until core hours. From the application it is unclear what the new terminal hour will be for the bar, presumably it will be 1am. Furthermore, the capacity is not stated within the application. Overall, there is a significant increase in hours and especially as this is a new bar in the West End cumulative impact area and against Westminster's Statement of Licensing Policy.
- 3) The Members of the Theatre Club (no.3/4) with up to 4 guests at any time, also appears to be a new addition to this application, and the membership terms or number of members is not stated. The members club coupled with the late terminal hour appears to shift the nature of the offer from theatre to night/cabaret club.
- 4) CCTV (no. 2) refers to CCTV coverage within the building, however, we would expect coverage to include the entrance and exit from these premises and the street.
- 5) Noise (no.5) states, 'No noise shall emanate from the premises or vibration be transmitted through the structure of the premises which gives rise to a nuisance'. The 2013 licence included a condition requiring a noise limiting device to ensure no nuisance from music. We suggest this condition is also adopted.
- 6) The exit (no.6) is on the corner of Walker's Court and Peter Street, Peter Street is a quiet and predominantly residential location, we propose patrons leaving the premises should be supervised by security / marshals and told to exit quickly and quietly along Walker's Court

to Brewer Street. Also the Proprietor should provide a traffic management plan detailing how they will disperse patrons and prevent / manage taxis and pedicabs from waiting outside the premises on Peter Street.

7) Walker's Court to be the designated area for smoking outside the premises (no.22) and queuing for the venue (no.30).

8) In relation to the wording of (no.34) SIA registered staff, we propose the wording in the 2013 licence is adopted, 'after 23.00, there will always be at least two SIA registered staff on duty at all times'. This is especially important to manage the above the also as patrons will be able to drink without food until 1am.

9) Capacity (no.41) states, 'No licensable activities shall take place at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined'. The overall capacity, and the capacity in each area is an important part of the Policy approach and are relevant to the Committee's determination. Capacities in the 2013 and 2018 licence applications can be used as guide, in 2013 the total capacity was 480 and in 2018 between 494-575, subject to maximum of 486 at any time before 1 am. This is a large new, late night venue with a bar, and in our view will add to the cumulative impact in the area. We request that the information on capacity is sent to us when available.

### The Licensing Objectives

Having highlighted areas of concern with the application, we now consider these areas in relation to the licensing objectives.

#### Prevention of crime and disorder

Criminal activity associated with the late night economy / venues and large numbers of people on the streets results in high levels of serious crime. In Soho the majority of robberies take place late at night, people are targeted as they leave late night venues which is evidenced by the crime figures. Recent figures for Soho highlight a huge increase in robberies, 111 robberies took place within the four month period from Nov - Feb 2017/18, for the same period in 2018/19 the figure was 266 an increase of 140%. Figures for theft from person also show a similar increase 401 for the same period in 2017/18 to 1,028 in 2018/19 an increase of 156%.

Criminal activity is not limited to robberies late at night, drug dealers are also in the area targeting people. Walker's Court and the surrounding area, which includes Peter Street, Brewer Street and Rupert Street is a drug dealing hotspot. Dealers are seen in this area daily, with an increase in numbers from the early evening until the early hours, they openly approach people on a night out. They are known to target people leaving late night venues and clubs, in fact a dealer confirmed this recently with a local resident in Peter Street during the early hours of the morning (there's another late night venue in Walker's Court). Drug dealers are in Soho late at night because there is a huge market for drugs which is linked to late night licensed venues.

We are in no doubt that a new venue with large numbers of people being dispersed late at night, and with another late night cabaret club in the same street (with a capacity of 288) will attract criminal elements and will result in an increase in crime and disorder.

#### Prevention of public nuisance

Large numbers of people being discharged from the venue into the surrounding area will have a detrimental impact on residents. Residents are already disturbed by noise from people loitering in the street, drug dealers, taxis and pedicabs. We believe this type of disturbance, nuisance and anti- social behaviour will increase if this application is granted.

#### Licensing Policy - Cumulative Impact

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

This is a new large late night entertainment venue, with a potential capacity of nearly 500 in the West End Cumulative Impact area with high levels of crime, disorder and public nuisance, it will without doubt add to the cumulative impact in Soho

In conclusion, we appreciate that the previous licences give 1 am, but given the current situation with crime and disorder in the area, the applicant needs to demonstrate that they will not add to this or to cumulative impact. If they can do so, and the Committee are satisfied that robust and appropriate measures are in place, we could potentially envisage a terminal hour of 1 am if the scope of the licence in terms of the bar use is acceptable. If not, it should be core hours.

We would also like to see the following as conditions added to any licence,

- a) Licence intended for use by the Boulevard Theatre and to be surrendered when they leave the premises. This condition has been placed on the licence of Salon 64 in Soho, and we request it is included here.
- b) No deliveries between 10 pm and 8 am.
- c) No removals or deliveries of theatrical props between 10 pm and 8 am
- d) Any disputes with pedicab operators to be recorded, and such records be made available to Westminster City Council.

<b>(4) Name:</b>	████████████████████
<b>Address and/or Residents Association:</b>	████████████████████ ████████████████████ ████████████████████ ████████████████████
<b>Received:</b>	03 May 2019

I am writing today to object on the renewal of incense application - 2018 for the Boulevard Theatre on Peter Street, near the Salt House in London. Recently I realized that they are trying to renew their license with some new policies added in their application which compared with their 2013 granted license they now intend to include to sell alcohol and allow customers to stay on the premises half an hour later than standard licensing hours , to sell alcohol under less strict circumstances including to allow half-drunk bottles of wines being taken off the premises, also to increase their capacity to 486 persons.

In the past few years, I personally along with the neighborhood have experienced tremendous noise and nuisance from the new Theatre with their bar and restaurant late at night, this not only happened in at the weekend, but also in the weekday.

I am most upset about this as well as finding more and more drunken strangers in the neighboring area, which makes me feel most uncomfortable living at Salt House.

Besides, as this application would effectively replace the 6 Walker's Court restaurant license, the capacity of that premises which is not specifies on the license, it would be considered on any comparison of which there is an absence of a proposal capacity in this current application. Because of this, this makes it impossible to objectively assess the effect on the potential 'cumulative impact' in comparison to the license previously granted. I can only imagine how noisy it will become especially late at night if there are nearly 500 people having their night out and parties in that area, both weekday and weekends.



With all of this uncertainty and potential issues, I strongly object the new license application from the theatre, I please ask that you consider my concerns before reissuing the license.

**(5) Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

3 May 2019

I am writing with reference to the licensing application for the Boulevard Theatre, Walkers Court.

Whilst I am supportive of live music and entertainment and the creative industries in Soho I would like to raise some concerns I have with this license application as a resident of Peter Street.

1. Capacity. I understand that the license is fairly vague on numbers but that 550 people have been cited at some point as the total capacity. I would like you to consider the impact 550 people leaving a predominantly residential street 5 days a week at 1.30 pm.

I would like to object on the grounds of lack of clarity of capacity and hour of departure on a quiet residential street. Most theatres close at 10.30pm why does this one need to close at 1.30pm? This is outside core hours. I would like the committee to give further thought and consideration to the closing time and capacity and stick to 12pm as max closure.

2. ASB on Peter Street and dispersal. I would like the committee to consider the high prevalence of ASB associated with late night establishments and which residents experience on promo nights at the BOX - namely on Wednesdays. I would like the committee to put in place stringent measures to ensure accumulation of UBER taxis and pedicabs do not congregate on Peter Street as a result of the late closure of the Theatre. The theatre should take responsibility for dispersal of its clientele and direct them to Brewer Street.

4. I would like to cite "agent of change" in this instance with regards to this application and ask that the licensee takes responsibility for the impact of the late closure and dispersal of clientele on the residents of Peter Street and Kemp House.

**On 4 May 2019 the resident made the following additional comments**

Pease note I have a correction to make to my email

This would read 7 days a week at 1.30am rather than 5 days at 1.30pm mentioned below.

I would like you to consider the impact 550 people leaving a predominantly residential street 5 days a week at 1.30 pm.

I still do not understand why a theatre has to close at 1.30am? This to me is not a theatre it is a nightclub and it sets a dangerous precedent for other theatres.

I hope you will reconsider this license and the high degree of stress it will put on the street.

**(6) Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

02 May 2019

We are relieved that this licence application on behalf of the Boulevard complex seeks a smaller

extension to hours than the previous application in 2018.

Nevertheless, the application seeks a licence with significantly more potential to impact on the promotion of the licensing objectives - particularly 'prevention of public nuisance', than the licences granted in 2013 for the development as it was then planned. I refer to licence ref: 13/09851/LIPN and licence ref: 14/09064/LIDPSR. Although the ultimate terminal hour is similar, the circumstances for sale of alcohol are different. In particular, there was no reference to a 'Theatre Club' in those previous applications (or in the 2018 application).

The applicant will need to demonstrate an exception to Policy CIP1 in the Council's Statement of Licensing Policy. We are not currently clear what it is said this exception/s is/are.

The terminal hour sought is still late, and we are very worried about late night noise levels. For your information, we attach the EEA 2014 report on urban noise and its depletion on health and wellbeing.

The bedrooms of the Salt House flats (built 2008) that overlook Peter Street / Berwick Street accommodate twenty five sleepers (see architects drawings attached). Salvo House, also on Peter Street, is smaller and holds fewer residents - say twelve - and the rest of Peter Street is also residential. Along the north western end of Peter Street former offices are being replaced by a new 110 bedroom hotel, affordable housing, and a premium penthouse - apartments totalling 16 resident units. That's another 250 sleepers, maybe half of them with bedrooms giving onto Berwick Street, and some on Peter St.

But with recent building works, the soundscape around Peter St/Berwick St has completely changed.

For additional single and two storey extensions have been added along Berwick Street. These trap sound and funnel it upwards. Moreover the theatre, restaurant and bar

<b>(7) Name:</b>	████████████████████
<b>Address and/or Residents Association:</b>	
<b>Received:</b>	3 May 2019

██████████  
Application 19/04038/LIPN  
Many thanks for sending over the summary of the proposed licence. I am sorry it has taken me some time to compose a reply. I am also copying this email to the licensing service at WCC. You ask for my written support for the Boulevard Theatre and I do recognise it is a very welcome improvement on the previously empty and rather neglected premises it replaces together with the public realm improvements to Walkers Court. It is a big financial investment and the introduction of a well-run theatre will be a benefit too and add to the diversity of Soho's cultural offer. I know from the various discussions and meetings that it is a project you are deeply committed to and I genuinely hope it goes well and is successful.  
This letter is primarily to make you aware of the external consequences particularly on Peter Street which will impact heavily on people living locally. Because it is proposed to be a late venue there are real concerns locally about noise, disturbance, possible drug dealing and the impacts of the Pedi cabs and PHV vehicles that will inevitably be drawn to the premises. This needs to be considered in the context of the close proximity of venues like the Box and the other late-night venues due to reopen. Taken together these premises centred on Walkers Court have have seen high levels of crime and disorder in the streets around them.  
So my welcome and support is coupled with objections and proposed amendments to the detail of the licence application that has been submitted to try and ensure that those living in the area do not lose further quiet and amenity as a result of this licence application.

The dispersal of the theatre audience and additional diners and drinkers you have told me you estimate to give a total at 550. I cannot see how this is arrived at as the limit for the current theatre licence is 250 on those nights when seats have been removed and in the ground floor restaurant licence 14/09063 the capacity is 230 so even on those figures it would be 480 max. That number of customers leaving late at night after a performance is likely to be noisy. Customers will have had a good time and will have consumed alcohol. These numbers seem far too high to be accommodated safely let alone be expected to disperse quietly. The previous two licences were of course never tested in operation and to take the licences for two proposed separate units and simply combine them in the current application does not seem realistic. The plans accompanying the application do not show any layouts but if on two floors it is expected that the theatre will accommodate 155 seated I do not see how on the first floor alone 300 could be accommodated seated unless very large numbers are expected at the bar. This would appear to contradict proposed condition 4 and large bars with vertical drinking are known to have a greater potential for crime and disorder. I think that layouts for the first floor to show how the numbers will be accommodated must be provided to the licensing sub-committee so they can decide on safe capacities.

In addition, I do not think events where the seats are removed should be a reason to propose a high capacity figure. Events with people standing may be more difficult to control and little food is likely to be consumed but probably alcohol more easily. When coupled with diners and drinkers leaving at around the same time it would be likely to create unacceptable disturbance at street level. I ask the EHO to set a lower total capacity limit of 385 which is in line with the capacity limits of the two licences you hold if there are no standing events. If events are to be held with seats removed then the numbers using the bar and restaurant on those nights should be correspondingly reduced to increase public safety.

The question of dispersal is a key issue. This needs very careful management and handling. I note the proposed conditions but none of them specifically tackles dispersal. I propose a new condition to address this specifically as well as proposing alterations to some of the other conditions. **See below.**

On hours I also do not think the extension of the opening hours to 01.30 is justified. I understand the argument that a period after the sale of alcohol and refreshment is useful as a winding down period to aid dispersal but given the late hour for residents suggest that this could be better addressed by finishing the activities half an hour earlier and having the premises closed by 01.00.

I hope you will understand the reasoning for the points made and feel that you are able to accept the changes to capacity and hours and also the proposals regarding conditions which I believe will make the new venue a better neighbour to the premises around it and prevent public nuisance.

With best wishes

#### **Proposed alterations to conditions**

Condition 1 after the words ....CCTV system insert the words internally and externally  
Condition 8 new subsection i) any complaints about Pedi cabs attending and waiting in the immediate vicinity of the premises.

Condition 18. Delete. Take away facilities are not appropriate at this venue  
Replace with new condition 18

All persons leaving the premises shall be asked to do so quietly and marshals shall be provided every evening that the premises is open to supervise this and prevent Pedi cabs and private hire vehicles congregating in Peter St and Berwick St. Customers shall be actively directed down Walkers Court to Brewer street away from Peter Street which is predominantly residential in nature."

Condition 28 Add a second sentence No deliveries to the premises shall take place on Peter Street after 22.00 and before 08.00.

Condition 34 delete the proposed wording and replace with There shall be two SIA registered officers on duty at all times the premises are open after 21.00 pm.

Condition 38 A matter for the licensing officers to check. I think the second licence to be surrendered is incorrectly numbered and should be 14/09063.

<b>(8) Name:</b>	████████████████████
<b>Address and/or Residents Association:</b>	████████████████████ ████████████████████ ████████████████████ ████████████████████

<b>Received:</b>	18 April; 2019
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I am writing to you as a lover and more or less lifelong “user” of Soho, but I write too as Chairman of the campaign group, Save Soho and Chairman of the Criterion Theatre Trust, as well as being a lifelong enthusiast, supporter and active participant of theatre in all its diverse forms.

I have been following the Boulevard Theatre development in Walkers Court both on a personal level and in my professional capacity. I am aware that Soho Estates have submitted a licensing application to align the scheme permitted under the planning permission and I wish to express my support for granting the licence in the strongest terms.

The original Boulevard Theatre was the Raymond Revuebar’s second venue, hosting over the years, figures as essential to cultural, comic and theatrical life of Britain as Peter Richardson, Nigel Planer, Adrian Edmonson, Dawn French, Jennifer Saunders, Alexei Sayle, Harry Enfield and Eddie Izzard. It is my earnest hope that young aspiring actors, comedians and thespians alike will continue to have the opportunity to showcase their work at this very special new venue and create a new wave of talent, energy and creativity for the decades to come.

Soho is an area almost unrivalled *anywhere* in the world for the breadth and quality of its arts, creativity and culture. In the past its establishments have been familiar haunts of Oscar Wilde, Thomas de Quincey, Josiah Wedgewood, Karl Marx, Francis Bacon and the young Mozart.

More recently its community has cultivated the work of dazzling fresh talents like Tim Minchin, Martin Freeman, Phoebe Waller-Bridge and Bryony Kimmings. It is home, of course, to the country’s film industry, particularly in post-production and independent cinema, not to mention a haven and cultural centre for the LGBT+ community, who have made no slight contribution to theatre and the arts.

It is of utmost importance that we protect and enhance the character and history of the area and its buildings. Soho already houses the renowned Soho Theatre, a beacon for innovation and powerful voices in new writing, cabaret and comedy – as well as any number of other performance venues catering to audiences both niche and mainstream, and everything in between.

Nowhere else in London are the under-represented better represented, the avantgarde less guarded, or the voiceless given such platforms to speak. Yet in the most creative square mile in the world there is always space, both geographically and culturally, for further talent to thrive and additional voices to be heard. The Boulevard Theatre has been instrumental in the area’s enviable reputation and unbridled ambition. As well as strengthening the Boulevard’s status in the theatre industry, the granting of a licence will be a valuable community asset for Soho and London as a whole.

I extend my unreserved support for the application and believe it will promote the ‘licensing objectives’ and create a welcome home for theatre and theatregoers in Soho. I hope my avowed approval of this theatre’s manifest virtues will add what little force it can to urge you will take my plea to heart. In my professional opinion, it has every potential to be a powerfully effective theatrical space and unquestionably an indispensable cultural community hub. I, for one, will be a member and supporter, and I commend a member’s facility in which like-minded people can socialise and work together creatively.

Please grant the licence of terms they have asked for. Small theatres and young actors, comedians, writer and producers need all the help they can get. The Boulevard is everything

and more that they and Soho need. Bless them and bless you, I hope!

**(9) Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

7 April 2019

As a local resident, I would like to write in support of the application by Soho Estates for their new license for the Boulevard Theatre.

I am aware that the theatre is already licensed with a separate restaurant in the basement, but since the more recent grant of planning permission, they now wish to incorporate the restaurant within the theatre and move the auditoria up a floor.

I have seen the proposals for the theatre and am confident and support what is being requested.

I believe that having such a premises in this location for the type of use that is proposed will promote the licensing objectives and be a benefit to the area.

**(10) Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

7 April 2019

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**(11) Name:**

[REDACTED]

**Address and/or Residents Association:**

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

**Received:**

7 April 2019

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within the theatre and move the auditoria up a floor.

I have seen the proposals for the theatre and am confident and support what is being requested. I believe that having such a premises in this location for the type of use that is proposed will promote the licensing objectives and be a benefit to the area.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<b>Policy HRS 1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<b>Policy PVC2 applies</b>	Applications will be granted subject to other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.
<b>Policy PB2 applies</b>	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Documents referred to in Interested Party 2 representation
<b>Appendix 4</b>	Premises Licence 13/09851LIPN

<b>Appendix 5</b>	Premises Licence 14/09064/LIPDPS
<b>Appendix 6</b>	Proposed conditions
<b>Appendix 7</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 8094 Email: kjackaman@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

**Background Documents – Local Government (Access to Information) Act 1972**

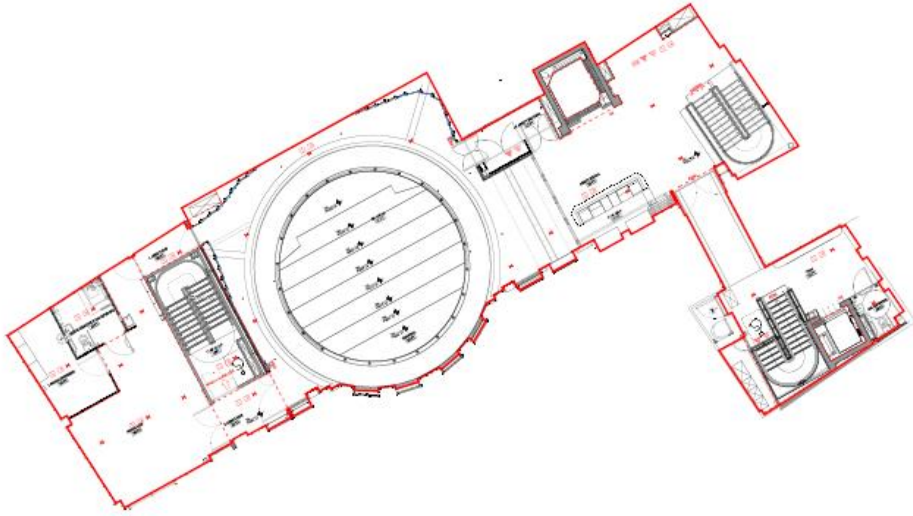
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Licensing Authority Representation	2 May 2019
<b>5</b>	Environmental Health Service Representation	3 May 2019
<b>6</b>	Interested Party Representation 1 (objects)	2 May 2019
<b>7</b>	Interested Party Representation 2 (objects)	3 May 2019
<b>8</b>	Interested Party Representation 3 (objects)	3 May 2019
<b>9</b>	Interested Party Representation 4 (objects)	3 May 2019
<b>10</b>	Interested Party Representation 5 (objects)	3 May 2019
<b>11</b>	Interested Party Representation 6 (objects)	3 May 2019
<b>12</b>	Interested Party Representation 7 (objects)	3 May 2019
<b>13</b>	Interested Party Representation 8 (supports)	18 April 2019
<b>14</b>	Interested Party Representation 9 (supports)	7 April 2019
<b>15</b>	Interested Party Representation 10 (supports)	7 April 2019
<b>16</b>	Interested Party Representation 11 (supports)	7 April 2019



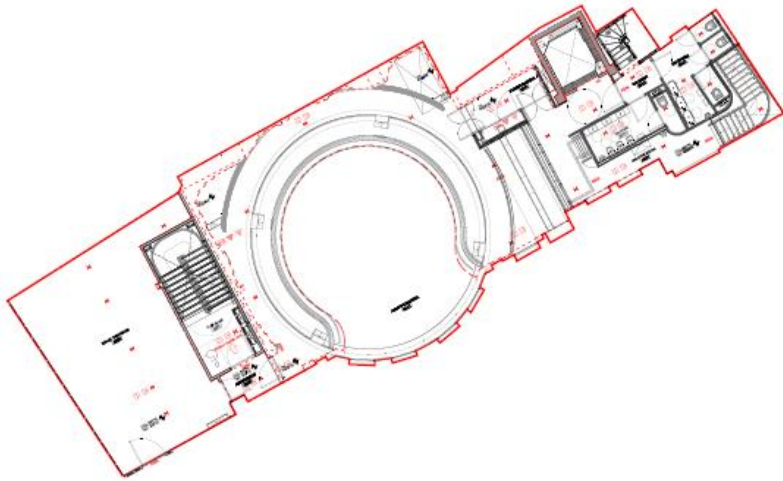


# Second Floor and Third Floor

921B.01  
SECOND FLOOR  
1/20/2016



921B.02  
THIRD FLOOR  
1/20/2016



		SOUTH COAST COMMUNITY CENTER 6500 WILSON BLVD SAN FRANCISCO, CA 94120	
DATE	1/20/2016	PROJECT NO.	921B
SCALE	AS SHOWN	ARCHITECT	P01
PREPARED BY: [Name]			
CHECKED BY: [Name]			
APPROVED BY: [Name]			

**GENERAL NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES.

**GENERAL NOTES ON MATERIALS:**

ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.



## **Applicant Supporting Documents**

## **Appendix 2**

1. Letter from [REDACTED] in support of the application
2. Report from [REDACTED] Independent Licensing Consultant
3. Report from Mitmark Security
4. Boulevard Presentation

[REDACTED]

24 May 2019

Licensing Service  
City of Westminster  
64 Victoria Street  
London  
SW1E 6QP

Dear Sirs

**Boulevard Theatre**  
**Licensing Sub-Committee, 13 June 2019**  
**Application reference: 19/04038/LIPN**

I am happy to support the above application. I have lived in Peter Street since 1998 with my family. We enjoy both the community and vibrancy of living in the heart of Soho. Peter Street is of course lined almost its entire extent on the south side by residential properties and along half of its northern side. This includes families with children who live there as their principal home. I would estimate that several hundred people live along this short and compact street.

I have had the benefit of seeing the application.

I have also had the benefit of discussing at length with the applicant the long-term proposals, aspirations and security measures being adopted by Soho Estates for this location.

Over the last few months, these have included the hiring of a specialist security team to tackle the problem with organised gangs in and around Walkers Court and Peter Street. This is virtually unheard of for any landlord or developer to do this to safeguard both their estate and the neighbourhood in which we live. For that, I and others are extremely grateful. Those measures I understand will continue in similar form with a joined-up approach for Walkers Court and its environs. I feel very assured that the physical measures, including lighting and CCTV and the manned security in the Court and its vicinity on to Peter Street will improve the current situation, rather than making it worse. I understand that these measures will not only deal with crime and anti-social behaviour, but also the possible safety and nuisance that could otherwise be caused by additional vehicular and pedestrian traffic.

Because of its location and being a dead-end, Peter Street is the ideal location for anti-social behaviour and criminality. With extremely limited policing in the area, there needs to be other measures, such as those proposed, to deal with these issues. As I have said above, I have every confidence that Soho Estates can continue to improve the situation for those of us who live here and its security for these premises will I think be essential to prevent crime and disorder that might otherwise exist.

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

# **Boulevard Theatre, 6 – 12 Walker’s Court, Soho**

## **Independent report on new licence application**

**By**

**██████████, Independent Licensing Consultant.**

### **Introduction.**

1. I have been instructed in connection with the application for a new premises licence for the Boulevard Theatre, Walker’s Court, Soho in order to consider the impact on the licensing objectives of the proposed changes. In order to do this I have considered it from a number of perspectives. I have relied on my knowledge of the area having worked in Licensing in central London as a Police Inspector and Chief inspector with responsibility for licensing from 2001 to 2012 and since then as an independent licensing consultant in Westminster, London and across the country from 2012 to date.
2. I have conducted observations on many occasions in this area and am familiar with the issues faced. I visited the location on Saturday 3<sup>rd</sup> February 2018 and on Friday 17<sup>th</sup> May 2019.
3. The premises, including the basement and ground floor, currently benefits from two licences permitting a range of licensable activities including supply of alcohol, music and dancing and a restaurant. The application proposes to incorporate these uses into a single licence with improved facilities for a theatre; removing the basement from the licensed area and incorporating a small new addition to the auditorium on the third floor.

### **Summary of expertise – ██████████:**

4. I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012

and my retirement, I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role, I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition, I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.

5. In addition to leading my team, I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.
6. Providing both Overt and Covert support for policing problem licensed premises across London, my team worked with premises when licensing issues were identified, in order to address these problems through the use of action plans in order to raise their standards. Where this failed, I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, and together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.
7. From 2004 until 2008, my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role, I developed key partnerships with

industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities.

8. I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs to implement the initiative. I am a trained Purple Flag and Best Bar none assessor and, until my retirement, I sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years, I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time, I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above, I have attended a large number of internal MPS training and qualification courses, and I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).
  
9. Following my retirement, I set up a licensing consultancy to provide independent advice for premises requiring a local authority licence. Since then, I have provided evidence gathering services and advice to a broad range of licensed premises on a variety of issues, including crime and disorder, cumulative impact, sexual entertainment, street drinking, rough sleepers, age related products, betting and gaming and planning. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences, SEV licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

**Walkers Court overview.**

10. I am very familiar with Walkers Court and Soho from my time as a police officer in

central London working in the Clubs and Vice unit and since then as a licensing consultant. I have always found the vicinity of Walker's Court to be very busy, in particular around Brewer Street, Rupert Street and Wardour Street.

11. There are a large number of bars, nightclubs, massage parlours and sex shops and this **already** attracts a significant number of visitors and is consequently very attractive to touts, sex workers pedi-cab and Taxis.
12. I found this to be the case during both my observations where the area remained crowded through the night. Premises near-by such as Village Soho (licensed until 03.00) and Freedom Bar (licensed until 03.00) had queues and crowds outside through the night. The roads were busy with traffic, pedestrians and pedi-cabs and with the excellent transport links very close by including night-tube, night buses, taxis, mini-cabs and Ubers the atmosphere was of a busy, vibrant 24 hour city in full swing.
13. Walkers Court itself was covered with scaffolding for the redevelopment during my observations in 2018 and that gave it a darker atmosphere, however the scaffolding has now been removed and it is again open and less intimidating. The Box in Walkers Court (open until 04.00) queues in Walkers Court towards Brewer Street and the majority of customers naturally approach and leave from the Brewer Street end. Door supervisors are present in Walkers Court directing customers leaving back to Brewer Street and during my observations I saw no evidence of customers from The Box leaving into Peter Street, they were all directed to brewer Street and accessed Ubers and other transport from there.
14. Peter Street was a little quieter than surrounding streets but the background noise of the busy city was clearly audible and it was busy with vehicles and pedestrians accessing the premises there or passing through. It is my view that the proposed premises will not affect this as the customers will access Walkers Court from Brewer Street and leave in the same direction with any queue being formed towards Brewer Street. Customers will naturally leave towards Brewer Street and the dispersal plan for the premises ensures that there will be sufficient door supervisors present to direct leaving customers in that direction and away from Peter Street.



15. Unlike customers leaving some of the other nearby bars and clubs who have been drinking in a high energy, fast tempo and loud environment can then it difficult to adjust when finding themselves in the street at 4am; however customers leaving the Boulevard Theatre, no later than 01.30, who have been seated in a calmer and well managed environment will not add to the noise or nuisance when leaving into what will still be a busy, late night, night time economy with excellent transport links to facilitate them leaving the area.

**The application.**

16. The proposed new premises licence at Walkers Court will replace two existing premises licences and form a bespoke, new, development by Soho Estates who have owned some of the property for a number of years. Premises replaced include a number of sex shops which are now or will be much more benign and attractive uses. I do not agree with the romantic notion of a an ‘edgy’ or ‘sleezy’ Soho. In my experience, the sex industry and such venues as unlicensed ‘near beer’ bars which until relatively recently operated in the area, had no benefit to the area in terms of crime and only attracted it. The relative reduction of such uses, in my view, both improves the area and promotes the licensing objectives. In essence, it is and will be much safer.
17. One part of the development was previously a lap dancing club called the Pink Pussycat. As part of the redevelopment, those premises have been redeveloped into a theatre, following the grant of planning permission. The Basement and Ground floor will now be retail and the premises that were previously licensed and traded as Polpo Restaurant has been included as part of the theatre on the ground floor.

The premises already have the benefit of a premises licence on the first and second floor and as a result of the move of the restaurant, additional space for the auditoria has now been found on the third floor with the restaurant space effectively moving up from the basement and ground floor into the first floor. The new application recognises the mixed use of the premises with differing hours for different the activities and areas reflecting the use and the potential to impact on the licensing objectives.

18. The operational plan for the new premises reflected in the planning permission that has been granted shows a genuine multi-use facility with the emphasis on theatre and restaurant use rather than alcohol led. A small additional 3<sup>rd</sup> floor balcony area has been added, however the existing licensed restaurant in the basement will be removed from the licensed area so the total number of floors remains the same and the capacity remains the same or is slightly reduced. Licensable activity ceases in the existing premises at 01.00 with closing at 01:30, which in my view, allows a gradual dispersal of patrons.
19. The first floor bar is limited to core hours for 'walk up' customers and will only be available after core hours subject to the strict condition 'After Core Hours, alcohol may be sold to members (or their guests) or persons either dining or attending a ticketed or pre-booked event'. This provides important safeguards that ensure this bar cannot simply become another late night bar in Soho.
20. A smoking area, supervised by SIA door supervisors, will be available in Walkers Court and customers will not be permitted to take drinks with them when smoking or to leave this area. This will ensure that there will be no impact by smokers on Peter Street.

### **Representations.**

21. I understand that a total of 12 representations have been received in connection with this application. Seven of these oppose the application, four support it and one supports it in principle but with concerns and suggested amendments and conditions.
22. A number of general concerns are raised about the potential for increased late night noise and nuisance generated by customers leaving the premises and going into Peter Street late at night to access transport. In my view these concerns are met by the proposed security and SIA door supervisor provisions which will ensure that customers are directed away from Peter Street, along Walkers Court and into the busy Brewer Street.
23. There is currently some use of Peter Street by pedestrians, pedi-cabs and vehicles;

however I did not see any customers from The Box make their way into Peter Street during my observations. It is also important to note that the theatre will be closing at 01.30, considerably earlier than The Box and a number of other premises in the vicinity. The customers leaving will be directed into Brewer Street and will quickly be absorbed into what is still a very busy area and will not add to noise or nuisance.

A number of representations acknowledge that if customers are directed into Brewer Street and away from Peter Street by an effective security presence this will ensure that they do not make their way into Peter Street and therefore will not cause additional noise.

24. Some concerns are raised about the potential for smokers congregating in Peter Street and causing a nuisance. This is addressed in the operating policy that ensures smokers are supervised in Walkers Court and do not use Peter Street.
25. Overall I consider that the proposed conditions and operating policies will ensure that no additional noise or nuisance is caused in Peter Street.

#### **Impact on Licensing Objectives.**

26. I have considered the effect of the proposal on the licensing objectives taking account of the number of people potentially using the premises and also the activity those individuals will be taking part in as this has a significant bearing on their behaviour and impact on the licensing objectives inside the premises and when leaving. This is recognised in the Westminster City Council statement of licensing policy.
27. The impact that an individual premises may have on an area varies greatly, based more on the style of the operation than the capacity or hours. The cumulative impact of a number of premises similarly varies greatly. A small number of poorly run premises, particularly those that operate as walk up nightclubs, can have a disproportionately negative cumulative impact. A well-run premise that operates to similar hours as a nightclub but has a diverse offering that is not alcohol led is significantly less likely to have a negative impact on the vicinity or lead to cumulative

impact. Robust conditions to manage key areas such as queuing, smoking, security and dispersal will reduce the risk further.

28. Premises that have the most negative impact on the promotion of licensing objectives are the alcohol led nightclubs that provide loud, high energy music and vertical drinking to large numbers who then exit onto the street in the early hours having consumed large quantities of alcohol and still hyped up. The Boulevard theatre is subject to conditions to ensure that it cannot be that style of premises but must be entertainment led closing at 01.30 hours, well before many of the surrounding premises. Customers leaving such an environment pose a significantly lower risk of generating noise, nuisance or anti-social behaviour than those leaving a night club.
29. The Boulevard Theatre as a multi-use facility will provide a diverse cultural entertainment offering that attracts customers of all ages, and will not be alcohol focussed. The introduction of extra lighting in the area, improvements to the building and surrounding premises and the provision of high quality management of the vicinity through SIA staff will be beneficial and a positive impact on security to an already busy thoroughfare. The customers will disperse onto Brewer Street from a highly managed and seated environment and together with a robust operating schedule this will minimise further any potential impact of customers leaving.
30. The proposed hours for licensable activity of 01.00 and premises closing at 01.30 is significantly earlier than the times for premises close by such as Freedom bar and Village Soho (both 03.00) and The Box (04.00) also in Walker's Court. This is not an application for another night club and appears to me to be an exceptional application that will contribute to the area positively. In the context of what is already a very busy night time economy area and taking the account of the restrictions on the licensable activities, I consider that this premises, a highly managed performance venue, can only have a positive effect and will promote the licensing objectives and will not add to cumulative impact in the area.

**I understand that my duty is to the Sub-Committee and this report has been prepared in compliance with that duty. All matters relevant to the issues on**

**which my expert evidence is given have been included in this report. I believe the facts I state in this report to be honest and true and that the opinions I have expressed are correct to the best of my judgment. The fee for this report is not conditional on the outcome of the case in any way whatsoever.**

██████████,

Independent Licensing Consultant,

19/05/19.



Adapt. Overcome. Prosper.

# BOULEVARD THEATRE SECURITY PLAN

**17 MAY 2019**

**RESTRICTED**

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Page 1 of 4

# 1. INTRODUCTION

The BOULEVARD THEATRE (BT) which is part of SOHO ESTATES LIMITED (SEL) are seeking a new premises licence.

MITMARK is a security and risk advisory company that specialises in protecting clients, assets and places from a multitude of risks and threats.

MITMARK advises SEL on security systems, staff training, provision of security teams (all SIA certified) and crisis response policies and procedures. It is our role to keep: management, staff, patrons, guests, stakeholders, residents and members of the public safe. This is our security assessment to create a safe environment.

The security plan for the WALKERS COURT project involves the fusion of architecture, manpower, and procedures that aim to protect and provide a safe environment not only for the residents, commercial tenants, and patrons but also the public realm immediately surrounding and within the site boundary.

The Risk profile has been mitigated by security plans and building architecture. Upgrades to the CCTV and lighting infrastructure will also deter and help manage patron flow external security threats.

# 2. THREAT ASSESSMENT

The most common criminal activity is opportunistic theft and personal theft (physical robbery). Further analysis shows that the majority of these crimes are being committed in the SE area of SOHO where BT is situated.

# 3. MITIGATION PLAN

The plan by MITMARK is to fuse security technology (CCTV/lighting) with a physical presence (SIA security staff) with the intent to reduce crime in the PETER STREET, WALKERS COURT and a portion of BREWER STREET as part of our service to SEL and the wider community. This aligns with Home Office's 'Secured by Design.'

MITMARK will execute this strategy by concentrating on the most high-risk areas, shown below.

The key to success is having accurate intelligence and good links with the relevant Police units. MITMARK has both.

Mitmark has designed a network of IP CCTV cameras with analytic software covering all the surrounding external roads and pedestrian zone. As such, coverage includes WALKER'S COURT (alley), and parts of PETER STREET and BREWER STREET that are adjacent to the development.

This CCTV coverage will provide public over watch and a deterrent for criminal activity in the public realm. The technology will range from 5-8 MP ensuring resolution and quality is an excellent standard, more than sufficient to use for active monitoring and legal representation (i.e. admissible in a court of law).

The system will allow connectivity to National Security Inspectorate (NSI) gold-level monitoring station to assist emergency services in live CCTV monitoring should a security incident occur at or adjacent to the development. Video footage will be stored on UPS powered servers in a secure communications room for at least 30 days.

CCTV will be operating internally and naturally cover internal and external risk areas adhering to PCI compliance and GDPR regulations.

**This system - combined with active patrolling, a quick response team and direct links with the emergency services - provides an active, not passive response to criminal activity in the public realm.**

The CCTV network will have infrared (IR) capability, so the cameras can still function effectively even without ambient light. The cameras will also be able to automatically adjust to high contrasting light conditions that may occur in areas around The Box Night Club.

The use of security lights in areas where public street lighting does not penetrate will also form part of the security plans for the external perimeter of Walkers Court.

**This will provide a deterrent to loitering, anti-social behaviour and criminality to create an environment where the public feel safe, secure and protected.**

The site will have an external National Security Inspectorate (NSI) gold-level monitoring station, that will be able to monitor CCTV coverage live and be alerted to any intruder, fire, or panic button alarm.

**These monitoring sites have experience working with emergency services, facilities, and security teams to actively prevent and deter criminal activity. In addition, they support the health and safety of members of the public at risk around monitored sites.**

The site will have a team of Security Industry Authority-approved (SIA) security guards that will manage the access control to the Walker's Court and the BOULEVARD THEATRE.

This team will be trained and managed by MITMARK, so the procedures are correctly managed, and incidents reported in line with the SIA guidelines for frontline door supervisors. The door supervisors will also hold first aid at work qualifications, as well as selected staff within the licenced premises.

All licenced parts of the development will have bar closing times that will be enforced by the managers and SIA trained staff to ensure that all bottles and glasses are cleared prior to closing times and help to disperse patrons over a period of 30 mins prior to closure.

The SIA guards will follow the dispersal plan for the premises and guide all customers away from PETER STREET and ensure they are dispersed down WALKERS COURT towards the busy BREWER STREET.

**Mitmark have a track record in providing high quality man-guarding teams and security leaders for our clients. This draws on operational experience from military service within the Special Forces and in the private sector, especially high end hospitality.**



MITMARK will be creating and training security and facilities staff in the suite of Security Operating Procedures (SOPs), typically produced as bespoke guidance for clients. These include procedures for terrorist attack, criminal behavior and health and safety.

**These SOPs will not be created solely to protect the Walker's Court residents, staff and patrons, but also to ensure broader public safety (such as providing casualty and control areas for the public and emergency services, for example, during a terrorist incident).**

To ensure noise levels are kept to a minimum all customers will be directed away from PETER STREET and down WALKERS COURT, the dispersal programme of patrons leaving the Theatre will consist of theatre staff and security suggesting pick up point for taxis to be at the following locations:

- BREWER STREET
- Junction of BREWER STREET/WARDOUR STREET

There will be a designated smoking area within the WALKERS COURT thoroughfare in the southern portion. This will further reduce risk of noise for any residents located in PETER STREET.

## **4. CONCLUSION**

SOHO ESTATES LIMITED have since inception followed the Police initiative of Secured by Design to ensure suitable lighting, cameras and other systems are installed to ensure a secure and safe building will be constructed.

This also expands to the local area so at night vulnerable people and those travelling alone are as safe as possible in the surrounding environment. This will be further enhanced with the operation of the new BOULEVARD Theatre in conjunction with MITMARK's security detail.

MITMARK's stated objective is to PROTECT all stakeholders involved or impacted by the new BOULEVARD THEATRE and ensure the area is safe from crime.



# **Boulevard Theatre**

# **Introduction**

**The Boulevard Theatre will produce its own in-house productions alongside a late night programme of live music, comedy, spoken word, cabaret and film.**

**The theatre will feature a cutting-edge design that allows for multiple configurations in a fully revolving auditorium and balcony.**

**Management Team: Fawn James director of Soho Estates will be joined by new artistic director Rachel Edwards.**

The Boulevard Theatre is to relaunch in the heart of Soho in Walker's Court. The revived venue is located on the site where Fawn James' grandfather, Paul Raymond, opened the original Boulevard Theatre.

The artistic programme will be headed up by the Artistic Director **Rachel Edwards** (*Sweeney Todd* - London & New York, Founder of Tooting Arts Club). The venue will present its own in-house theatre productions together with a vibrant late night programme of live music, comedy, spoken word, cabaret and films.

Using cutting-edge VR technology, the innovative space features Europe's most advanced revolving theatre (the balcony and stalls independently revolve allowing for multiple configurations) and a two-floor glass bridge leading to a restaurant and bar area.

The opening season of work will be announced later this the year, and the venue will open its doors to the public in late 2019.

The original Boulevard Theatre began as a sister venue to the Raymond Revuebar. It was run under the same name as the Revuebar and provided an additional bar and restaurant which housed gaming tables, prior to the Gaming Act in 1968.

It then became a small theatre in its own right, and was known as the 'Elle et Lui' theatre. The theatre was accessed through the Raymond Revuebar, but had its own separate box office in the Revuebar foyer.

Due to the similarity in genre of shows and competition that the 'Elle et Lui' theatre created for the Revuebar and The Windmill Theatre, the theatre was closed and reopened as the 'Boulevard Theatre'. To begin with, the theatre continued to share the entrance with the Revuebar, but later a separate entrance was installed, making it a stand-alone venue.

The Boulevard Theatre presented various productions, including erotic, comedy and straight plays, and is most famously known as the home of Peter Richardson's Comic Strip. Over the years, shows included: 'Women Behind Bars' c.1977 / Jeremy Taylor's 'Back in Town' c.1979 / 'The Marilyn Chambers Show' c.1979 / 'The Comic Strip Presents' c.1980 / 'The Collector' (by John Fowles, adapted by David Parker) c.1984 / 'Infidelities' starring Jill Bennett c.1986 / Eddie Izzard's 'Raging Bull' comedy club c.1989.

This year, 2019, Soho Estates' director and granddaughter of Paul Raymond, Fawn James, will reopen the Boulevard Theatre as part of the regeneration of the Walker's Court area, in tribute to the original theatre.

The Boulevard essentially is part of a family business so this legacy/history is important - in essence, a good night out.

This is a very exciting opportunity for a fully-integrated joined-up 'full-service' theatre, – dinner, drinks, a show, a late night cabaret... a good night out. This building is a 'playhouse' in the true sense of the word. And we are in Soho, a neighbourhood that celebrates individuality and diversity.

- A producing house, producing 4 shows a year.
- Both revivals and new work – flavour of shows is front-footed, immersive, entertaining.
- Inclusivity is key in casting and target audience.
- Sliding scale of ticket prices - £10 - £38 (standing to full price).

### **First 3 shows (details Embargoed until 18 June)**

#### **Late Shows**

A diverse programme of performance across 4 nights, Wednesday – Saturday, programmed seasonally – to begin after the in-house show comes down start time 10.30/11pm until 1am. 'Boulevard Lates' (working title) gives us an opportunity to create consistency by simple, regular programming. The hope is that each evening will attract different clientele meaning the 'reach' of the audience is wide – which is both good for business but also reflects the historic eclecticism of the neighbourhood.

- WEDNESDAY – Jazz Night
- THURSDAY – West-End night : 'Finale'. A seasoned West-End performer hosts their own cabaret
- FRIDAY – Improv Night. A female-led improv night, featuring MCs
- SATURDAY – Cabaret

#### **Sundays**

The Sundays at The Boulevard aim to be a more laid-back affair. The idea is to provide a non-religious 'Sunday Service'. It's three main components:

- Live Podcasts
- A lunchtime classical music concert.

- Live Literature – (spoken word/poetry)
- A film screening.

# **The Redevelopment**

Located within the larger Walker's Court mixed-use redevelopment in Soho, the Boulevard Theatre represents a radically new kind of performance space for London, designed by architects SODA studio and theatre consultants Charcoalblue.



## **Overall Design**

The building replaces numerous existing structures on the site. Once inside, a double-height glazed bridge leads to a restaurant and bar space before reaching the auditorium where the art deco inspired balcony and stalls independently revolve. The project was designed using cutting-edge VR technology to help the team understand and develop the seven different auditorium configurations that are possible. The interior finishes give a striking and modern aesthetic which also picks up on the look and feel of the surrounding Soho night life. The design must accommodate the varying identities that the space takes on, from day to night, cabaret to catwalk and theatre-in-the-round.

## **The Theatre**

The circular form wraps the audience together and the box-in-box acoustic treatment isolates the performance from the nearby restaurants and neighbourhood bustle.



## **The Revolve**

A central feature of the Boulevard Theatre is its ability to rotate at both stalls and balcony level to achieve a full 360°. The design opens up a world of possibility to the creative team at the theatre though it presented a significant technical challenge to the design team, as all the wiring and technology embedded in the balcony level had to revolve with it. With this solution, the balcony can rotate 240° in either direction. The revolve is finely controlled via an intelligent computer system which correlates to a continuous strip of QR codes printed around the circumference of the balcony and read by a discreet scanner which relays the position back to the control system. The balcony can be reconfigured in just three minutes.



## **Food & Beverage**

### **Overall Concept**

The food and beverage offering is an entity unto itself, but inextricably aligned to the core values of the artistic intent: “a good night out”. It is consciously leant towards health trends and dietary requirements (e.g. vegan, celiac), with a large plant-based offering but still allowing for indulgence. Vibrant, sensory, unfussy and informal; focused on quality ingredients treated well, the menus will be populated with options from the most affordable to the most opulent.

Throughout the season, and across all our lists, we will add to and vary the offer to suit the show running in the auditorium. To that end, we are bringing the art of the theatre out into the front of house, removing the traditional boundaries that exist within theatre buildings, and each point of participation for the guest (be it the F&B offering or the show) will enhance the other.

### **Eating**

The venue will be open from 8am offering a menu including: breakfasts to the early-risers, coffee and cake for elevenses, through to brunch and lunch for those meeting friends and business colleagues, and those just looking to escape from the hustle and bustle of London and their offices.

Whilst the bar will continue to offer fresh culinary snacks throughout the day, the Kitchen will close from mid-afternoon to prepare for the pre-theatre and late evening dining crowd. Come the evening, guests will be able to choose from smaller grazing plates to share with their friends to



larger mains that allow for a more formal dining experience. Alongside the daily À La Carte menu, a pre-theatre fixed price menu will be available for purchase online in addition to a ticket for a show.

## **Drinking**

Congruent with the food offer, the drinking experience at The Boulevard Theatre will be based on quality. The wine list will be short compared to that of a conventional restaurant, but it will be perfectly balanced with top quality wines throughout. We will strive to support dietary choices across the lists and support local and English suppliers throughout.

We will partner with artisanal producers to ensure an experience that is not readily found. Even our lowest price offerings will steer away from the conventional, meaning that even our house drinks will make every guest feel special.





# **Biographies**

## ***Rachel Edwards – Artistic Director, Boulevard Theatre***

Rachel is the founder of award-winning Tooting Arts Club, a site-specific theatre company based in south London. Rachel has produced all of their critically-acclaimed shows. Rachel has also run many Tooting Arts Club community events such as music nights, comedy nights and a number of popular pop-up cinemas in Tooting and further afield.

In 2016 *Sweeney Todd* – set in Harrington’s pie and mash shop in Tooting - won Best Musical at the Off West-End Awards and Rachel won Best Producer. Rachel also won in the performance category of the Hospital Club’s “Top 100” Awards in 2016 recognising the top 100 people in the creative industries in the UK. Rachel was also nominated for ‘Producer of the Year’ in 2016 at the Stage Awards for the West End Transfer of *Sweeney Todd*, described by the Guardian as “The most remarkable West End transfer in living memory”.

In 2017, Rachel transferred *Sweeney Todd* to New York, re-creating Harrington’s pie and mash shop Off-Broadway. The production won “Outstanding Revival” at the prestigious Lucille Lortel Awards and was also nominated for seven Drama Desk Awards. It has been described by the New York Times as a “Must-see!” and “A wondrous production” by the New Yorker. It ran at The Barrow Street Theatre until September 2019, becoming the longest running production of *Sweeney Todd* in history.

## ***Fawn James – Director of Soho Estates***

Fawn is a Director of Soho Estates, having joined in 2009 after graduating from the University of St Andrews. Her grandfather was Soho Estates’ founder Paul Raymond, an entertainment impresario and property investor, who staged revue and variety shows at countless Soho venues from the 1950s onwards. Fawn intends to honour her grandfather’s legacy by helping to promote Soho as an arts and entertainment district.

The regeneration of Walker’s Court has provided the ideal opportunity to amalgamate her passion for the arts and to embrace her heritage.

In founding the new Boulevard Theatre, tribute is being paid to the original theatre of the same name which sat on the same site from the late 1970s:-

Fawn is a member of the Executive Committee of the ‘Royal Variety Charity’ and is a Trustee for ‘Soho Theatre’ and ‘Mousetrap Theatre Projects’. Alongside her enthusiasm for supporting the arts, Fawn has initiated a Corporate Social Responsibility scheme for her company, which focuses its support on charities and projects in the local area, tackling issues affecting the communities in and around Soho.

## ***Soho Estates***

Soho Estates has been a prominent landowner in Soho for over 50 years, with extensive holdings across Soho and Leicester Square. Founded by entertainment impresario Paul Raymond, the company is still run by the family.

Soho has gone through many incarnations and is always changing and evolving. Soho Estates is steeped in Soho's history and committed to retaining its unique character and keeping its creative spark at its heart.

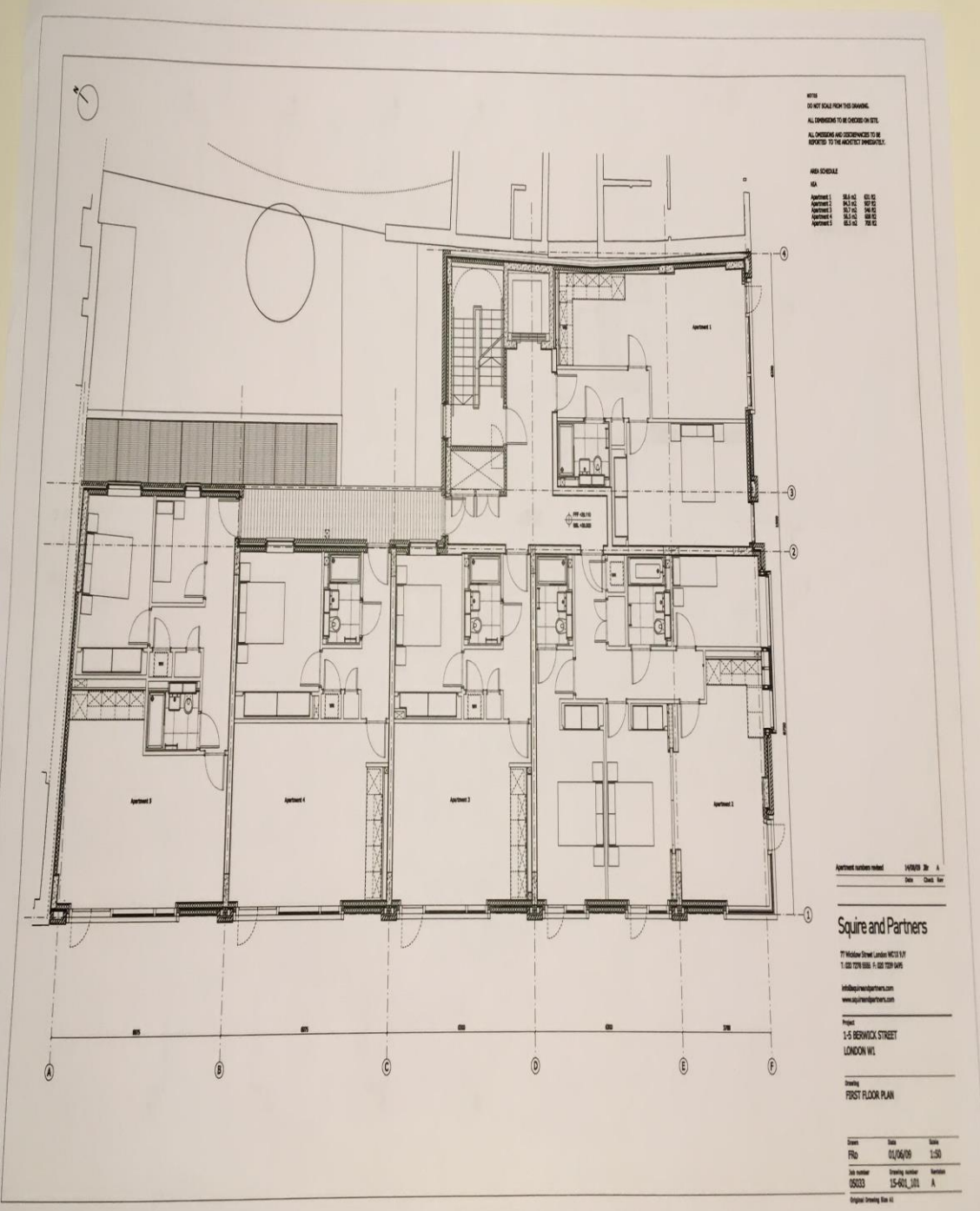
They adopt a long-term strategy for the area as a whole and, in this context, uphold general principles of good estate management. Regeneration is necessary to prevent buildings from falling out of use. Soho has many buildings, which are not fit for modern day use. Considered improvement works are an investment in the area's future as a thriving centre for work and leisure.



**Documents referred to in Interested Party 2  
Representation**

**Appendix 3**

1. Architects Drawings of The Salt House 1st, 2nd, 3rd, 4th floors
2. EEA Report: Noise in Europe (2014)



Apartment number: 140/15 Dr A  
 Date: 01/06/09

**Squire and Partners**

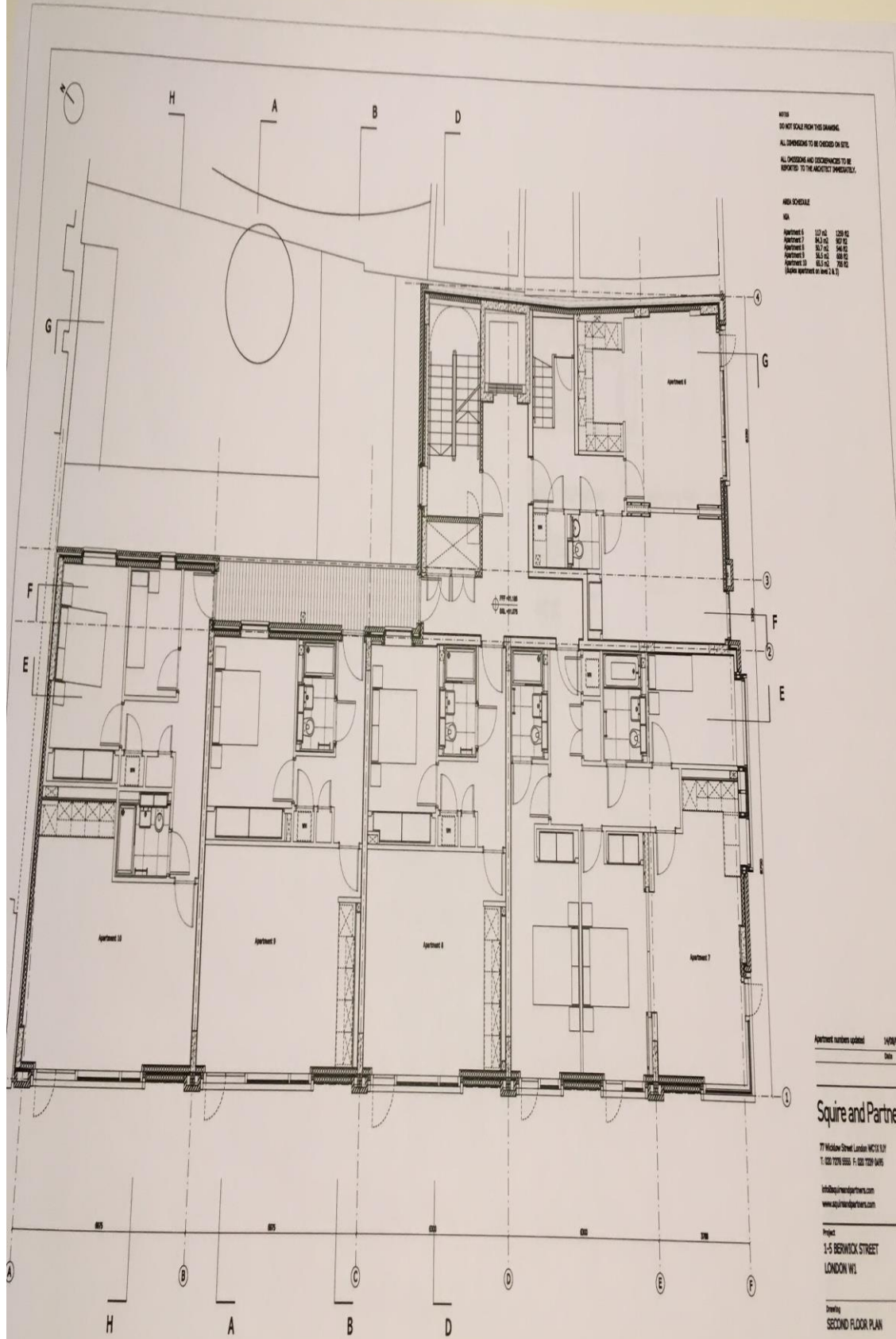
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 info@squireandpartners.com  
 www.squireandpartners.com

Project:  
 1-5 BERNICK STREET  
 LONDON W1

Drawing:  
 FIRST FLOOR PLAN

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Job number	Drawing number	Revision
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Original Drawing Size A1



NOTE  
DO NOT SCALE FROM THIS DRAWING.  
ALL DIMENSIONS TO BE CHECKED ON SITE.  
ALL CHANGES AND CORRECTIONS TO BE  
REPORTED TO THE ARCHITECT IMMEDIATELY.

AREA SCHEDULE

NO.	DESCRIPTION	AREA (SQ. METERS)	
Apartment 6	117.00	1209.92	
Apartment 7	84.30	867.82	
Apartment 8	57.70	594.82	
Apartment 9	56.50	582.82	
Apartment 10	65.50	676.82	
Apartment 11	65.50	676.82	
Apartment 12		65.50	676.82

Apartment numbers updated	1/10/09	20	A
Date	Check	Rev	

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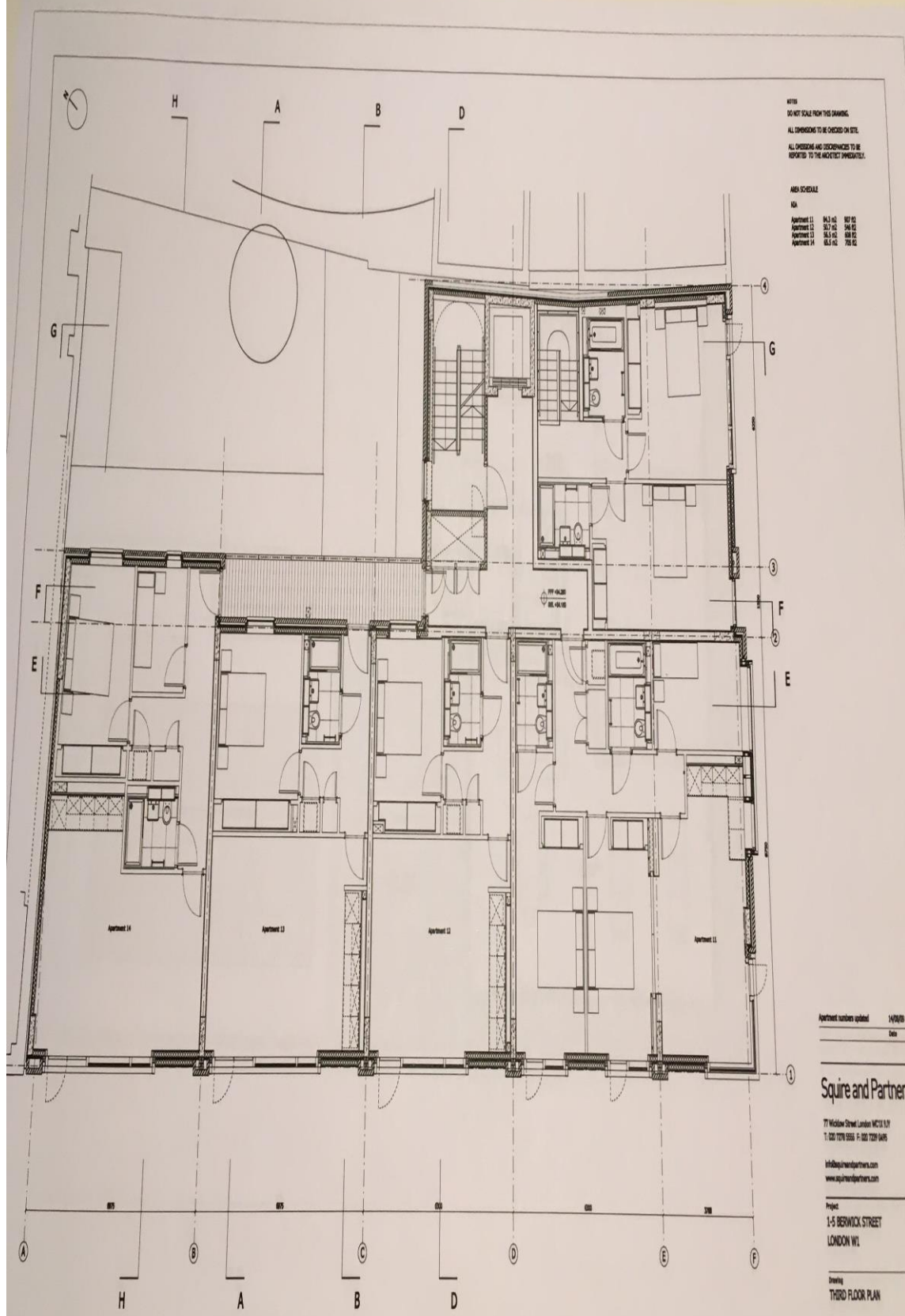
Project  
1-5 BERWICK STREET  
LONDON W1

Drawing  
SECOND FLOOR PLAN

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Job number	Drawing number	Revision
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Original Drawing Size A1





NOTE  
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ALL DIMENSIONS TO BE CHECKED ON SITE.  
ALL OPENINGS AND DISCONTINUITIES TO BE  
REPORTED TO THE ARCHITECT IMMEDIATELY.

AREA SCHEDULE

NO	DESCRIPTION	AREA (SQ M)
Apartment 11	84.3 sq m	807 sq ft
Apartment 12	53.7 sq m	576 sq ft
Apartment 13	85.9 sq m	920 sq ft
Apartment 14	65.9 sq m	709 sq ft

Apartment numbers updated 14/06/08  
Date: \_\_\_\_\_  
By: \_\_\_\_\_  
Check: \_\_\_\_\_

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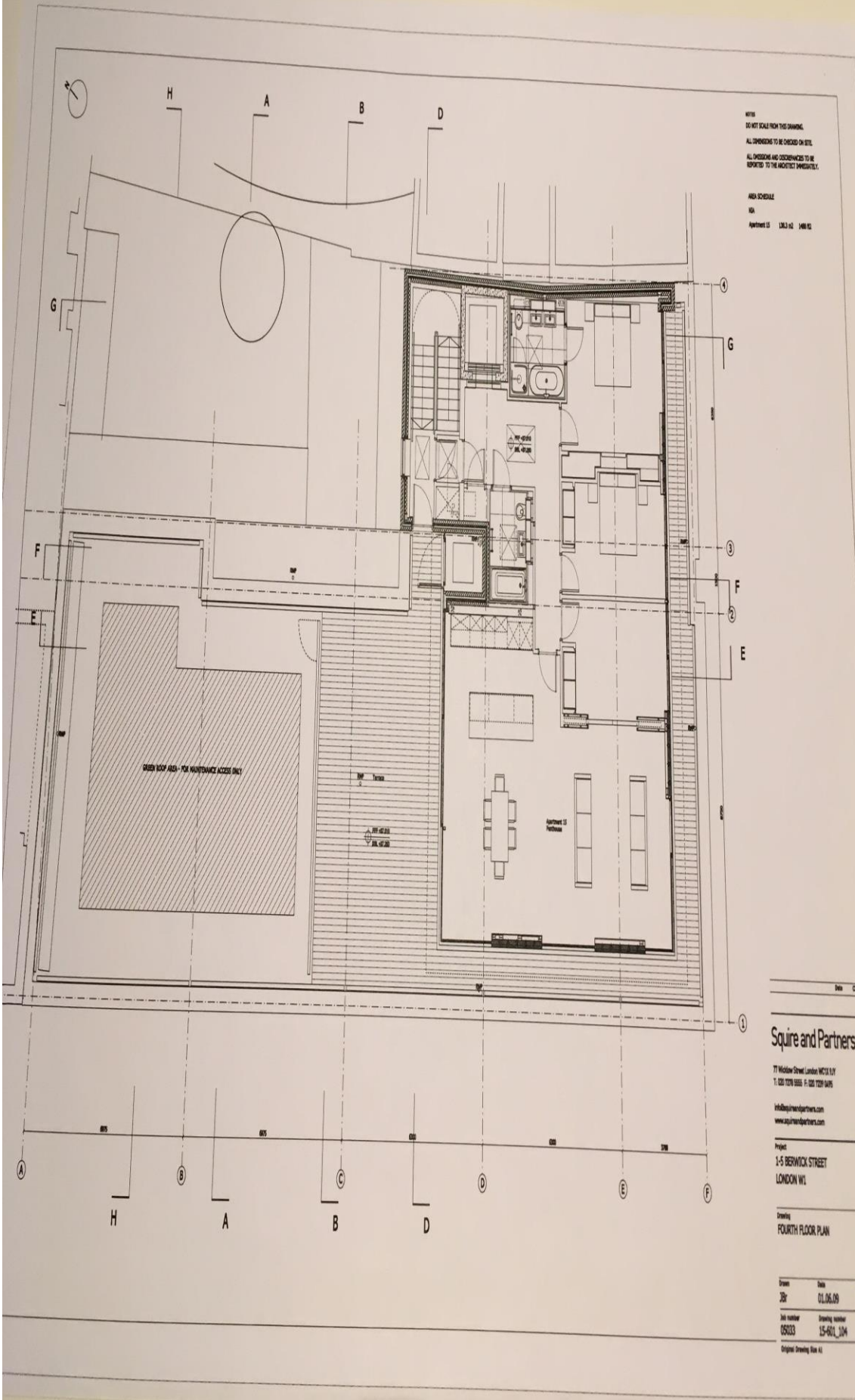
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1-5 BERWICK STREET  
LONDON W1

Drawing  
THIRD FLOOR PLAN

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Job number	Drawing number	Revision
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Original Drawing Size A1





NOTES  
 DO NOT SCALE FROM THIS DRAWING.  
 ALL DIMENSIONS TO BE CHECKED ON SITE.  
 ALL DIMENSIONS AND COORDINATES TO BE REPORTED TO THE ARCHITECT IMMEDIATELY.

AREA SCHEDULE  
 N/A  
 Apartment U1 138.3 sq. 1488 sq.

Drawn: [ ] Check: [ ]

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Drawing  
 FOURTH FLOOR PLAN

Drawn	Date	Scale
JZP	01.06.09	1:50
Job number	Drawing number	Version
05033	15-011_104	-

Original Drawing Size A1

# Noise in Europe 2014

ISSN 1977-8449





# Noise in Europe 2014

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# Executive summary

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Noise pollution is a growing environmental concern. It is caused by a varied number of sources and is widely present not only in the busiest urban environments, it is also pervading once natural environments. The adverse effects can be found in the well-being of exposed human populations, in the health and distribution of wildlife on the land and in the sea, in the abilities of our children to learn properly at school and in the high economic price society must pay because of noise pollution. The European soundscape is under threat and this report sets out to quantify the scale of the problem, assess what actions are being taken and to scope those that may need to be considered in the future, in order to redress the problem.

The key messages from this report are:

1. noise pollution is a major environmental health problem in Europe;
2. road traffic is the most dominant source of environmental noise with an estimated 125 million people affected by noise levels greater than 55 decibels (dB)  $L_{den}$  (day-evening-night level);
3. environmental noise causes at least 10 000 cases of premature death in Europe each year;
4. almost 20 million adults are annoyed and a further 8 million suffer sleep disturbance due to environmental noise;
5. over 900 000 cases of hypertension are caused by environmental noise each year;
6. noise pollution causes 43 000 hospital admissions in Europe per year;
7. effects of noise upon the wider soundscape, including wildlife and quiet areas, need further assessment;
8. political ambitions are high with the European Union's (EU) Seventh Environment Action Programme (7th EAP) containing the objective that noise pollution in the EU has significantly decreased by 2020, moving closer to World Health Organization (WHO) recommended levels;
9. a complete assessment and future outlook are hindered by the fact that exposure estimates reported by countries are not complete, with as little as 44 % of the expected amount of data, depending on source, being delivered in the latest reporting round;
10. lack of comparable and common assessment methods often causes significant inconsistencies in exposure estimates, between different countries, within a single country and across the two main reporting rounds.



# 1 Introduction

This report is the European Environment Agency's (EEA) first noise assessment report. Its purpose is to present an overview and analysis of environmental noise based upon information reported to EEA by its member countries following the requirements of the EU Directive 2002/49/EC relating to the assessment and management of environmental noise — the Environmental Noise Directive (END) (EU, 2002a).

Noise pollution has long been recognised as affecting quality of life and well-being. Over past decades it has, in addition, increasingly been recognised as an important public health issue. According to a recent WHO report on the burden of disease from environmental noise (WHO, 2011), at least 1 million healthy life years are lost every year in western Europe due to health effects arising from noise exposure to road traffic alone. Further, the WHO categorises noise as being the second-worst environmental cause of ill health, behind only ultra-fine particulate matter (PM<sub>2.5</sub>) air pollution.

In terms of defining what is meant by environmental noise, the WHO describes environmental noise generically, as that emitted by all sources except for noise in the industrial workplace (WHO, 1999). The END is more specific in its definition, considering environmental noise as being unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic and from sites of industrial activity. It does not apply however to noise that is caused by the exposed persons themselves, noise from domestic activities, noise created by neighbours, noise at work places or noise inside vehicles or due to military activities in military areas. Some of these excluded areas, such as those related to indoor noise, are covered by other policy instruments both at national and EU level, such as those related to health and occupational safety. Harmful effects are further defined as meaning negative effects on human health.

## 1.1 Policy context — European noise legislation

The EU's 7th EAP 'Living well, within the limits of our planet' (EU, 2013) highlights that a majority of Europeans living in major urban areas are exposed to high levels of noise <sup>(1)</sup> at which adverse health effects occur frequently. It further contains the objective that by 2020 noise pollution in the EU has significantly decreased, moving closer to WHO recommended levels. In order for this objective to be achieved, it is identified that this will require implementation of an updated EU noise policy aligned with the latest scientific knowledge, and measures to reduce noise at source, including improvements in city design.

Prior to the development of the present 7th EAP, there has been more than two decades of effort to develop a coordinated EU policy on noise. The first comprehensive step was taken in 1993, with the adoption of the 5th EAP by the European Commission, titled 'Towards Sustainability'. This incorporated a declared objective that 'no person should be exposed to noise levels which endanger health and quality of life' (European Commission, 2003).

Subsequently, the Commission adopted a Green Paper on Future Noise Policy in 1996 (European Commission, 1996). This identified noise in the environment as one of the main environmental problems in Europe and concluded that in terms of past Commission policy, it perhaps had not been given the necessary priority. As a result, the Green Paper proposed a new framework for noise policy development that, in particular, identified scope for improvement in three key areas:

1. Firstly, knowledge gaps should be filled to better assess the environmental noise exposure situation in Europe. In particular, the lack of comparability between different Member States

<sup>(1)</sup> 'High noise levels' are defined in the 7th EAP as noise levels above 55 dB L<sub>den</sub> and 50 dB L<sub>night</sub>.

and between different noise sources requires addressing.

2. Secondly, the public should be more informed and involved.
3. Thirdly, noise abatement should be part of an integrated strategy towards a better quality of life.

The 6th EAP 'Environment 2010: Our Future, Our Choice' stated an objective 'to achieve an environmental quality which does not give rise to significant impacts on, or risks to, human health' (European Commission, 2010). It also strengthened the concept of a knowledge-based approach to policymaking and proposed that the Commission adopt and implement a directive on environmental noise – the END.

The stated aim of the END is to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise and at providing a basis for developing Community measures to reduce noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery.

It requires the following actions to be implemented in order to achieve that aim:

- the determination of exposure to environmental noise, through noise mapping, by methods of assessment common to the Member States;
- ensuring that information on environmental noise and its effects is made available to the public;

- adoption of action plans by the Member States, based upon noise mapping results, with a view to preventing and reducing environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health and to preserving environmental noise quality where it is good.

Accompanying the END are a number of other legislative measures that aim to address or control noise at source. Many of these noise-management measures are based upon EU internal market objectives, and from the 1970s onwards focused upon establishing harmonised maximum noise limits for motor vehicles and household equipment, such as appliances, outdoor tools and other noise-generating products. Others address noise from specific sectors such as aviation through establishing procedures for the introduction of noise-related operating restrictions (EU, 2002b), or for industry by requiring an integrated approach be taken for the permitting of industrial facilities that takes into account the whole environmental performance of the plant, including noise (EU, 2010). Today, European environmental noise legislation covers a wide range of product types and sources (see Annex 1).

## 1.2 Why noise is a problem – impacts arising from exposure to environmental noise

A number of adverse health impacts, both direct and indirect, have been linked to exposure to persistent or high levels of noise. Night-time effects can differ significantly from daytime impacts – the WHO reports an onset of adverse health effects in humans exposed to noise levels at night above 40 dB (WHO, 2009).

### Box 1.1 Noise indicators in the END

The END defines a number of noise indicators to be applied in noise mapping and action planning. These indicators represent a physical scale for the description of environmental noise, which has a relationship with its harmful effects. The two most important indicators are:

1.  $L_{den}$ : the day-evening-night-level indicator designed to assess annoyance;
2.  $L_{night}$ : the night-level indicator designed to assess sleep disturbance.

These indicators are to be applied to noise mapping exposure assessments beginning at 55 dB for  $L_{den}$  and at 50 dB for  $L_{night}$ . The END provides technical definitions for these indicators in its Annex 1. It also suggests supplementary noise indicators for use in cases where it may be advantageous to use special noise indicators and related limit values.

Figure 1.1 illustrates how exposure to noise affects health and well-being. Within a part of a population exposed to elevated levels of noise, stress reactions, sleep-stage changes, and other biological and biophysical effects may occur. These may in turn lead to a worsening of various health risk factors such as blood pressure. For a relatively small part of the population, the subsequent changes may then develop into clinical symptoms like insomnia and cardiovascular diseases that, as a consequence, can increase rates of premature mortality.

**1.2.1 Sleep disturbance**

Uninterrupted sleep is known to be a prerequisite for good physiological and mental functioning of healthy persons (WHO, 1999); however, sleep disturbance is considered to be one of the effects arising from exposure to environmental noise.

Noise can cause difficulty in falling asleep, awakening and alterations to the depth of sleep, especially a reduction in the proportion of healthy rapid eye movement sleep. Other primary physiological effects induced by noise during sleep can include increased blood pressure, increased heart rate, vasoconstriction, changes in respiration and increased body movements (WHO, 1999).

Exposure to night-time noise also may induce secondary effects, or so-called after-effects. These are effects that can be measured the day following exposure, while the individual is awake, and include increased fatigue, depression and reduced performance (Pearsons, 1998).

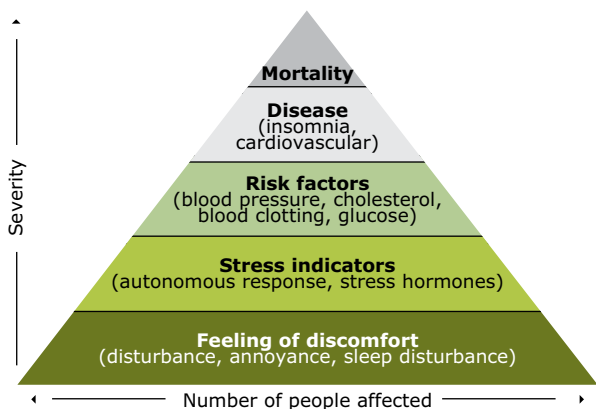
**1.2.2 Cardiovascular and physiological effects**

Noise exposure can increase blood pressure and vasoconstriction. After prolonged exposure, susceptible individuals may develop more permanent effects such as hypertension and heart disease (WHO, 1999).

Ischaemic heart disease (including myocardial infarction) and hypertension (high blood pressure) have been much investigated with respect to noise. The hypothesis that chronic noise affects cardiovascular health is due to the following facts (biological plausibility):

- 1) Laboratory studies in humans have shown that exposure to acute noise affects the sympathetic and endocrine system, resulting in nonspecific physiological responses (e.g. heart rate, blood pressure, vasoconstriction (the narrowing of the blood vessels), stress hormones, ECG).
- 2) Noise-induced instantaneous autonomic responses do not only occur in waking hours but also in sleeping subjects even when no EEG awakening is present. They do not fully adapt on a long-term basis although a clear subjective habituation occurs after a few nights
- 3) Animal studies have shown that long-term exposure to high noise levels leads to manifest health disorders, including high blood pressure and 'ageing of the heart'.
- 4) Although effects tend to be diluted in occupational studies due to the 'healthy worker effect', epidemiological studies carried out in the occupational field have shown that employees working in high noise environments are at a higher risk of high blood pressure and myocardial infarction.

**Figure 1.1 Pyramid of noise effects**



Source: Babisch, 2002, based on WHO, 1972.

The general stress theory is the rationale for the non-auditory physiological effects of noise. Noise affects the organism either directly through synaptic nervous interactions, or indirectly through the emotional and the cognitive perception of sound. The objective noise exposure (sound level) and the subjective noise exposure (annoyance) may both be interacting predictors in the relationship between noise and health endpoints.

Short-term changes in circulation including blood pressure, heart rate, cardiac output and vasoconstriction as well as the release of stress hormones, including adrenaline and noradrenalin and cortisol have been studied in experimental

settings. Classical biological risk factors have been shown to be elevated in subjects who were exposed to high levels of noise. Acute noise effects do not only occur at high sound levels in occupational settings, but also at relatively low environmental sound levels when certain activities such as concentration, relaxation or sleep are disturbed (EEA, 2010).

### 1.2.3 *Mental health effects*

An exact causal relationship between noise and mental illness remains ill-defined, and it may well be that noise is just one of many factors affecting mental health. The WHO has previously suggested that environmental noise intensifies the development of latent mental disorder. Symptoms cited include anxiety, stress, nervousness, nausea, headaches, instability, argumentativeness, sexual impotency and mood changes. Studies on the use of drugs such as tranquillisers and sleeping pills, on psychiatric symptoms and on mental hospital admission rates do however suggest links between environmental noise and adverse effects on mental health (WHO, 1999).

### 1.2.4 *Annoyance*

Annoyance has been defined as a feeling of displeasure associated with any agent or condition known or believed by an individual or group to adversely affect them (Koelega, 1987). In addition to annoyance following exposure to prolonged high levels of environmental noise, people may also feel a variety of other negative emotions, for example feelings of anger, depression, helplessness, anxiety and exhaustion.

### 1.2.5 *Cognitive impairment*

The detrimental effects of environmental noise on the learning abilities of children have also been demonstrated by various studies. In particular, it has been found that noise from airports in the vicinity of schools has adversely affected the reading ability of the pupils (Hygge et al., 2002). Similarly, the effect of road traffic and aircraft noise has exhibited a detrimental impact on both the health and cognitive abilities of children (Stansfeld et al., 2005).

### 1.2.6 *Impacts on wildlife*

There is increasing scientific evidence regarding the harmful effects of noise on wildlife (Dutilleux, 2012). Whether in the terrestrial

or marine environment, many species rely on acoustic communication for important aspects of life, such as finding food or locating a mate. Anthropogenic noise sources can potentially interfere with these functions and thus adversely affect species richness, reproductive success, population size and distribution. Noise pollution is also known to widely affect behaviour in some species.

The requirement for identification and protection of quiet areas in association with the END also presents an ideal synergy with the need to protect species vulnerable to noise pollution and areas of valuable habitat identified by other European assessments, such as Natura 2000 protected sites.

### 1.2.7 *Economic impacts*

When the European Commission presented its Green Paper on Future Noise Policy in 1996, it estimated the annual economic damage to the EU due to environmental noise as potentially ranging from EUR 13 million to EUR 30 billion (European Commission, 1996). The Green Paper considered that the key elements contributing to these external costs were a reduction of house prices, reduced possibilities of land use, increased medical costs and the cost of lost productivity in the workplace due to illness caused by the effects of noise pollution.

Subsequently, in its 2011 report on the implementation of the END, the European Commission estimated the social cost of rail and road traffic noise in the EU as being EUR 40 billion per year, of which 90 % was related to passenger cars and goods vehicles (European Commission, 2011).

A number of Member States have made their own analyses of the costs associated with exposure to noise. In Sweden, the social cost for road traffic noise in that country was estimated as being over SEK 16 billion. The cost of railway noise was estimated to be SEK 908 million per year, while aircraft noise was estimated to cost the Swedish economy SEK 62 million per year (Naturvårdsverket, 2014).

In the United Kingdom, the Intergovernmental Group on Costs and Benefits estimated the social cost of environmental noise in England alone as GBP 7.10 billion per annum. Placing it at a similar magnitude to road accidents (GBP 9 billion) and significantly greater than the impact of climate change (GBP 1–4 billion).

The most severe health effects of noise such as the impact upon cardiovascular disease were estimated in the same report as costing GBP 2–3 billion per year. Effects on amenity, which reflects consumer annoyance through noise exposure was estimated as costing GBP 3–5 billion each year. Furthermore, the impact upon productivity relating to areas such as reduced work quality as a result of tiredness or noise acting as a distraction was estimated to cost GBP 2 billion every year (Defra, 2008).

In Switzerland, the external costs of transport noise have been estimated as approximately EUR 1.5 billion, of which 81 % is attributable to road traffic, 15 % to railways and 4 % to aircraft noise (FOEN, 2010).

There are presently two main methods employed to estimate the economic benefit associated with projects that reduce noise levels: contingent valuation and hedonic pricing.

Concerning the former approach, a European Commission working group earlier developed a position paper 'Valuation of noise' (EC, 2004) based on the willingness-to-pay principle, drawing upon data from Navrud (2002). The paper recommends the use of a benefit of EUR 25 per household per decibel per year above noise levels of  $L_{den} = 50\text{--}55$  dB. Even though this figure has been criticised by some as being too low, it appears that most noise-abatement measures do deliver a positive cost/benefit ratio (EEA, 2010).

Hedonic pricing data come from studies of real estate markets, for which it is found that properties exposed to higher noise levels will typically have a lower value on the market than similar buildings exposed to lower noise levels. This relationship is well documented for residential houses (for which there is extensive literature) and probably may be similar for commercial office buildings. A best estimate is that house prices lose 0.5 % of their value per decibel over 50–55 dB  $L_{den}$ . The range of research results is between 0.2 % and 1.5 %, with a tendency for higher values for aircraft noise (EEA, 2010).

In Denmark it is estimated that there are several hundred premature deaths each year due to road traffic noise. A subsequent cost/benefit analysis indicates that widespread installation of acoustic glazing in dwellings affected by noise levels above

68 dB can deliver an overall socio-economic gain of DKK 12.7 billion over a 20-year period, equivalent to DKK 958 million per year. For dwellings with a noise exposure of more than 73 dB there is a total socio-economic gain of DKK 3.2 billion over a 20-year period, equivalent to DKK 245 million per year. With more limited uptake for dwellings with a noise exposure of more than 76 dB there is a total gain of DKK 422 million, equivalent to DKK 32 million per year (Miljøstyrelsen, 2013).

The drive to protect quiet areas from increases in noise pollution has led to the economic valuation of 'quiet'. A study in the United Kingdom indicated that protection of quiet areas in the major cities of England could be valued at as much as GBP 1.4 billion per year to the economy (Defra, 2011).

### 1.3 Contents of this report

The following chapter, Chapter 2, describes the data sources and methodology used in this assessment, with Chapter 3 presenting the main noise exposure assessment results based upon official information reported by the EEA member countries. Chapter 4 presents the findings of a health impact assessment, describing the latest health impact estimates associated with environmental noise exposure in Europe. A description of selected actions being undertaken to mitigate noise exposure is given in Chapter 5. Finally, Chapter 6 presents the general observations and conclusions arising from the assessment.

Accompanying the report are country-specific briefings, presenting selected aspects of data reported to the EEA. The briefings are published separately and may be accessed at <http://forum.eionet.europa.eu/nrc-noise/library/country-fiches-2014>.

The Noise Observation and Information Service for Europe (NOISE) is the database of END-related information maintained by the EEA. This report is based upon that data; however, it should be noted that the NOISE database is updated periodically and, therefore, may not necessarily reflect the data presented in this report at the time of writing. The NOISE database is accessible at <http://NOISE.eionet.europa.eu>.



## 2 Data and methodology

The assessment performed in this report is based upon information from the EEA's member countries obtained using modelling and measurement methods and reported to the EEA up to 28 August 2013. The current state of knowledge on noise in Europe is largely based upon the noise mapping data related to the END, which is derived from large-scale modelling exercises at national, regional and city scales. Due to the scheduled

timing of deliveries under the END reporting context, this data could however, at a given point in time, be up to six or more years out of date. The following assessment is based mostly upon this modelled data, but attention is drawn to efforts to utilise more up-to-date information on noise, from long-term measurement stations and mobile devices capable of measuring and rating noise to near-real-time capacity.

### Box 2.1 What is noise mapping?

Noise pollution is very often all around us, particularly in urban environments, but it can be difficult to fully understand what cannot be visualised at first hand. Noise mapping offers a way to see the unseen.

According to the END, noise mapping means 'the presentation of data on an existing or predicted noise situation in terms of a noise indicator, indicating breaches of any relevant limit value in force, the number of people affected in a certain area, or the number of dwellings exposed to certain values of a noise indicator in a certain area'.

It also defines a strategic noise map as 'a map designed for the global assessment of noise exposure in a given area due to different noise sources or for overall predictions for such an area'. Furthermore, Annex IV of the END sets out the minimum requirements for strategic noise mapping.

**Figure 2.1** Noise map for road traffic  $L_{den}$  in Dublin, 2012



**Source:** Dublin City Council, 2012.

Where data are available, the analysis covers up to 34 countries, the 33 EEA member countries plus the former Yugoslav Republic of Macedonia. This includes assessments for up to 471 urban areas, referred to as agglomerations, in which road, rail, airport and industrial noise are considered. The assessment encompasses 91 airports, 181 767 km of roads and 40 066 km of railways, outside of cities. The scope of the analysis extends only to terrestrial exposure to airborne sound as it affects the human population, although acknowledgement is given to the links between noise and its impact on wildlife both on land and in water.

## 2.1 Information reported under the END

### 2.1.1 Strategic noise mapping

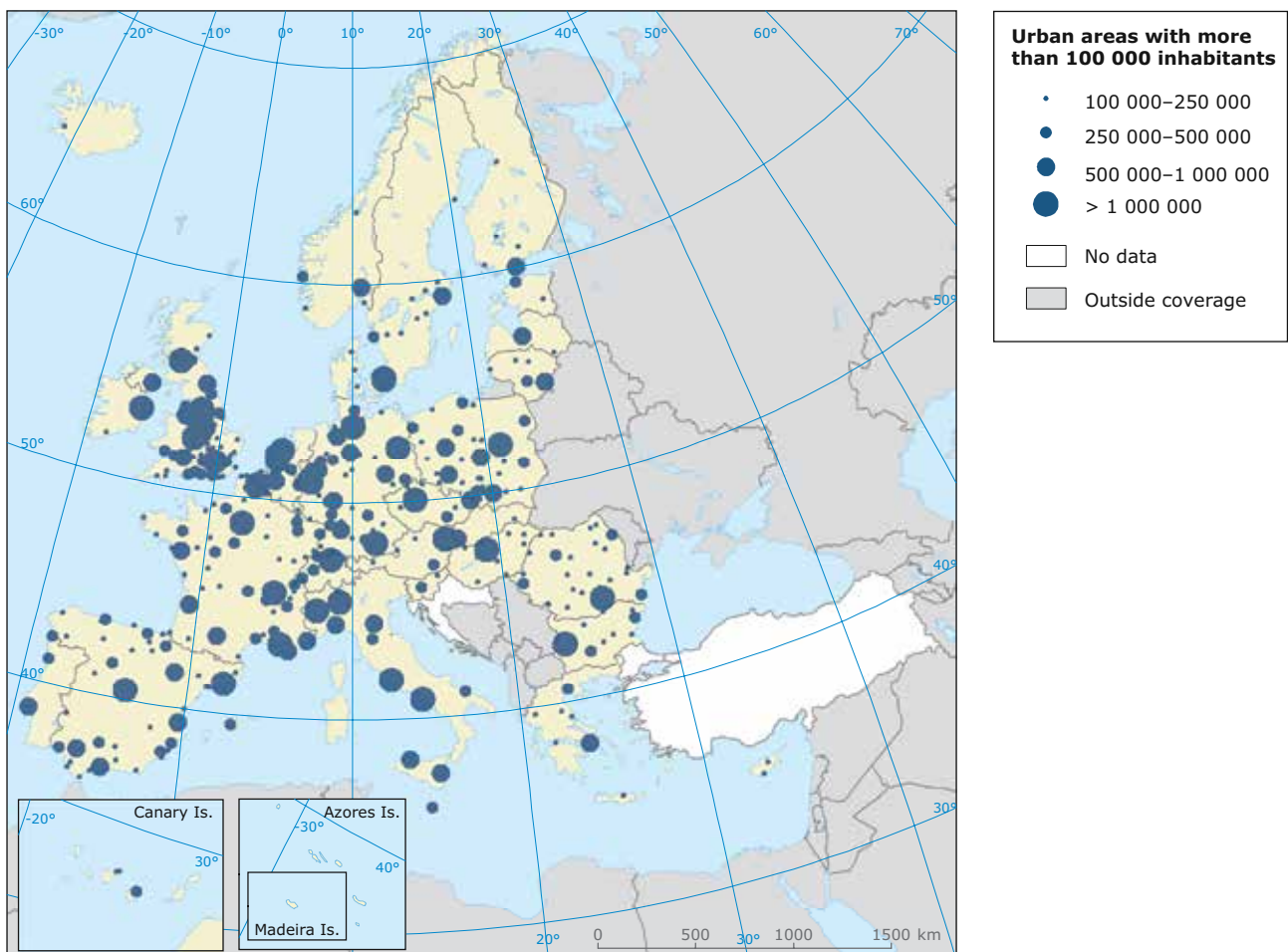
One of the objectives of the END is to establish a common approach to assess the exposure to

environmental noise throughout the EU. For this purpose, a set of common noise indicators is defined in the directive, addressing both annoyance and sleep disturbance (see Box 1.1). On the basis of these indicators, the END requires Member States to produce strategic noise maps for all major roads, railways, airports and agglomerations on at least a 5-yearly basis, starting from 30 June 2007 (see Maps 2.1 and 2.2). The strategic maps must satisfy minimum requirements as listed in Annex IV of the END and should be reviewed every 5 years.

### 2.1.2 Action plans, quiet areas and public participation

Based upon noise mapping results, Member States must prepare action plans containing measures addressing noise issues and their effects for major roads, railways, airports and agglomerations. According to Article 8.1(b), the plans should also aim to protect quiet areas against an increase in noise.

**Map 2.1 Urban areas with more than 100 000 inhabitants in EEA member countries**



The action plans must meet the minimum requirements laid down in Annex V of the END, relating, inter alia, to designation of competent authorities, indication of any limit values in place, noise-reduction measures already in place and projects in preparation, actions to be taken in the following 5 years, long-term strategies and financial information. However, it is important to note that the END does not impose any limit values or specific measures that need to be included in the action plans — those measures are left at the discretion of competent national authorities. The END also requires that the public shall have the opportunity to comment on proposals for action plans and the possibility to participate in the elaboration and reviewing of the action plans (Article 8).

### 2.1.3 Data collection and reporting

The reporting obligations set out under the END are contained in a number of provisions. These

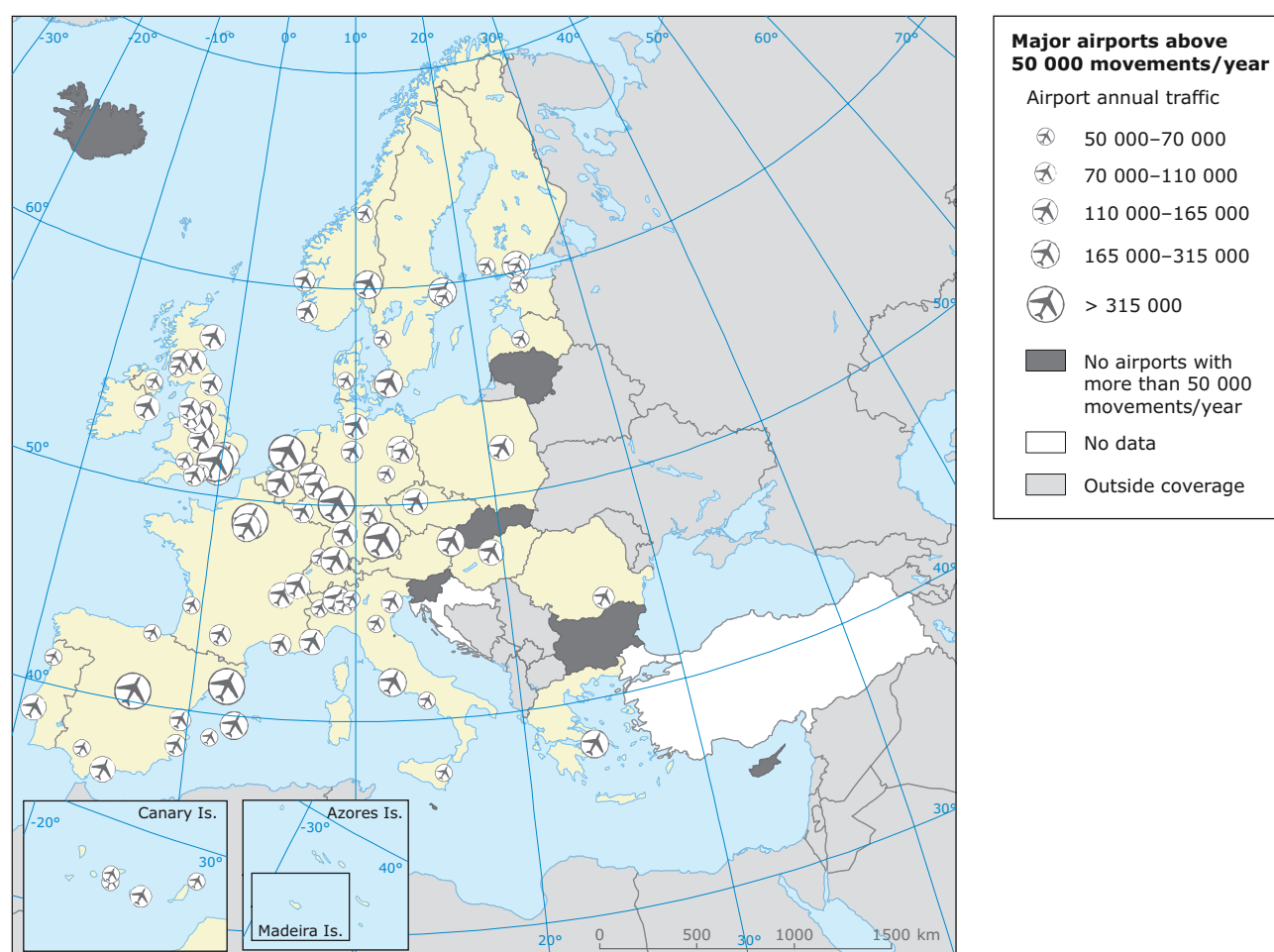
have been consolidated into the Electronic Noise Data Reporting Mechanism (ENDRM) (EEA, 2012).

Member States are further obliged to provide the Commission with information from their strategic noise maps, summaries of the action plan details and noise control programmes at regular intervals, as well as to update the Commission on competent bodies, noise limit values and designated roads, railways, airports and agglomerations. The ENDRM categorises these obligations into a series of Data Flows, which are summarised in Table 2.1.

## 2.2 Completeness of the END data set

The completeness of the information reported under the END can be assessed in general terms by relating DF1\_5 of the ENDRM to DF4\_8 of the ENDRM. In other words, an assessment of whether the reported noise maps correspond to the source data reported almost 2 years previously.

**Map 2.2 Major airports with more than 50 000 movements/year in EEA member countries**





**Table 2.1 ENDRM data flows**

Data flow	Summary description of information to be reported	Legally binding deadline	Updates by MSs	END provision
DF0	Definition of reporting structure	-	-	-
DF1_DF5	Major roads, major railways, major airports and agglomerations designated by the MS	First legally binding deadline: 30 June 2005 (1st implementation step)  Second legally binding deadline: 31 December 2008 (2nd implementation step)	Mandatory every 5 years	Art. 7-1 Art. 7-2 Art. 7-5
DF2	Competent bodies for strategic noise maps, action plans and data collection	18 July 2005	Possible at any time	Art. 4-2
DF3	Noise limit values in force or planned and associated information	18 July 2005	Possible at any time	Art. 5-4
DF4_8	Strategic noise maps-related data as listed in Annex VI for major roads, railways, airports and agglomerations	First legally binding deadline: 30 December 2007 (1st implementation step)  Second legally binding deadline: 30 December 2012 (2nd implementation step)	Mandatory every 5 years	Art. 7-1 Art. 7-2 Art. 7-5 Art. 10-2 Annex VI
DF6_9	Noise-control programmes that have been carried out in the past and noise measures in place	First legally binding deadline: 18 January 2009 (1st implementation step)  Second legally binding deadline: 18 January 2014 (2nd implementation step)	No updates	Art. 10-2 Annex VI 1.3 & 2.3
DF7_10	Action plans-related data as listed in Annex VI for major roads, railways, airports and agglomerations, and any criteria used in drawing up action plans	First legally binding deadline: 18 January 2009 (1st implementation step)  Second legally binding deadline: 18 January 2014 (2nd implementation step)	Mandatory every 5 years	Art. 8-1 Art. 8-2 Art. 8-5 Art. 10-2 Art. 10-5 Annex VI Art. 8-3

**Source:** EEA, 2012.

On this basis, the data set on population exposure to major noise sources in Europe can be considered to be much more complete for 2007 than it is for

2012. A summary of this completeness analysis, for each noise source, can be found in Tables 2.2, 2.3, 2.4 and 2.5.

**Table 2.2 Noise database: major roads' completeness**

Reporting year	Noise sources <sup>(a)</sup>			Strategic noise maps <sup>(b)</sup>	Completeness (at country level)
	Length of major roads	Number of countries reporting data	Number of countries expected to report data	Number of countries reporting data	
2007	73 038	29	32	29	90 %
2012	180 767 <sup>(c)</sup>	30	33	21	63 %

- Note:**
- <sup>(a)</sup> Refers to agglomerations, major roads, major railways and major airports designated by the END where strategic noise maps and action plans should be developed. This information is made available to the European Commission 2 years before the submission of the strategic noise maps (Article 7).
  - <sup>(b)</sup> Refers to information on noise exposure and on noise contour maps to be submitted to the European Commission in those areas (agglomerations, major roads, major railways and major airports) designated by the END (Article 7, Annex VI).
  - <sup>(c)</sup> Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands: data on length of major road infrastructure not complete.

**Table 2.3 Noise database: major railways' completeness**

Reporting year	Noise sources <sup>(a)</sup>			Strategic noise maps <sup>(b)</sup>	Completeness (at country level)
	Length of major railways	Number of countries reporting data	Number of countries expected to report data	Number of countries reporting data	
2007	11 721	21	24	21	87 %
2012	40 066 <sup>(c)</sup>	26	28	17	60 %

- Note:**
- <sup>(a)</sup> Refers to agglomerations, major roads, major railways and major airports designated by the END where strategic noise maps and action plans should be developed. This information is made available to the European Commission 2 years before the submission of the strategic noise maps (Art. 7).
  - <sup>(b)</sup> Refers to information on noise exposure and on noise contour maps to be submitted to the European Commission in those areas (agglomerations, major roads, major railways and major airports) designated by the END (Art. 7, Annex VI).
  - <sup>(c)</sup> Denmark, France, Germany, Greece, Italy, Luxembourg, the Netherlands: Data on length of major railways infrastructure not complete.

**Table 2.4 Noise database: major airports' completeness**

Reporting year	Noise sources <sup>(a)</sup>	Strategic noise maps <sup>(b)</sup>	Completeness
	Number of major airports	Number of major airports	
2007	78	74	95 %
2012	91	56	62 %

- Note:**
- <sup>(a)</sup> Refers to agglomerations, major roads, major railways and major airports designated by the END where strategic noise maps and action plans should be developed. This information is made available to the European Commission 2 years before the submission of the strategic noise maps (Art. 7).
  - <sup>(b)</sup> Refers to information on noise exposure and on noise contour maps to be submitted to the European Commission in those areas (agglomerations, major roads, major railways and major airports) designated by the END (Art. 7, Annex VI).

**Table 2.5 Noise database: agglomerations' completeness**

Reporting year	Noise sources <sup>(a)</sup>		Strategic noise maps <sup>(b)</sup>			Completeness
	Number of agglomerations	Source	Number of agglomerations to be reported	Number of agglomerations reported	Number of agglomerations not reported	
2007	164	Road	163 <sup>(c)</sup>	154	9	94 %
		Rail	161	145	16	90 %
		Aircraft	138	121	17	87 %
		Industry	159	137	22	86 %
2012	471	Road	471	294	177	62 %
		Rail	460	270	190	57 %
		Aircraft	381	167	214	44 %
		Industry	463	260	203	56 %

- Note:**
- (<sup>a</sup>) Refers to agglomerations, major roads, major railways and major airports designated by the END where strategic noise maps and action plans should be developed. This information is made available to the European Commission 2 years before the submission of the strategic noise maps (Art. 7).
  - (<sup>b</sup>) Refers to information on noise exposure and on noise contour maps to be submitted to the European Commission in those areas (agglomerations, major roads, major railways and major airports) designated by the END (Art. 7, Annex VI).
  - (<sup>c</sup>) One agglomeration that was included in the database according to a Member State's delivery, but declared afterwards as not being anymore an agglomeration for the first reporting period.

### 2.3 Gap-filling

The second round of noise mapping data can presently only be considered as approximately 44 % complete depending on source. In order to ensure as full an assessment of environmental noise in Europe as possible, the EEA undertook a gap-filling analysis.

This analysis used the data set of all noise mapping data reported up to 28 August 2013, and applied a series of methods to attempt to bring the data set up to the expected level of completeness for noise maps due to have been reported by 30 December 2012.

Different extrapolation factors were applied according to noise source, and applied to each remaining noise source both within agglomerations

and for major sources outside agglomerations.

A report describing the methodologies employed is available (Extrium, 2013).

An example of the extrapolation methodology as applied to agglomeration road data are provided in Annex 2.

The 'gap-filled' data set was applied to the European noise exposure assessment described in Chapter 3. Where analysis looks at information reported for individual cities and countries, only the reported information (i.e. not gap-filled) data was used. The health impact assessment provided in Chapter 4 similarly relies upon the less complete reported information only, implying that the findings are underestimated, and potentially significantly so.

**Box 2.2 Common noise assessment methods for Europe: CNOSSOS-EU**

As noted previously, noise mapping data contain a number of inconsistencies as a result of different assessment approaches being applied by Member States (Licitra and Ascari, 2013; Kephelopoulos and Paviotti, 2013). In the context of the END, the European Commission has prepared Common NOise aSSessment methOdS (CNOSSOS-EU) for road, railway, aircraft and industrial noise in order to improve the reliability and the comparability of results across EU Member States (JRC, 2014). However, until this common approach is developed, Member States are allowed to use interim methods, based on national computation methods.

National methods differ both in noise source description and propagation part — e.g. with respect to the handling of meteorological conditions and noise absorption by the ground. It has been pointed out that for road traffic noise, results of calculation methods show differences up to 5–10 dB in single elements on the propagation part of calculations (Kephelopoulos and Paviotti, 2013). The assignment of noise levels and population to the buildings and the criteria for the delineation of agglomerations can also have an influence on the reported results.

Fully implemented, CNOSSOS-EU will allow for a significantly improved coherent, transparent, optimised and reliable reporting of information for strategic noise mapping and action planning in relation to the data requirements, their quality and availability, and, in terms of flexibility, to adapt the national databases of input values. Application of the CNOSSOS methodology will only be mandatory after the next (2017) reporting round — i.e. for information to be reported in 2022.

### 3 Exposure to environmental noise in Europe

#### 3.1 Overall European picture

What we learn from two rounds of noise mapping assessments implemented in accordance with the END is that road traffic noise, both inside and outside urban areas <sup>(2)</sup>, is the most dominant source affecting human exposure above the action levels defined by the END.

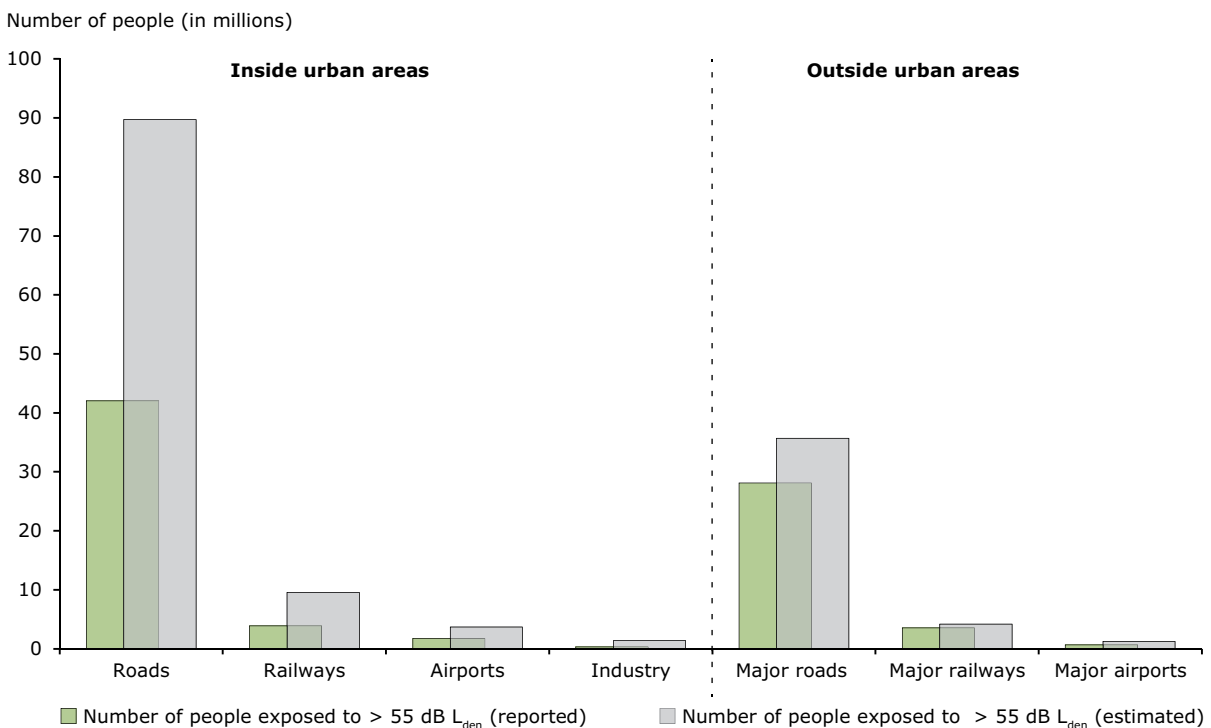
The impacts and affects resulting from this noise exposure vary depending on which levels the population is exposed to. Estimations, based on calculated figures complementing current reported data on noise exposure to estimate the overall

number of people exposed, show that more than 125 million people could actually be exposed to road traffic noise above 55 dB L<sub>den</sub> <sup>(3)</sup>, including more than 37 million exposed to noise levels above 65 dB L<sub>den</sub>.

Figure 3.1 indicates the potential extent of missing information for the overall implementation of the END based on estimates, as about 45 % for road traffic exposure inside urban areas and 78 % for major road traffic exposure outside urban areas is actually delivered (as a percentage of the estimated exposure).

Differences between reported and estimated exposure figures show that the 2012 data set is

**Figure 3.1 Number of people exposed to noise in Europe > 55 dB L<sub>den</sub> in EEA member countries (2012): reported and estimated data**



<sup>(2)</sup> Urban areas are described in the END as 'agglomerations', meaning the part of the territory, delimited by the Member State, having a population in excess of 100 000 persons and a population density such that the Member State considers it to be an urbanised area. Noise mapping outside urban areas is restricted to major infrastructure.

<sup>(3)</sup> 55 dB L<sub>den</sub> is the EU threshold for excess exposure, indicating a weighted average during the day, evening and night.

far from complete for the other END sources of noise (Figure 3.1). Reported data from highest to lowest values of exposure show rail traffic noise (nearly 8 million people exposed above 55 dB  $L_{den}$ ), aircraft noise (below 3 million people exposed above 55 dB  $L_{den}$ ) and industrial noise — within urban areas only (300 000 people exposed above 55 dB  $L_{den}$ ).

The END requires the provision of exposure data in 5 decibel bands (55–59 dB  $L_{den}$ , 60–64 dB  $L_{den}$ , 65–69 dB  $L_{den}$ , 70–74 dB  $L_{den}$ , > 75 dB  $L_{den}$ ). Health risks can increase with higher levels of exposure, and noise-abatement measures to be implemented may also differ depending on the source and on the specific noise-level band being addressed.

Figure 3.2 shows the exposure data as reported by EEA member countries for noise bands above 55 dB  $L_{den}$ . The highest percentage of people reported in 2012<sup>(4)</sup> are exposed to the lower decibel bands for all noise sources.

The noise source with the highest percentage of people exposed between 55–59 dB and 60–64 dB  $L_{den}$  is aircraft noise, with values of 92 % and 98 % people exposed inside and outside urban areas, respectively.

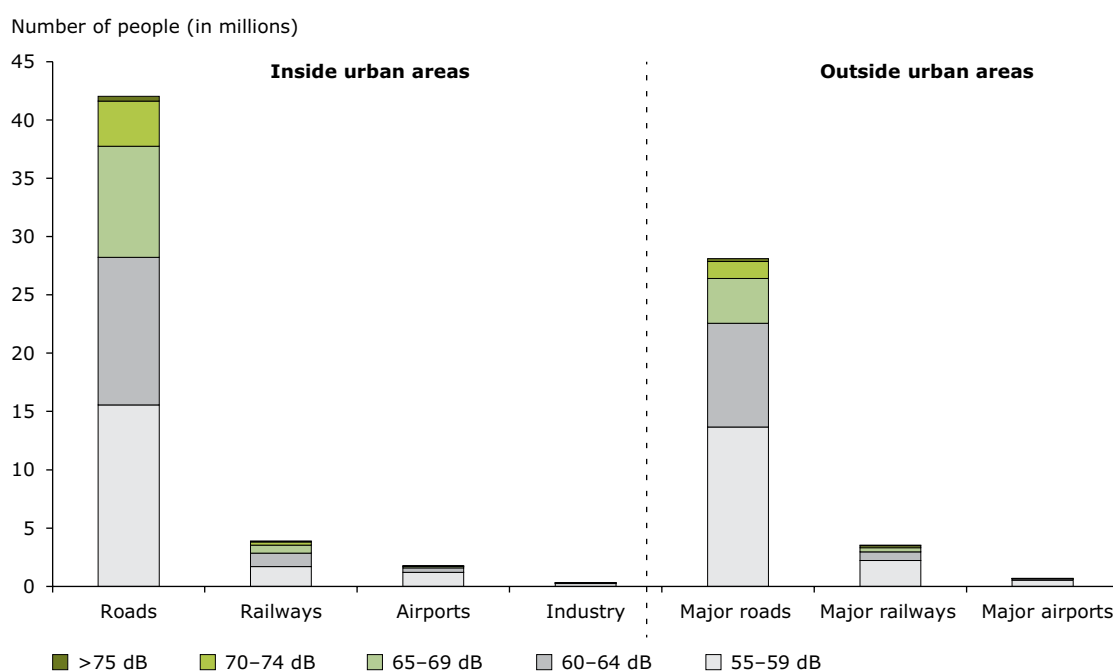
On the other hand, road traffic noise presents a more balanced distribution among the population exposed to the five noise bands, both inside and outside urban areas.

### 3.2 Road transport noise

Road traffic is the most widespread noise source in Europe and the one causing the most number of people to be exposed above the END action levels for  $L_{den}$  and  $L_{night}$ . This is true at European scale, at country scale, and both inside and outside the major urban agglomerations.

Road traffic noise is caused by the combination of rolling noise and propulsion noise. Rolling noise is the interaction between the vehicle tyre and the road surface, and it is estimated that above a speed of 40 km per hour for most of the cars, and above 70 km per hour for trucks, it constitutes the main source of road traffic noise (Van Blokland and Peeters, 2009). Below those speeds, the main source of road traffic noise is the propulsion noise, comprising the engine itself, the exhaust systems and transmission intake. The vehicles that contribute more to road traffic noise are passenger cars and lorries, and less so buses and motorcycles (T&E, 2008).

**Figure 3.2 Number of people exposed to noise per decibel band in Europe  $L_{den}$  (2012)**



<sup>(4)</sup> Data reported by EEA member countries until 28 August 2013.

**Box 3.3 Population exposure to major noise sources in 2007**

In 2007, the first reporting round of noise exposure to major sources in Europe was required under the obligations of the END. Data that was required included exposure information for urban agglomerations with a population of more than 250 000 inhabitants, major roads with more than 6 million vehicles per year, major railways with more than 60 000 trains per year, and major airports with more than 50 000 air traffic movements per year. In agglomerations, assessments were to have been conducted for roads, railways, airports and industrial noise, which included sea ports.

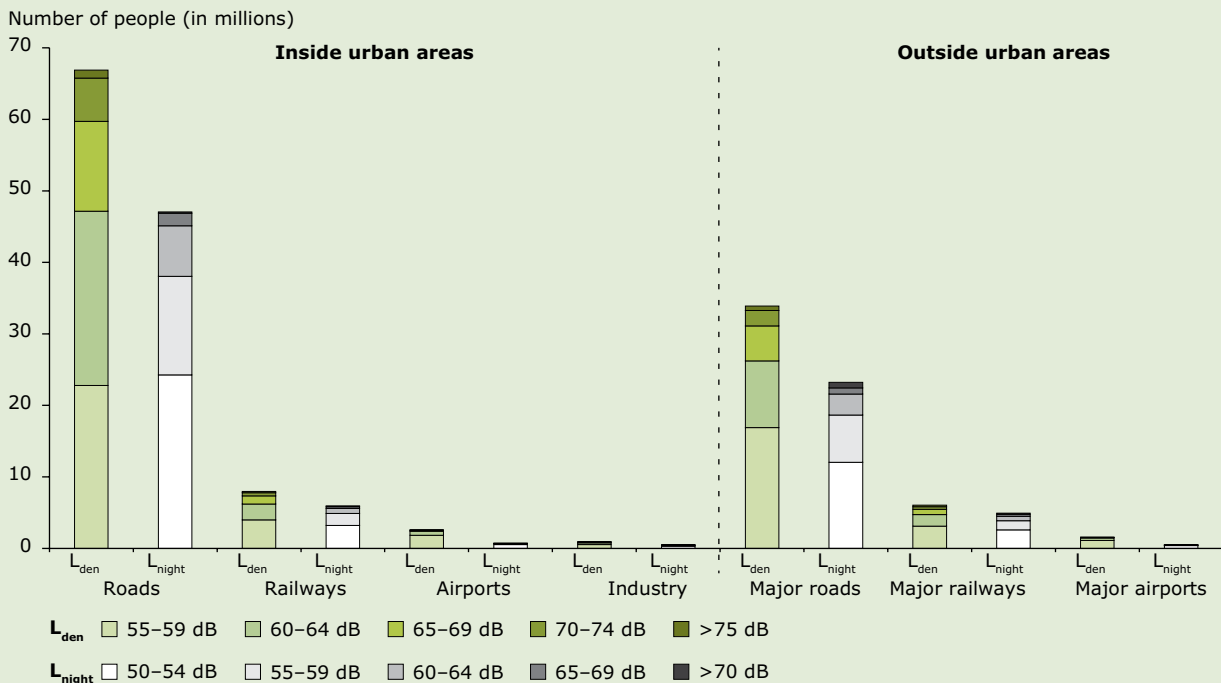
The reported data are expressed in two exposure indicators ( $L_{den}$  and  $L_{night}$ ) divided into five classes of noise exposure:

- for  $L_{den}$ : exposure classes of 5 dB from 55 dB up to over 75 dB;
- for  $L_{night}$ : exposure classes of 5 dB classes from 50 dB up to over 70 dB.

The 2007 data set on population exposure to major noise sources in Europe is judged to be largely complete in terms of data submitted by EEA member countries.

Noise from road traffic was clearly the source for which the largest number of people was exposed to at European level. More than 100 million people (living inside and outside urban areas) were exposed to road traffic noise above 55 dB  $L_{den}$  (Figure 3.3). The ENDRM accommodates the reporting of noise mapping exposure assessments in line with the NNGL level of 40 dB, but to date only a few EEA member countries have responded with these data.

**Figure 3.3 Number of people exposed to noise in Europe,  $L_{den}$  and  $L_{night}$  (2007)**



Noise exposure from other sources (inside and outside urban areas), although lower values than that from road traffic exposure, was also significant:

- more than 14 million people were exposed to more than 55 dB  $L_{den}$  due to railway noise;
- more than 4 million people were exposed to more than 55 dB  $L_{den}$  due to aircraft noise;
- industrial noise inside urban areas showed the lowest percentage of people exposed in Europe, with less than 1 million people exposed to more than 55 dB  $L_{den}$ .

Between 2007 and 2012, exposure to noise in selected urban agglomerations remained broadly constant according to  $L_{den}$  and  $L_{night}$  indicators (a 2 % decrease of  $L_{den} > 55$  and a 3 % reduction for  $L_{night} > 50$  dB). The comparison is based upon a subset of 44 selected agglomerations in 10 Member States reported by countries for these 2 years, and for which data are considered comparable.

### Box 3.4 Noise pollution as a spatial concept

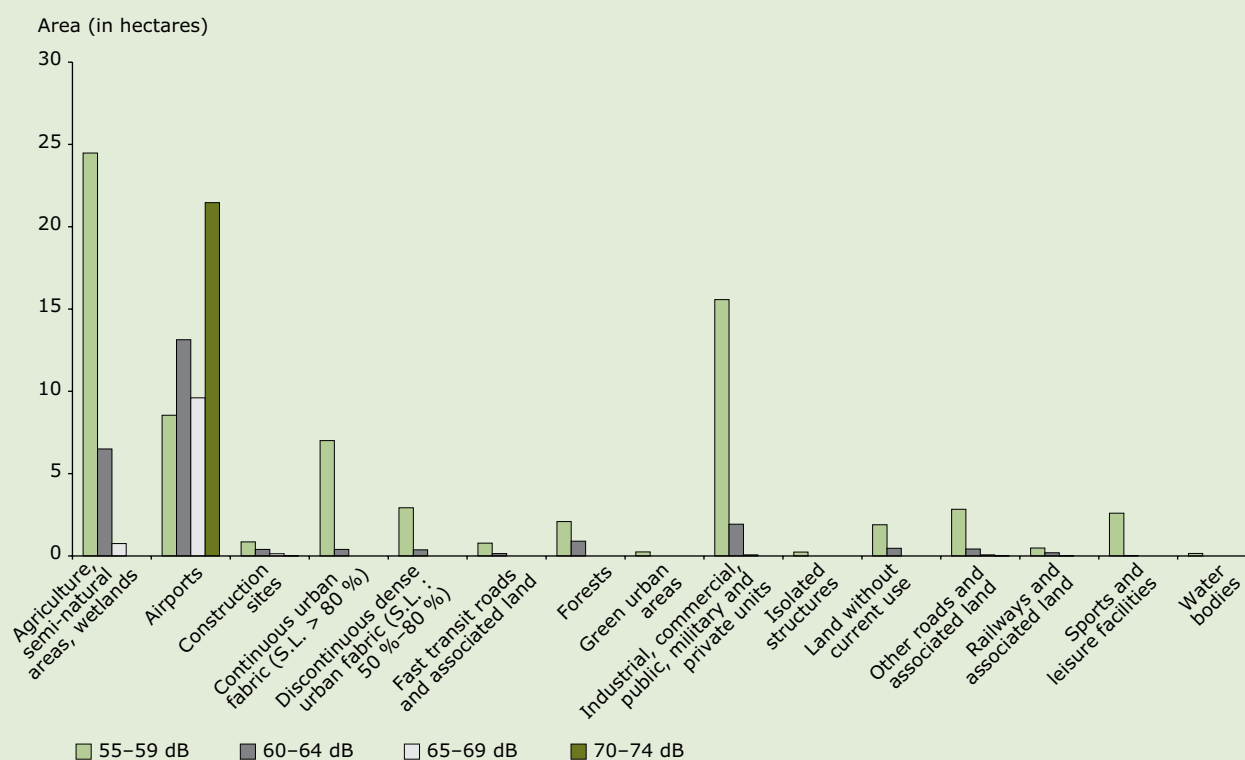
Noise pollution is a spatially dependent phenomenon (Cueto and Licitra, 2013). Geographic information systems can help in the analysis of this pollutant and assist the understanding of how noise affects an ecosystem and its population.

The location of noise sources as well as the analysis of the area exposed to different levels of noise can give an overall picture of where the major problems in the European territory are occurring. The 55 dB and 65 dB contours are those required to be shown graphically on noise maps sent to the European Commission for major transport networks of roads and railways, as well as for major airports.

By analysing the noise contour maps being provided, it is possible to identify where potential conflicts are occurring (e.g. high densely populated areas exposed to high levels of noise) and if more than one noise source is affecting the same area (e.g. major road and major railway running in parallel and affecting the same village), among others.

By overlaying the 55 dB and 65 dB noise contours with a land cover data set, the land cover and land use areas most affected by noise can be identified, enabling the comparison among countries, regions and even at major source level (in this case, at major airport level). Areas of high noise exposure can also be identified at local scale, where the location and location conditions of the noise source determine the number of people exposed. This is particularly true in the case of major airports, where location of settlements and residential areas nearby a major airport and its footprint are crucial regarding the number of people exposed and the derived health problems, e.g. Warsaw Chopin Airport: analysis at major airport level (Figure 3.4 and Map 3.1). This analysis enables making an objective assessment of the noise impact caused by the major airport in the surrounding area, allowing a more in-depth analysis on schools, hospitals and other noise-sensitive buildings and areas if desired.

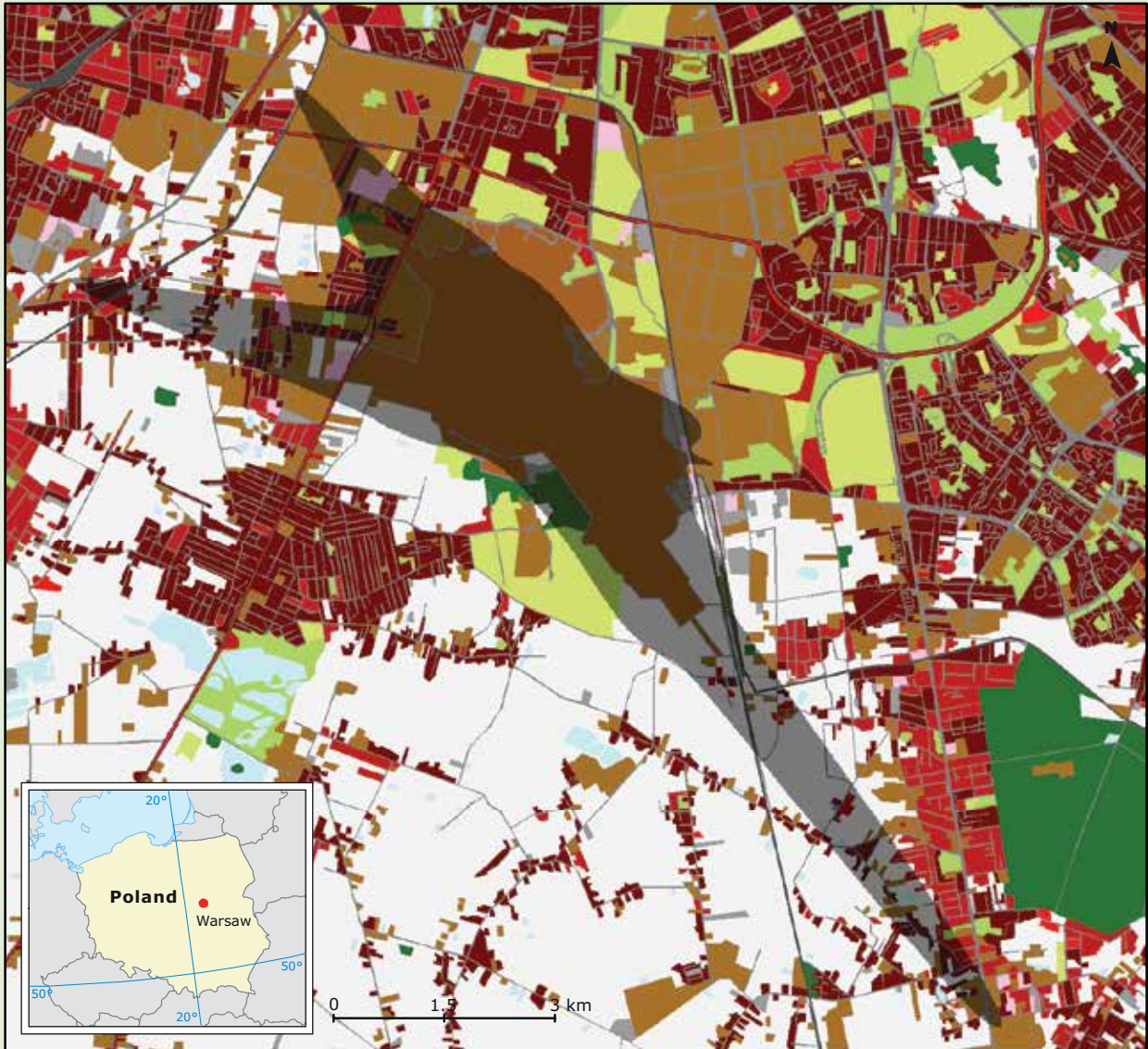
**Figure 3.4 Land cover classes affected by noise contours of Warsaw Chopin Airport**





**Box 3.4 Noise pollution as a spatial concept (cont.)**

**Map 3.1 Land cover classes affected by noise contours of Warsaw Chopin Airport**

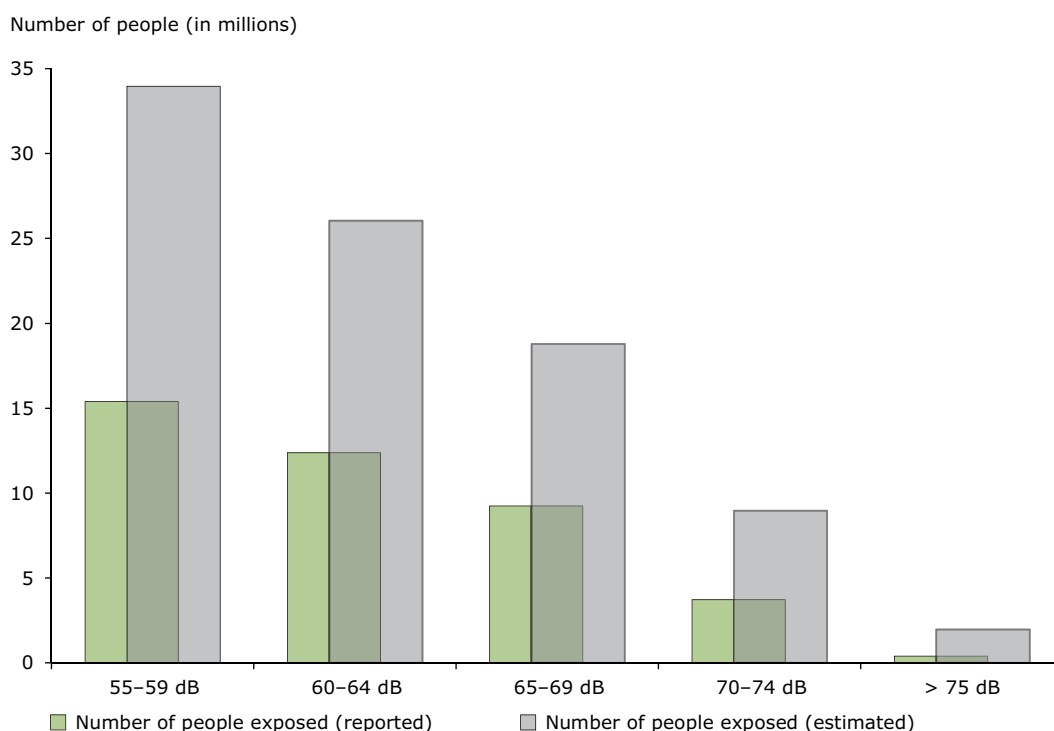


**Land cover classes affected by noise contours of Warsaw Chopin Airport**

Area of $L_{den} > 55$ dB	Urban and industrial areas
<b>Transport</b>	Mineral extraction and dump sites
Railways	Industrial, commercial, public, military and private units
Main roads	Construction sites
Secondary roads	Isolated structures
Port areas	Land without current use
Airport	<b>Agricultural, semi-natural areas and water</b>
<b>Urban fabric</b>	Water bodies
Continuous urban fabric (S.L > 80 %)	Agricultural, semi-natural areas, wetlands
Discontinuous dense urban fabric (S.L 50-80 %)	<b>Recreational areas</b>
Discontinuous medium density urban fabric (S.L 30-50 %)	Sports and leisure facilities
Discontinuous low density urban fabric (S.L 10-30 %)	Green urban areas
Discontinuous very low urban fabric (S.L < 10 %)	Forests

**Sources:** NOISE database, August 2013; Urban Atlas, 2006.

**Figure 3.5** Number of people exposed to road traffic noise inside urban areas with more than 100 000 inhabitants,  $L_{den}$ , EEA member countries (2012): reported and estimated data



Patterns of increased urbanisation are found all across Europe and are more increasingly affecting once recently rural regions. This growth is mainly driven by economic and demographic factors, housing preferences and social aspects, transportation and regulatory frameworks. 'Artificial land cover increased by 3.4 % in Europe between 2000 and 2006 — by far the largest proportional increase in all land use categories. Although artificial cover accounts for just 4 % of the EU's land area, the fact that it is dispersed means that more than a quarter of EU territory is directly affected by urban land use' (EEA, 2014a). Implications of urban area extensions, especially low density and scattered urban sprawl areas, can have benefits on the one hand (people have more space to live, gardens, etc.) and on the other hand can create negative impacts such as increase in energy demand, human health problems, social and economic division, and reduction of natural resources.

Considering then that transport networks are an important driver at the regional and national levels — as urban areas grow along communication axes — and the guarantee they offer concerning mobility and access to goods, it is important to ensure an effective road transport policy requiring a concerted approach that should balance the need

to reduce road-related sound emission without affecting mobility and its associated socio-economic benefits (ERF, 2004).

Based on this situation, it is clear that with this trend on urban areas' growing, population density decreases per built-up area on European average,



Photo: © Colin Nugent

but at the same time an increase of transport demand is occurring, deriving a set of pressures on the environment, such as the unsustainable use of natural resources, greenhouse gases, and air pollutant and noise emissions (EEA, 2013).

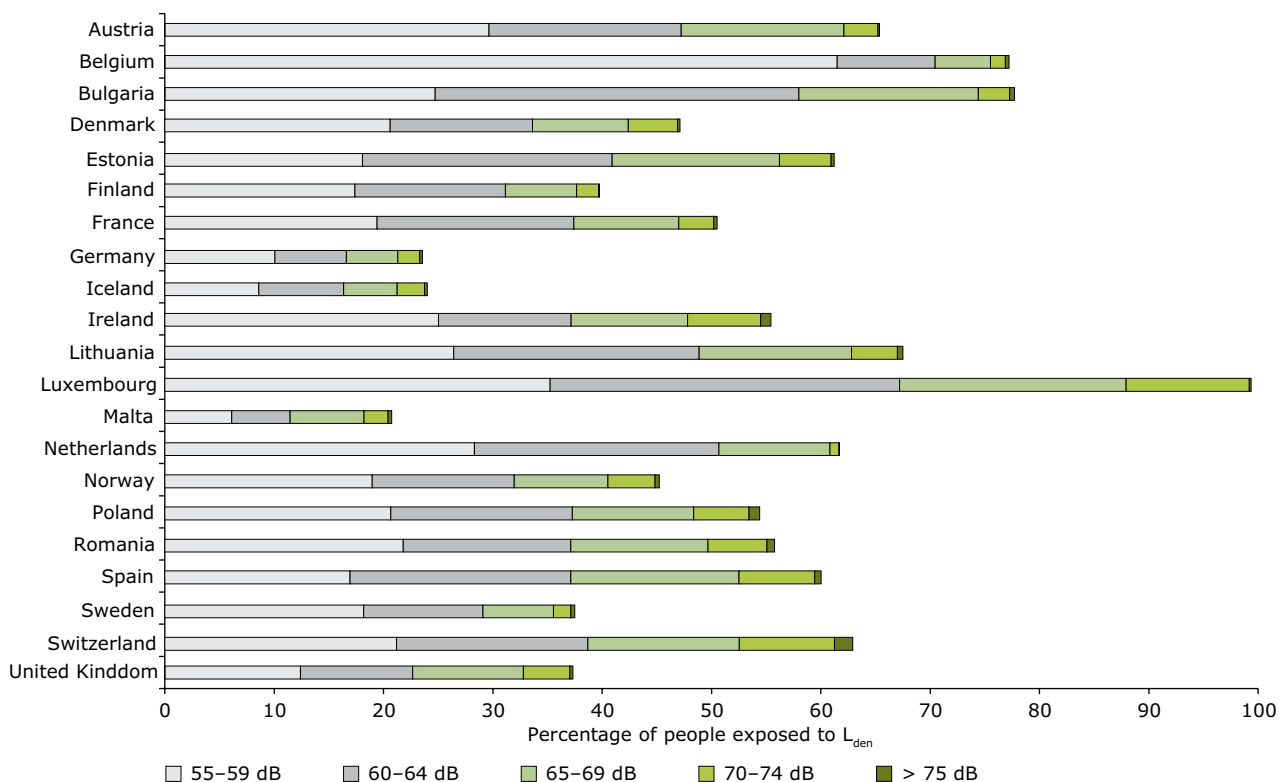
Based upon current data, more than 41 million people are reported to be exposed above 55 dB  $L_{den}$  due to road traffic noise inside urban areas. Estimations show that the overall number of people exposed to road noise increases by more than twice the current figure, reaching nearly 90 million people exposed to road traffic noise inside urban areas in Europe. Adding to this figure, the estimated number of people exposed to major roads outside urban areas, the overall figure is around 24 % of the total European population <sup>(5)</sup> i.e around 125 million people, are likely to be exposed to road traffic noise according to the END (Figure 3.1) <sup>(6)</sup>.

A wide range of variation can be identified among countries for the number of people exposed to road traffic noise inside urban areas, influenced greatly by factors such as the number of urban areas per country or the total number of inhabitants per urban area. Correlation between the total number of inhabitants of an urban area and the number of people exposed to road traffic noise is very high.

At country level, Austria, Estonia, Ireland, Lithuania, the Netherlands, Poland, Romania, Spain and Switzerland reported more than 50 % of inhabitants exposed to road noise above 55 dB  $L_{den}$  in urban areas with more than 100 000 inhabitants.

Belgium, Bulgaria and Luxembourg reported more than 75 % of inhabitants exposed to road traffic noise, though much data had still not been reported at the time of writing (see Figure 3.6).

**Figure 3.6 Percentage of population exposed to road noise,  $L_{den}$ , in 294 urban areas, EEA member countries (2012)**



**Note:** France: Only reported agglomerations from 100 000 to 250 000 inhabitants in 2012.  
 Liechtenstein: Data not applicable (there is no agglomeration above 100 000 inhabitants in the country).  
 Cyprus, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Slovenia, Slovakia: Data not provided.

<sup>(5)</sup> Total population in Europe considering the 33 EEA member countries (Eurostat, 2010).

<sup>(6)</sup> Exposure in urban areas with less than 100 000 inhabitants or along transport networks with less traffic are not considered under the END scope and, therefore, not required to be mapped.



The highest percentage of people exposed to road traffic noise inside urban areas are exposed to the two lowest noise bands mapped: 55–59 dB and 60–64 dB  $L_{den}$ . When considering urban areas with more than 250 000 inhabitants solely, the distribution of exposed people among  $L_{den}$  noise bands is subtly different. A potential increase in the number of people exposed to higher decibel bands seems to occur in medium-size urban areas (from 100 000 to 250 000 inhabitants).

For agglomerations, there can also be a wide difference when comparing urban areas from the same country. Percentages displayed in Figure 3.7 are based on data exposure reported by the different EEA member countries. General observation may only be made for those cases where the data could be considered complete or nearly complete. This is true for Germany, which, for the moment, is a country where the differences between individual agglomerations are less pronounced. On the other hand, the United Kingdom data show an unexpected profile, which may illustrate a different methodological approach to noise mapping that could adversely affect the analysis at a European level.

The net change at the European level of people exposed to road traffic noise inside urban areas from 2007 to 2012 shows a decrease in the number of people exposed. This analysis takes into account 71 urban areas with more than 250 000 inhabitants that have reported information both in 2007 and 2012 (the incompleteness of the whole data set is an important factor to take into consideration when analysing trends, as they may vary when the complete data set is available). The decrease in the number of people exposed is highly influenced by the results from the United Kingdom (see Figure 3.8 to analyse differences between countries). Nevertheless, the United Kingdom can be considered a particular case compared with the rest of countries, where it can be observed that all noise bands increase or the exposure to the lowest bands is increasing while exposure to the highest bands is decreasing (e.g. Ireland, Poland and Spain).

The situation for major road traffic exposure outside agglomeration is quite similar to the analysis of road traffic exposure inside urban

areas. It is clearly the noise source with the highest number of exposed people reported in the European territory. The total number of people exposed to road traffic noise could be expected to correlate with the kilometres of major roads reported in each country (Figure 3.9).

In Europe, more than 28 million people are reported to be exposed above 55 dB  $L_{den}$  due to major road traffic noise (7) outside urban areas. With the estimations done to complement current reported data with still missing data, this figure is expected to increase up to more than 35 million people exposed to major road traffic noise.

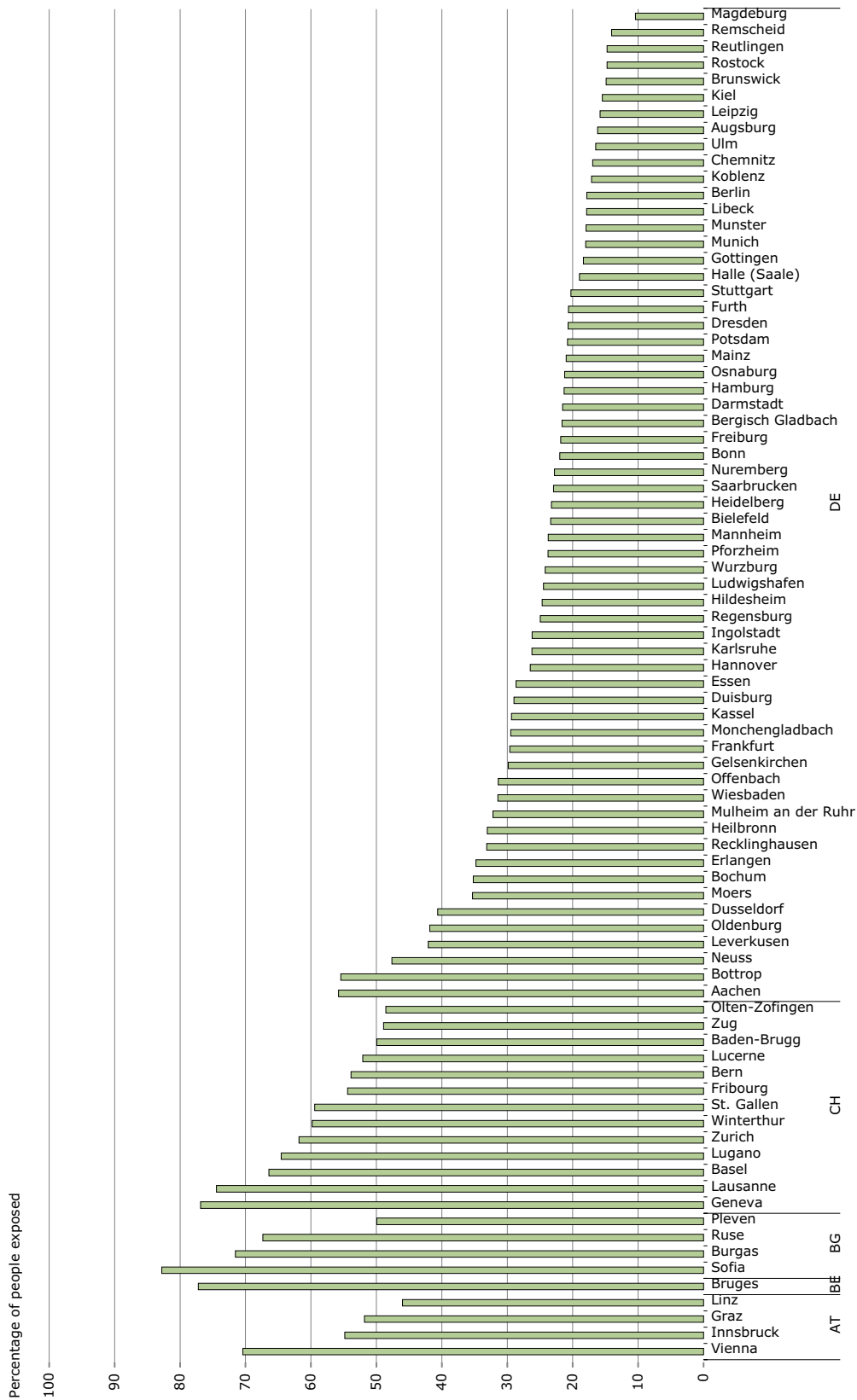
The majority of people are exposed to the lower noise bands, as in the case of road traffic noise exposure inside urban areas (Figure 3.10). The distribution of the people exposed among the different noise bands is a bit different when considering all major roads above 3 million vehicles, and not only a subset of major roads with more than 6 million vehicles. Broadly, it could be observed at country level that there is an overall increase of the portion of people exposed to higher bands (people exposed from 65–69 dB and from 70–74 dB  $L_{den}$ ) and at the same time, a reduction on the number of people exposed to values above 75 dB in some countries.

Nevertheless, it is clear that lack of data (e.g. countries not yet delivering information and countries delivering incomplete information) is influencing these observations, which may change when the complete information is available.

People exposed to road traffic noise including urban areas is, on average, three times higher than solely considering road traffic exposure outside urban areas, if analysed over the total population of the country (Figure 3.11). From the total amount of people reported as exposed to road traffic noise, the percentage of people exposed who are living inside agglomerations ranges from 50 % in cases such as Bulgaria, Iceland, Liechtenstein, Poland and Sweden, up to 92 % for Lithuania or the Netherlands (Estonia reaches 100 % because exposure due to road traffic noise outside agglomerations has not been provided, and therefore it has been excluded from these results).

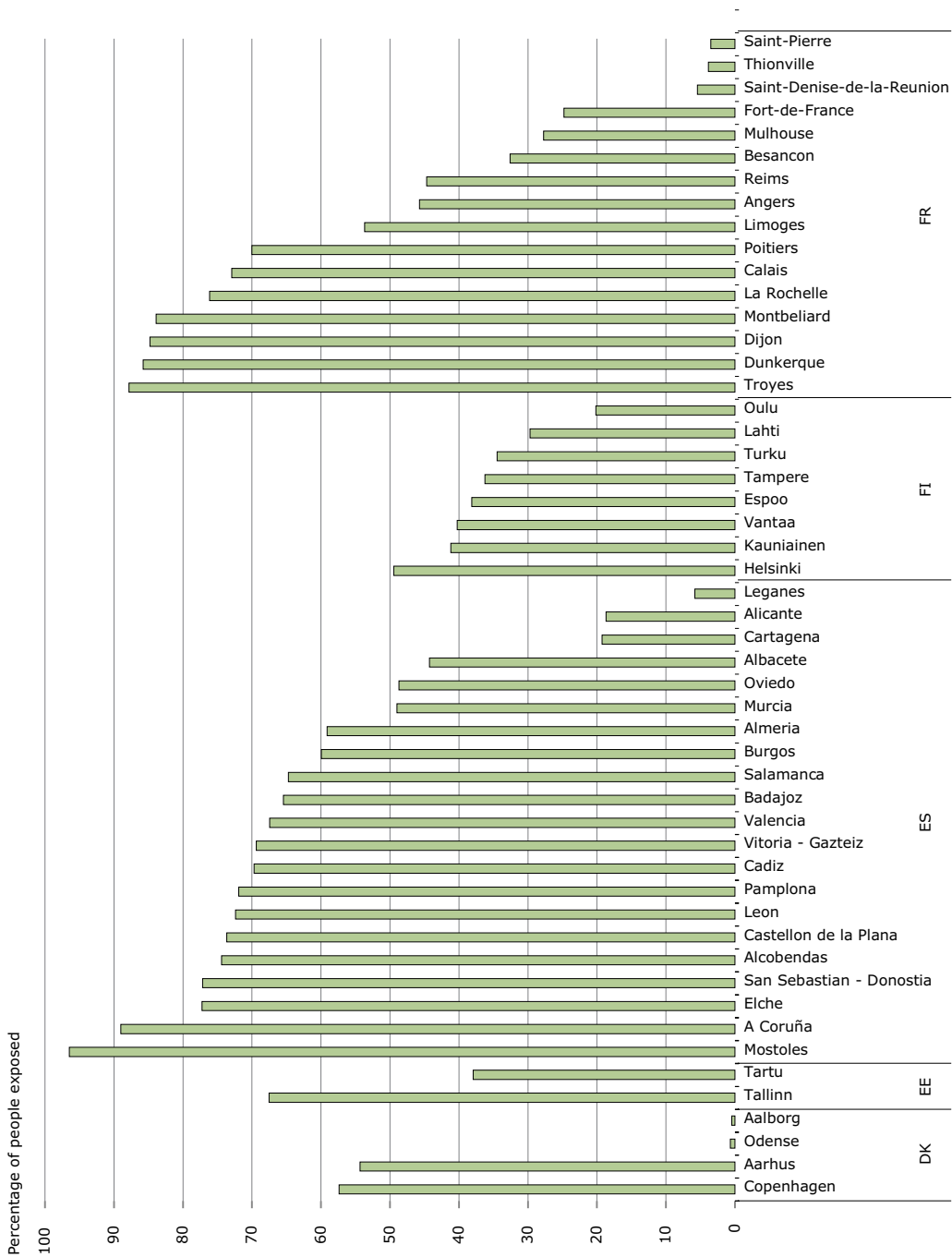
(7) Major roads with more than 3 million vehicles/year.

**Figure 3.7a Percentage of people exposed to road traffic noise inside urban areas with 100 000 inhabitants > 55 dB L<sub>den</sub> (2012)**

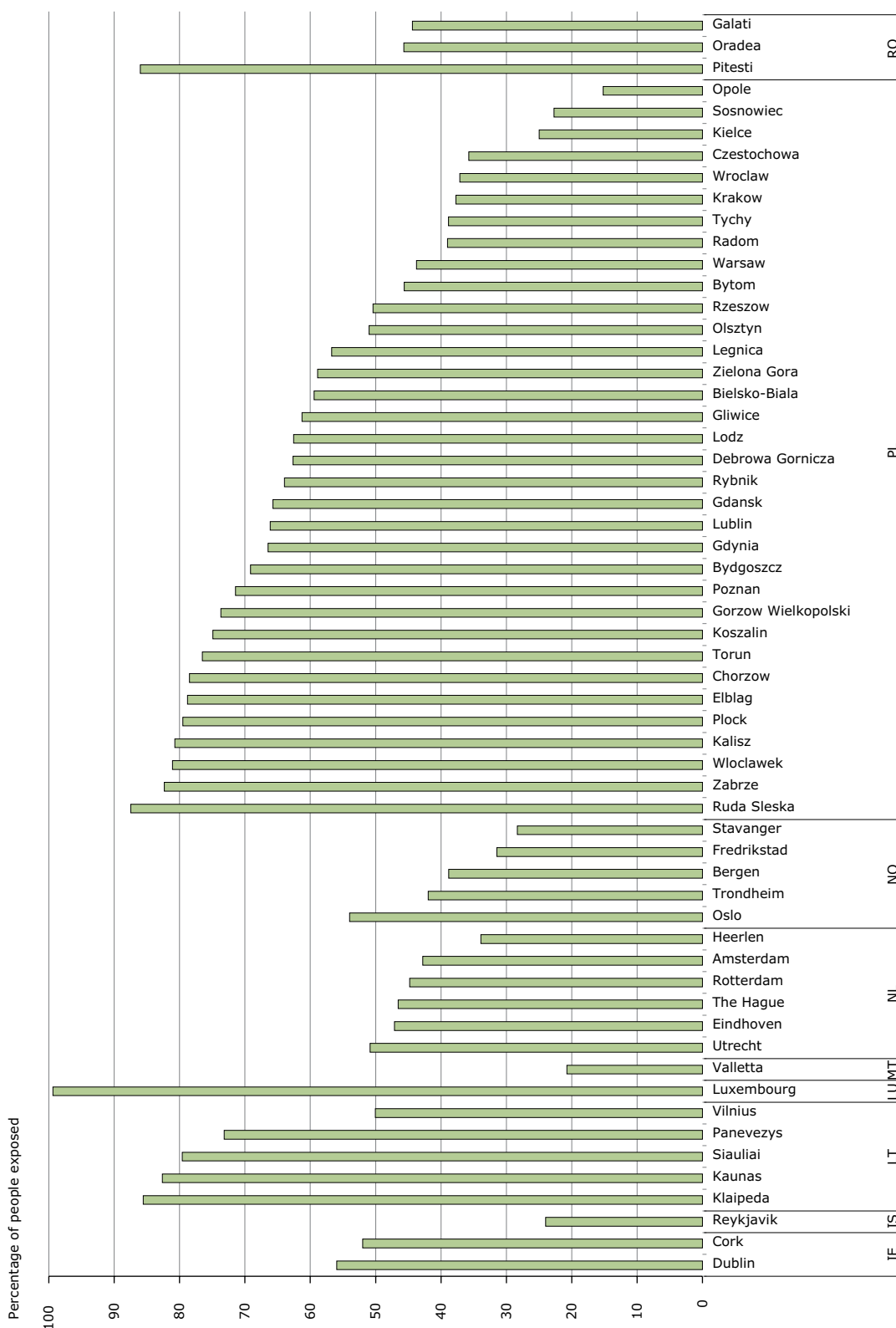


**Note:** France: Only reported agglomerations from 100 000 to 250 000 inhabitants in 2012.  
 Liechtenstein: Data not applicable (there is no agglomeration above 100 000 inhabitants in the country).  
 Cyprus, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Slovenia, Slovakia: Data not provided.

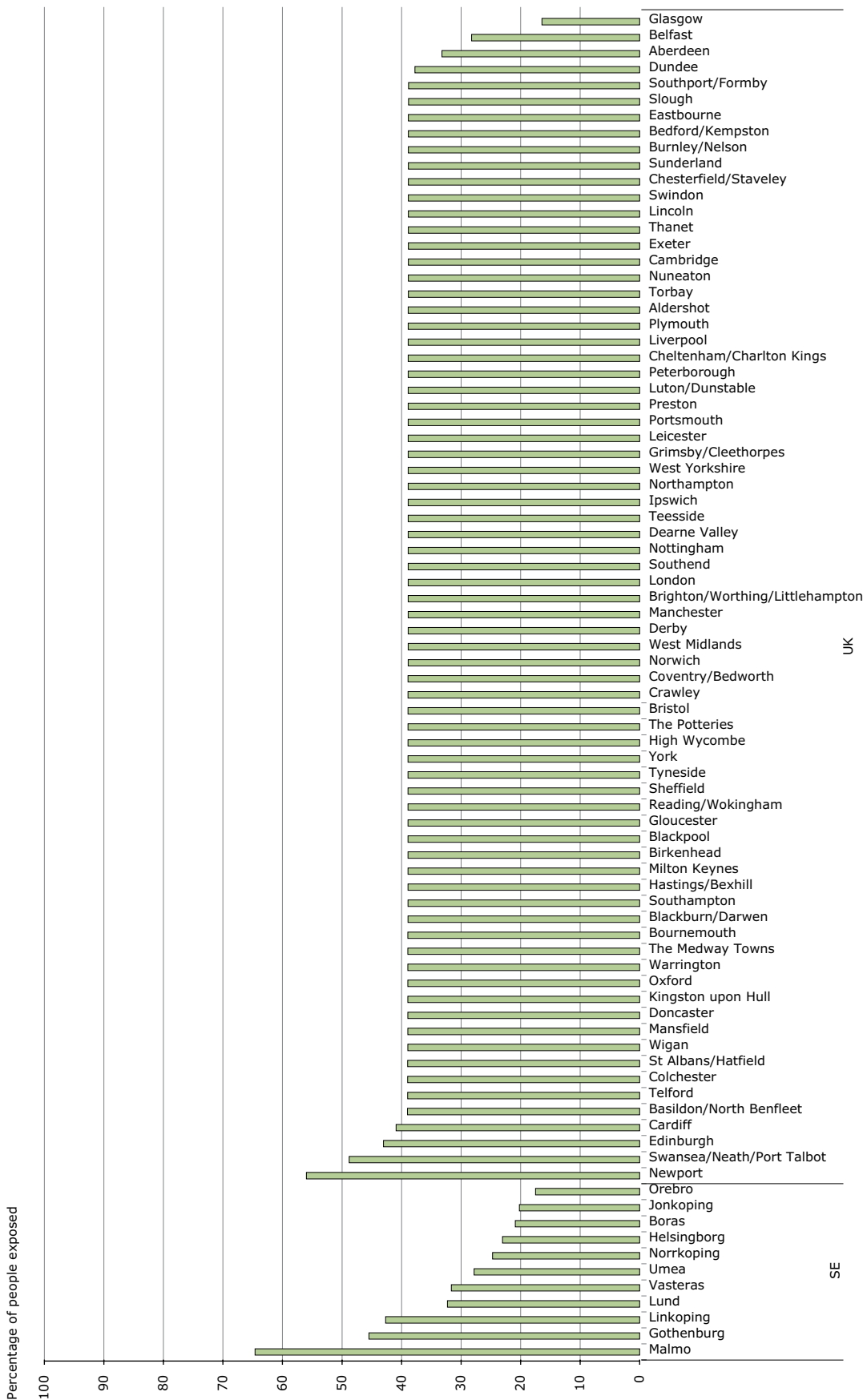
**Figure 3.7b Percentage of people exposed to road traffic noise inside urban areas with 100 000 inhabitants > 55 dB L<sub>den</sub> (2012)**



**Figure 3.7c Percentage of people exposed to road traffic noise inside urban areas with 100 000 inhabitants > 55 dB L<sub>den</sub> (2012)**



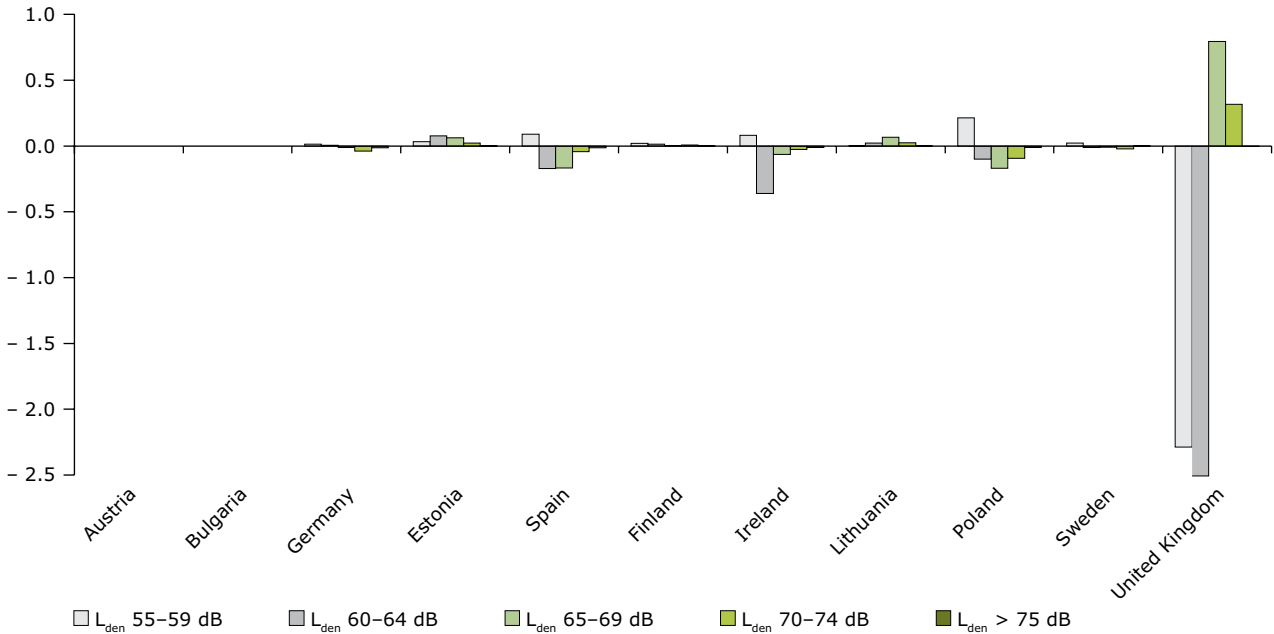
**Figure 3.7d Percentage of people exposed to road traffic noise inside urban areas with 100 000 inhabitants > 55 dB L<sub>den</sub> (2012)**





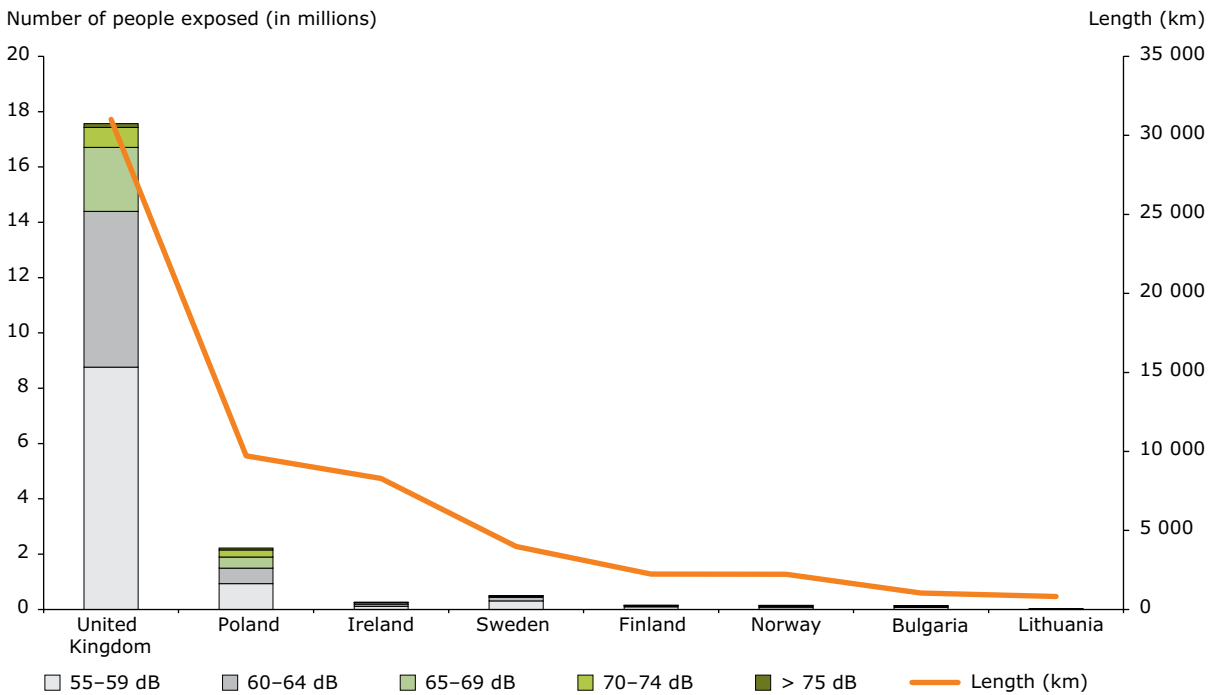
**Figure 3.8 Total change of people exposed to road noise inside urban areas,  $L_{den}$ , at country level (2007–2012)**

Total change in the exposed population (in millions)



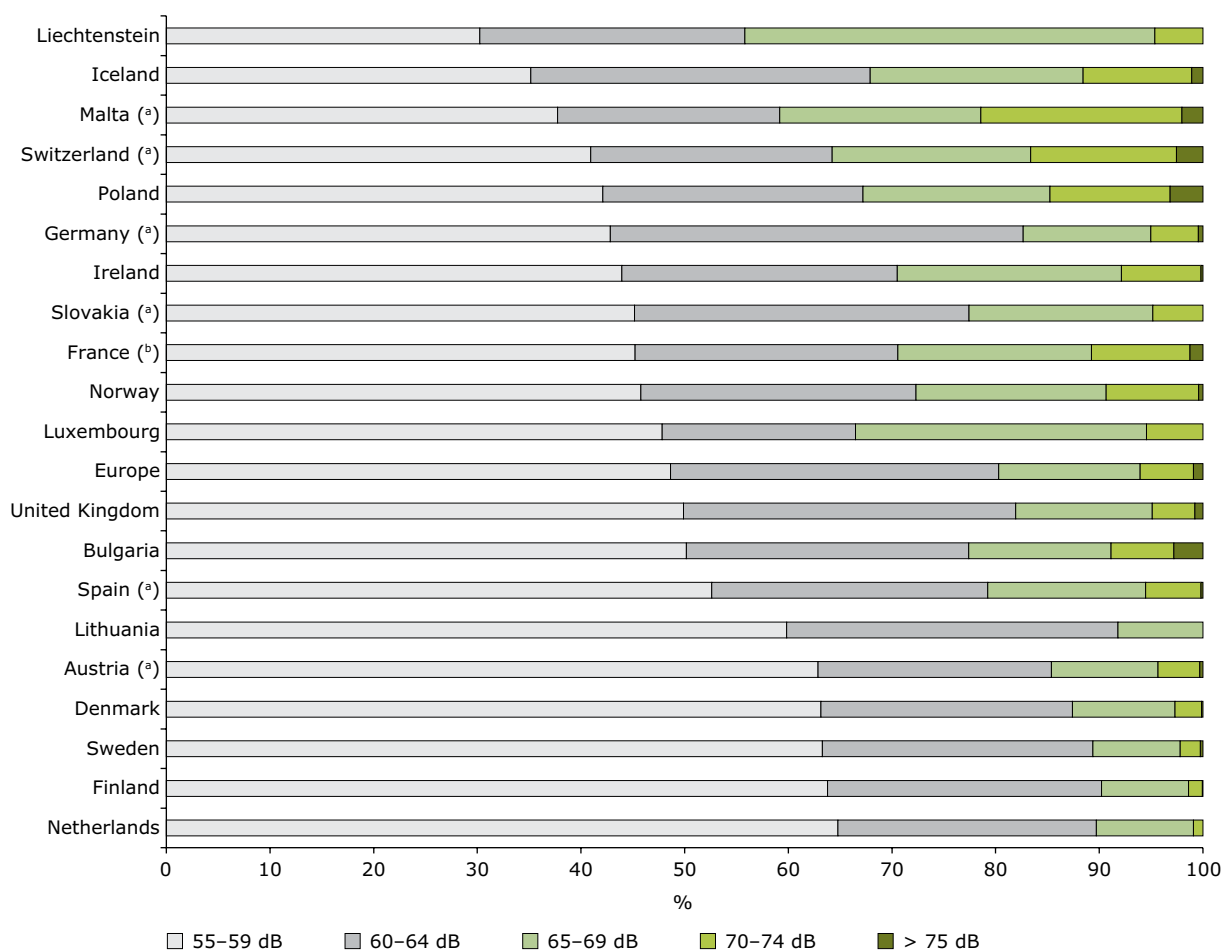
**Note:** X axis has been cut at - 2.5 million people for visualisation purposes. Noise band  $L_{den}$  60-64 dB for the United Kingdom reaches 6 067 300 people exposed.

**Figure 3.9 Number of people exposed to major roads > 3 million vehicles/year outside urban areas,  $L_{den}$ , versus reported kilometres of major roads outside urban areas (2012)**



**Note:** Estonia: Provision of information on exposure to major roads including agglomerations solely.  
 Austria, France, Germany, Malta, Slovakia, Spain, Switzerland: Exposure information under review.  
 Denmark, Iceland, Liechtenstein, Luxembourg, the Netherlands: Length data incomplete or information concerning major roads above 3 million vehicles/year not reported.  
 Belgium, Croatia, Cyprus, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Romania, Slovenia, Turkey: Data not provided.

**Figure 3.10 Distribution of population exposed to major roads > 3 million vehicles/year outside agglomerations, L<sub>den</sub> (2012)**



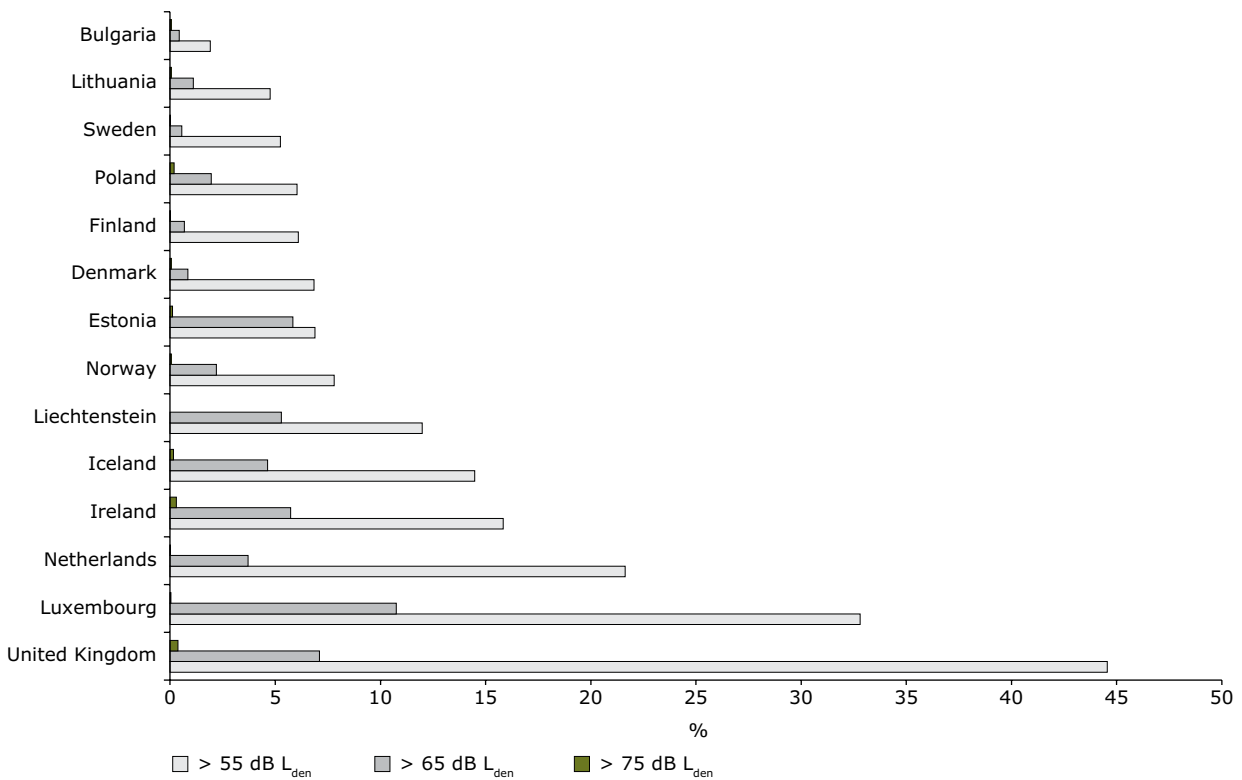
**Note:** (a) Austria, Germany, Malta, Slovakia, Spain, Switzerland: Exposure information under review.

(b) France: Exposure information considered incomplete (information reported considering solely major roads from 3 to 6 million vehicles).

Estonia: Provision of information on exposure to major roads including agglomerations solely.

Belgium, Croatia, Cyprus, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Romania, Slovenia, Turkey: Data not provided.

**Figure 3.11 Percentage of people exposed to major roads > 3 million vehicles/year including agglomerations,  $L_{den}$ , over the total population of the country (2012)**



**Note:** Austria, France, Germany, Malta, Slovakia, Spain, Switzerland: Exposure information under review.  
Belgium, Croatia, Cyprus, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Romania, Slovenia, Turkey: Data not provided.

### 3.3 Other sources of noise

#### 3.3.1 Railways

Railways are the second most dominant source of environmental noise in Europe, with nearly 7 million people exposed to levels above 55 dB  $L_{den}$  in 2012 considering people exposed both inside and outside urban areas, as reported in August 2013. Estimation – based on calculated figures complementing current reported data to estimate the overall number of people exposed – increases this figure up to nearly 14 million people, doubling the current reported data, with more than 4 million people estimated to be exposed to major railways transport outside urban areas and 9.5 million people estimated to be exposed to railways transport noise inside urban areas (Figure 3.12).

There may be many reasons to explain the differences on the number of people exposed to

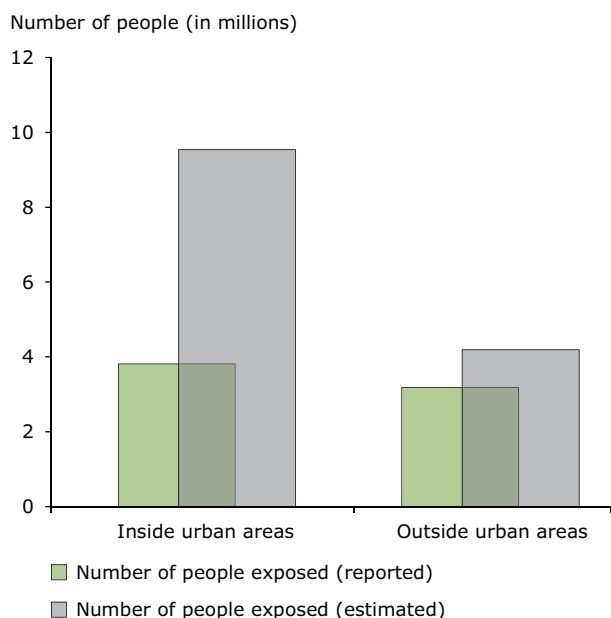
road traffic noise and to railway traffic noise, such as the length of the road network compared with the length of the railways' network inside as well as outside urban areas. In the case of urban areas, the inclusion or not of urban trams and light railways in the noise mapping calculation, or the fact that the majority of major railway networks in urban areas are located underground are known as important causes of differences in reported amount of people exposed.

With current data reported, 74 % of nearly 4 million people are exposed to railways traffic noise inside urban areas <sup>(8)</sup> below 65 dB  $L_{den}$  and solely 2 % are exposed to more than 75 dB.

The total number of people exposed to railways noise inside urban areas varies between the different countries submitting data in 2012. On average, at European level, 4.65 % of people living inside urban areas are exposed to railways traffic noise

<sup>(8)</sup> Urban areas with more than 100 000 inhabitants, reaching a total of 270 out of 460 and distributed among 23 EEA member countries.

**Figure 3.12 Number of people exposed to railway noise inside and outside urban areas, > 55 dB L<sub>den</sub>, EEA member countries (2012)**



above 55 dB L<sub>den</sub>, with Belgium, Finland, France and Norway having more than 5 % of their urban inhabitants exposed to railways traffic noise above 55 dB L<sub>den</sub>, and Austria, Sweden and Switzerland more than 10 % (Figure 3.14).

The net change at European level of people exposed to railways traffic noise inside urban areas from 2007 to 2012 shows a decrease in the number of people exposed in all five noise bands. This analysis takes into account 68 urban areas with more than 250 000 inhabitants that have reported information both in 2007 and 2012 (the incompleteness of the whole data set is an important factor to take into consideration when analysing trends, as they may vary when the complete data set is available). German urban areas, especially in the noise bands from 55–59 dB and from 60–64 dB, are those with higher influence in the overall results at European level, while on the other side, urban areas from Finland, Ireland, Spain and Sweden show a minor increase in the number of people exposed to railways transport noise inside urban areas (Figure 3.13).

Concerning noise from major railways outside of urban areas, the reported data indicates there are a little more than 3 million people exposed to levels above 55 dB L<sub>den</sub>. This is likely to increase by about a third once assessments are complete for the full



Photo: © Colin Nugent

expected network of 40 066 km of railways with more than 30 000 train passages per year, however the data underpinning the extent of railways are also likely to be updated.

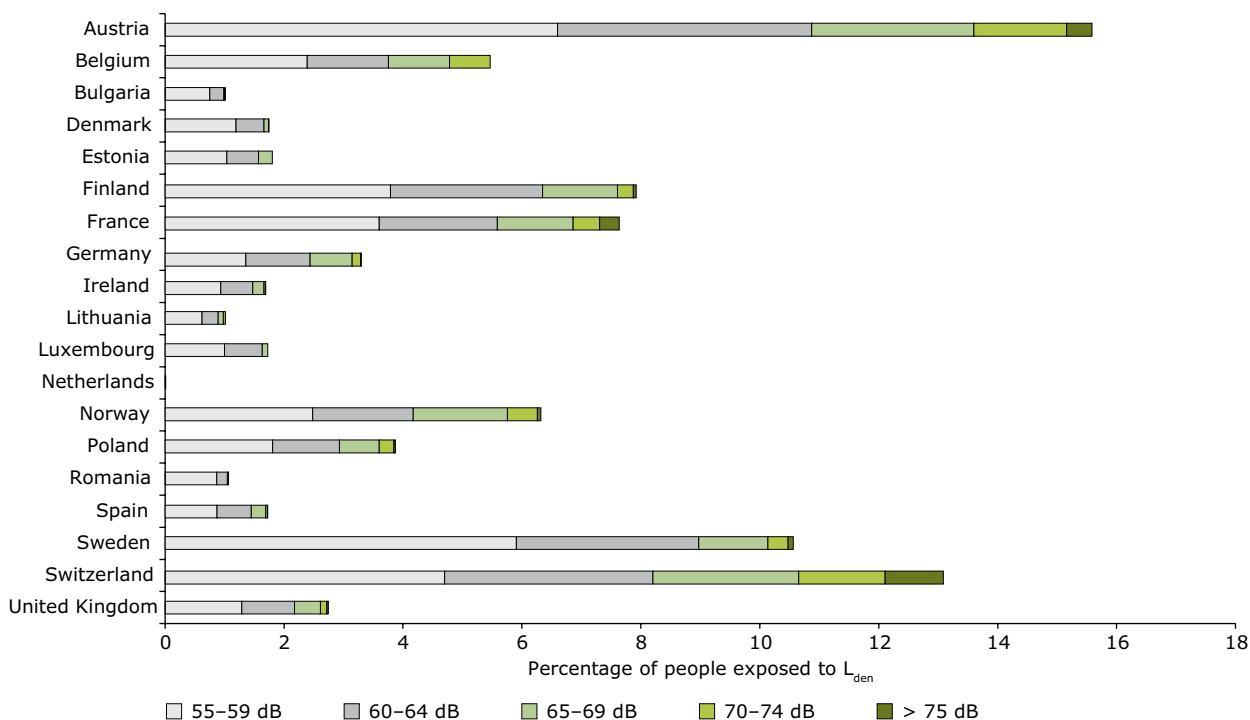
The reported data also indicate that the majority of people exposed to major railways outside urban areas are exposed below 65 dB L<sub>den</sub> (85 % of the total population exposed to major railways outside urban areas in Europe). Nevertheless, in countries such as Finland, Ireland, Lithuania and Switzerland, this percentage is lower and, consequently, more people are exposed to values above 65 dB than the European average values (Figure 3.15). This great variability on people exposed reflects to some extent the distribution of kilometres between countries and diversity in country sizes, but also how the railways network has been structured not only at country level but also at pan-European level.

As soon as exposure to major railways also considers urban areas, the percentage of people exposed to more than 55 dB L<sub>den</sub> over the total population of the country increases in all countries, nearly 3 times higher than at European level. The relatively higher importance of the percentage of people exposed above 65 dB and above 75 dB is noticeable. Particularly when the exposure calculations consider people living in urban areas compared with the same calculations not taking urban areas into consideration, as can be seen in Austria and Switzerland (Figure 3.16).

### 3.3.2 Airports

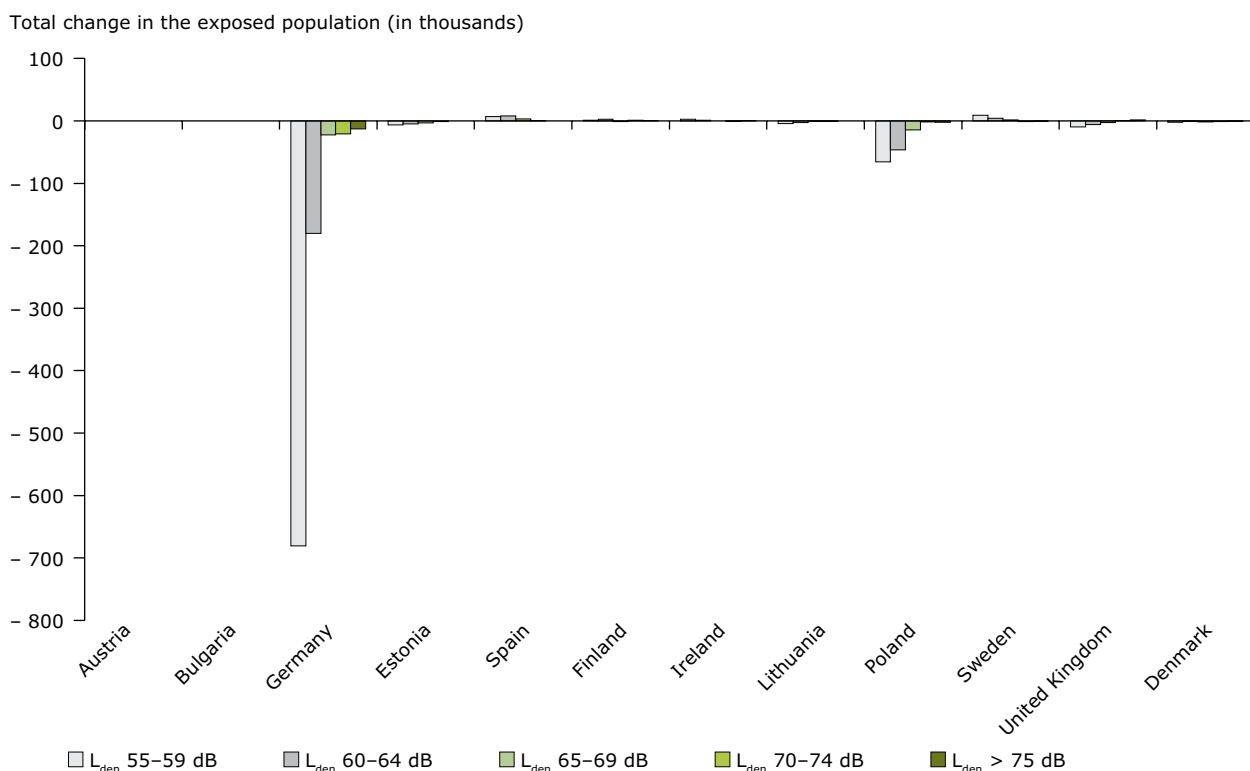
In the context of noise exposure data reported in accordance with the END, aircraft noise affects only

**Figure 3.13 Percentage of population exposed to railway noise,  $L_{den}$ , in 270 urban areas, EEA member countries (2012)**



**Note:** France: Only reported agglomerations from 100 000 to 250 000 inhabitants in 2012.  
 Liechtenstein: Data not applicable (there is no agglomeration above 100 000 inhabitants in the country).  
 Croatia, Cyprus, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Slovakia, Slovenia, Turkey: Data not provided.

**Figure 3.14 Total change of people exposed to railways noise inside agglomerations,  $L_{den}$ , at country level (2007–2012)**



the areas immediately surrounding an airport. This is due to the fact that in many cases the reported END data relates only to airports and often considers only flights either landing or taking off at a particular airport. Any other type of overflight is not commonly considered by the END data. Therefore, the different types of environment in which each airport is located could lead to variations in the number of people exposed. This is of special relevance when analysing people exposed to aircraft noise inside agglomerations and the different abatement measures that could be implemented to tackle the situation.

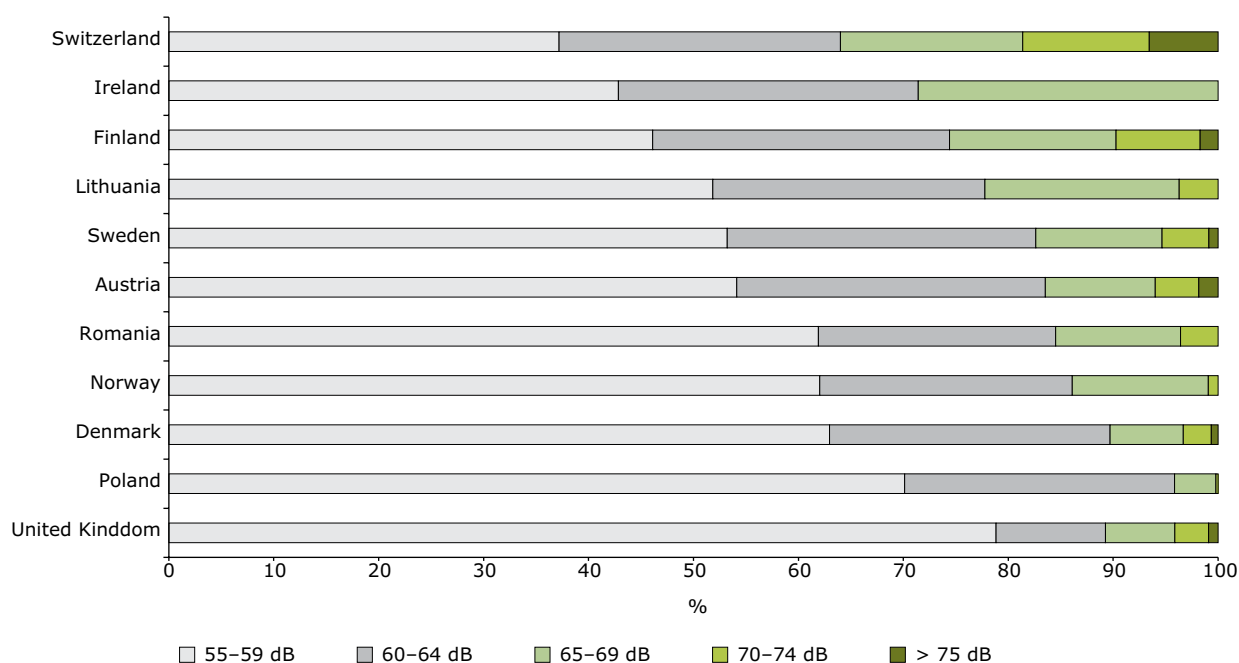
On this basis, noise from take-offs and landings at airports affects 0.6 million people at European level above 55 dB  $L_{den}$  outside urban areas (estimations raise this figure up to 1.25 million people were the data to be complete). This figure represents a much smaller proportion if compared with road and rail traffic noise, although air traffic noise is regarded as more annoying than the other noise sources (ISO, 2003). Despite the technological

developments occurring in the last 30 years tackling noise at source, the impact of individual events may be very high given the decibel level that could be achieved by each aircraft. Moreover, the growing volume of air traffic is not helping in the reduction of the number of people exposed to aircraft noise, particularly during the night (EU, 2012).

Inside urban areas, nearly 2 million people are exposed above 55 dB  $L_{den}$  due to aircraft noise, as reported in August 2013. In general, there is one agglomeration in each country having, by far, the largest number of people exposed, which in most cases corresponds to the capital city. It is estimated that for all expected airports data, the true figure increases to 3.7 million people exposed above 55 dB  $L_{den}$  due to noise from airports.

In the majority of countries, there is only one major airport captured by the END specifications <sup>(10)</sup>, which is quite frequently located close to the capital city. In bigger countries, such as France,

**Figure 3.15 Distribution of population exposed to major railways > 30 000 train passenger per year outside urban areas,  $L_{den}$  (2012)**



**Note:** France, Germany, Spain, : Exposure data considered incomplete.

Estonia: Only provision of information on exposure including agglomerations.

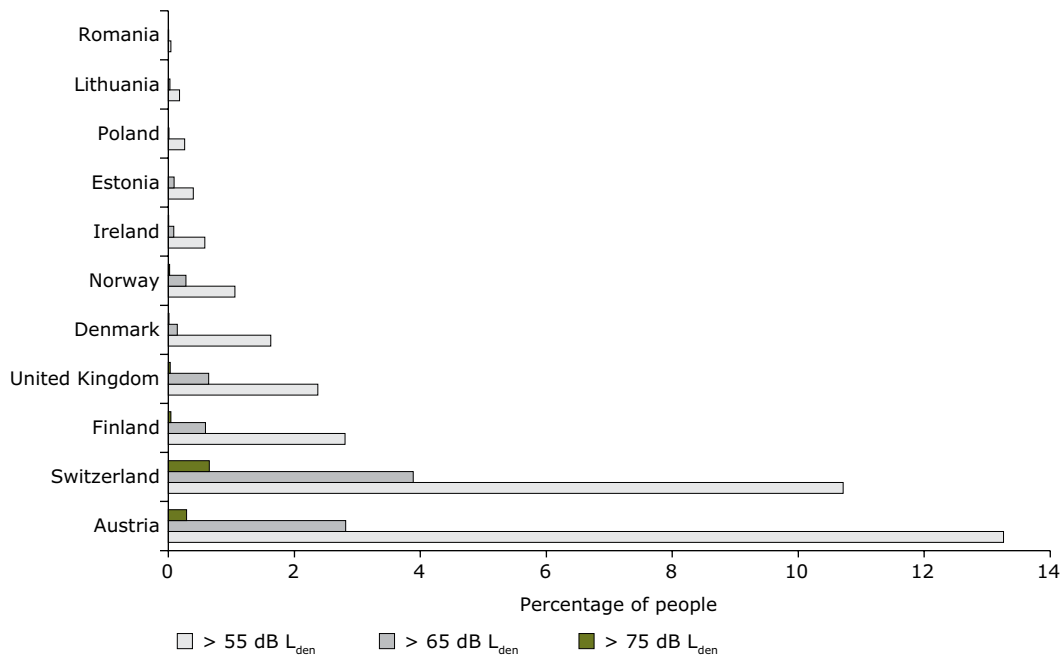
The Netherlands, Luxembourg: Information on noise sources not being updated.

Belgium, Czech Republic, Greece, Croatia, Hungary, Italy, Latvia, Portugal, Slovenia, Slovakia, Turkey: Data not provided.

Bulgaria, Cyprus, Iceland, Liechtenstein, Malta: Data not applicable (no major railways above 60 000 train passages/year).

<sup>(10)</sup> 'Major airport' shall mean a civil airport, designated by the Member States, which has more than 50 000 movements per year (a movement being a take-off or a landing), excluding those purely for training purposes on light aircraft.

**Figure 3.16 Percentage of people exposed to major railways > 30 000 train passages/year including agglomerations,  $L_{den}$ , over the total population of the country (2012)**



**Note:** France, Germany, Spain: Exposure data considered incomplete.  
 Luxembourg, the Netherlands: Information on noise sources not being updated.  
 Belgium, Croatia, Czech Republic, Greece, Hungary, Italy, Latvia, Portugal, Slovakia, Slovenia, Turkey: Data not provided.  
 Bulgaria, Cyprus, Iceland, Liechtenstein, Malta: Data not applicable (no major railways above 30 000 train passages/year).

Germany, Spain and the United Kingdom, more than one major airport is identified and therefore reported, so agglomerations other than the capital city have people exposed to aircraft noise. Countries with larger agglomerations and with higher numbers of inhabitants at country level will have more people exposed to aircraft noise inside urban areas, but this variability will also depend on aircraft traffic volumes, on local factors such as location and surroundings of the airport, and even on population density at country level. This means that urban areas with the highest number of people exposed do not systematically coincide with the agglomerations with the highest percentage of people exposed above 55 dB  $L_{den}$  due to aircraft noise (Figure 3.17).

Trends in exposure to airport noise are illustrated in Figure 3.18. It is evident that some countries have calculated a significant reduction in the numbers of people affected by noise from major airports

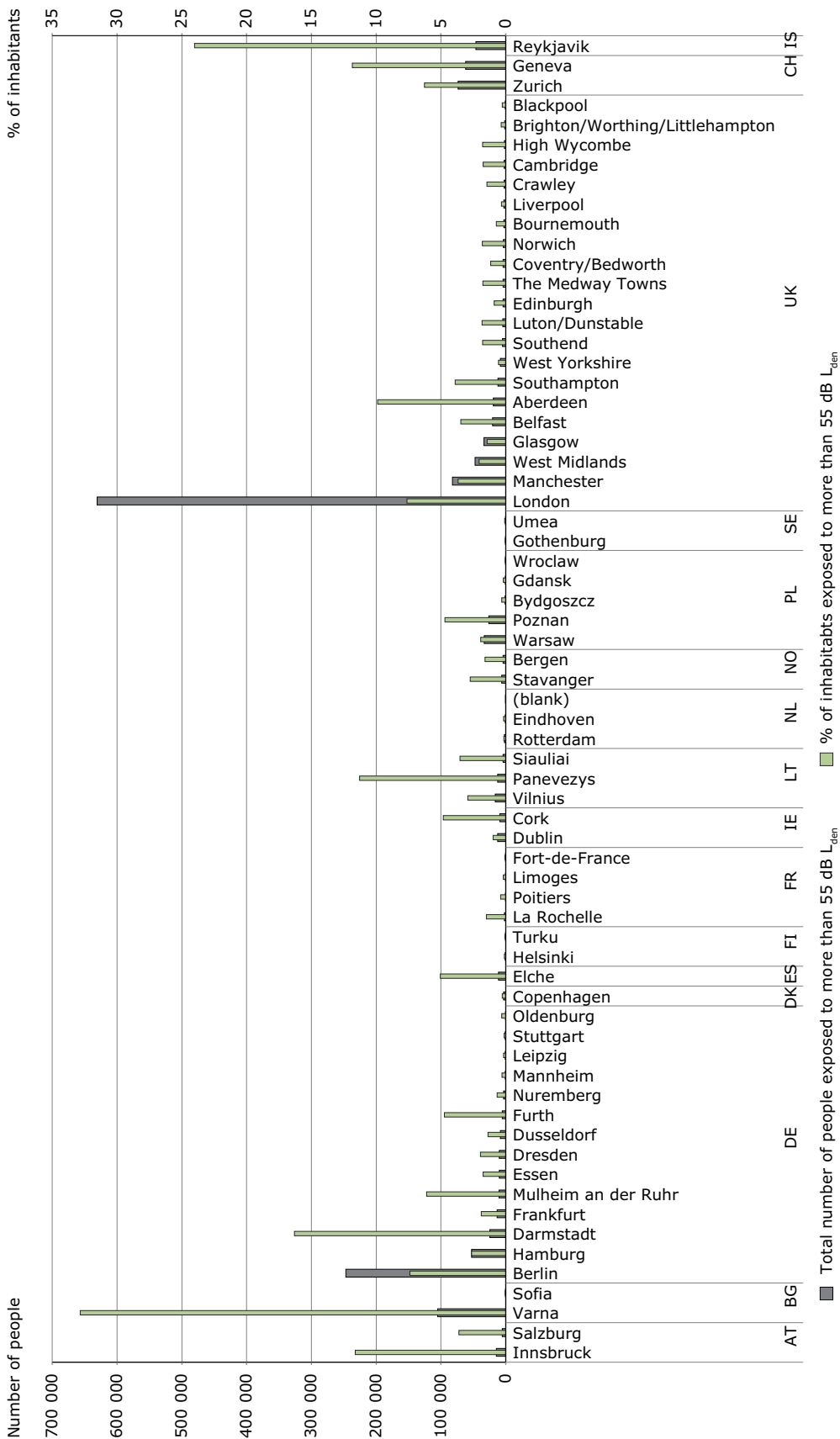
between the two noise mapping rounds. Where increases are observed, the scale of change is much less marked. This analysis takes into account 46 major airports with more than 50 000 movements/year that reported information on people exposure in 2007 and updated it again in 2012.

### 3.3.3 Industry

Around 300 000 people living in urban areas <sup>(11)</sup> are exposed above 55 dB  $L_{den}$  due to industrial noise in Europe. Estimation — based on calculated figures complementing current reported data to estimate the overall number of people exposed — increases this figure up to 1.4 million people to be exposed above 55 dB  $L_{den}$  due to industrial noise. So, industrial noise is, by far, the noise source presenting the lower values on population exposed (in totals and in percentages) compared with the rest of the noise sources being reported under the END requirements.

<sup>(11)</sup> 44 % of urban areas above 100 000 inhabitants have yet to report data on industrial noise exposure.

**Figure 3.17 Number of people exposed to airport noise  $L_{den} > 55$  dB per agglomeration total and percentage (2012). Agglomerations sorted by country, then by number of people exposed**

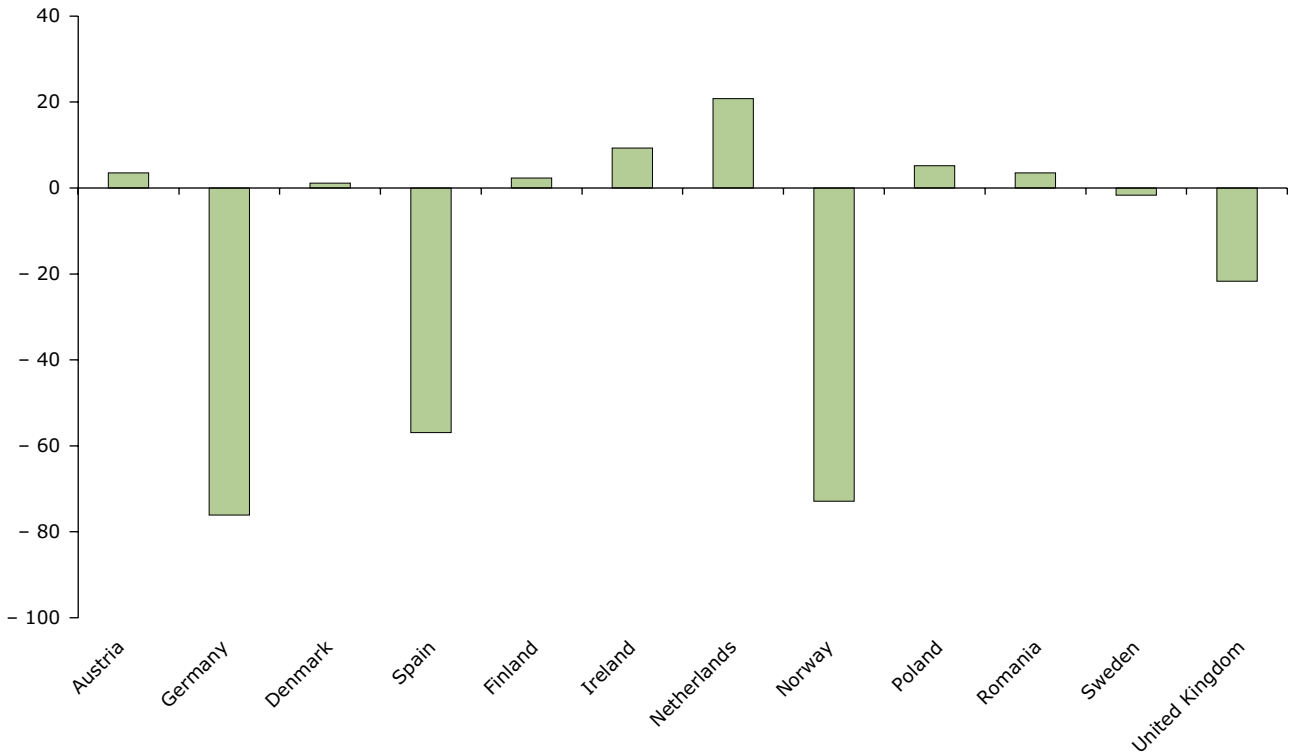


**Note:** Countries not providing information concerning any urban areas have been excluded from the figure.  
 Country codes (based on Eurostat country codes at 1 June 2012: see [http://epp.eurostat.ec.europa.eu/statistics\\_explained/index.php/Glossary:Country\\_codes](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Glossary:Country_codes)):  
 AT (Austria), BG (Bulgaria), CH (Switzerland), DE (Germany), DK (Denmark), ES (Spain), FI (Finland), FR (France), IE (Ireland), IS (Iceland), LT (Lithuania),  
 NL (the Netherlands), NO (Norway), PL (Poland), SE (Sweden), UK (the United Kingdom).



**Figure 3.18 Total change of exposed population to major airport noise including urban areas, > 55 dB L<sub>den</sub> (2007–2012)**

Total change in the exposed population (in thousands)



For the remaining environmental noise sources evaluated, the majority of people are exposed to the lowest band, reaching in this case 74 % of the total exposed population solely considering exposure to noise values from 55–59 dB (Figure 3.19).

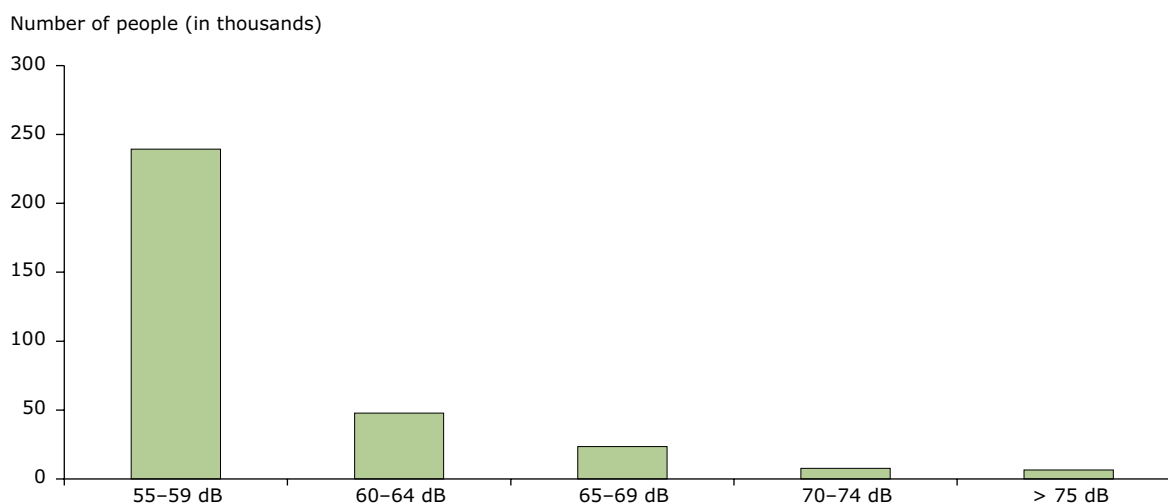
Percentages of people exposed to industrial noise at urban area level reach a mean value at European level of 0.42 % of the total population living in those urban areas <sup>(12)</sup> (urban areas reporting '0 value', which represents 'less than 100 people exposed', have also been taken into consideration). Cases such as Klaipeda (with 20 400 people exposed to industrial noise, representing 12.6 % of the total population) and Gdynia (with 6 400 people exposed to industrial noise, representing 7.2 % of the total population), or on the other side London (with 16 800 people exposed

to industrial noise but representing 0.2 % of the total population) are examples of outstanding cases where local specificities should be evaluated and taken into account for a more detailed analysis at urban area level.

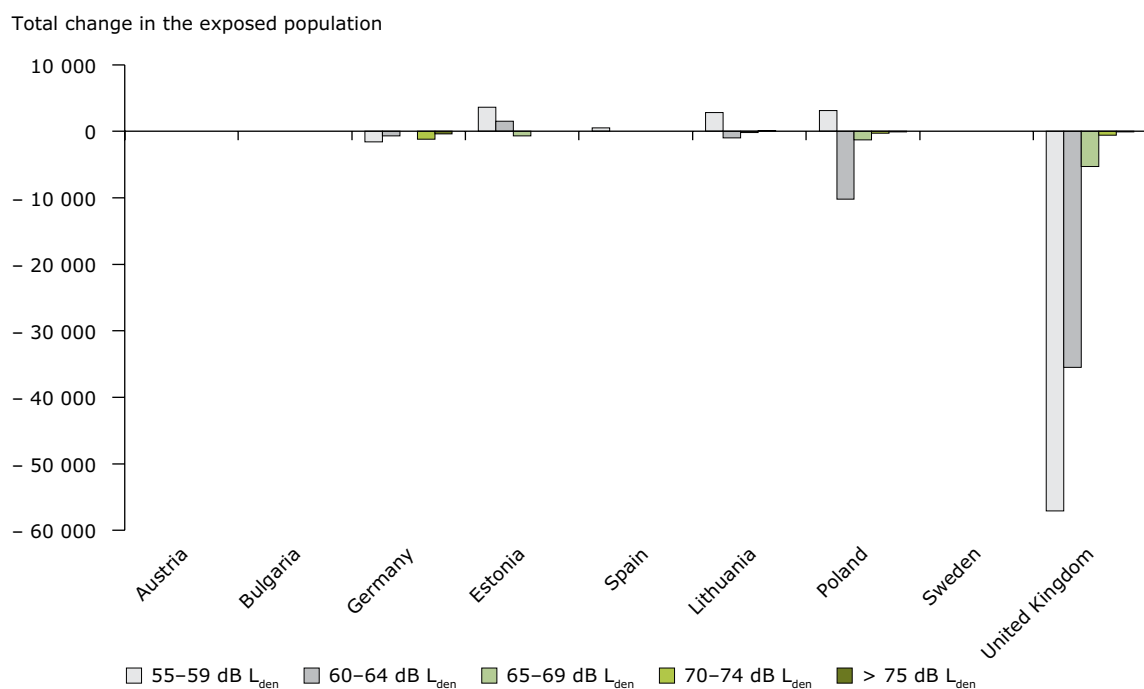
Evaluating the changes occurring from 2007 to 2012 at European level, a net decrease in the number of people exposed is happening, especially in the lower noise bands. This analysis takes into account 65 urban areas with more 250 000 inhabitants that have reported information both in 2007 and 2012. However, when analysing data at country level, people exposed from 55–59 dB is slightly increasing in Estonia, Lithuania and Poland, while again the United Kingdom is the country mainly influencing the results at European level (Figure 3.20).

<sup>(12)</sup> 245 urban areas with more than 100 000 inhabitants have been taken into account to calculate the European average.

**Figure 3.19 Number of people exposed to industrial noise inside agglomerations > 100 000 inhabitants,  $L_{den}$ , EEA member countries (2012)**



**Figure 3.20 Total change of people exposed to industrial noise inside agglomerations,  $L_{den}$ , at country level (2007-2012)**



**Box 3.5 Up-to-date noise data**

The END permits Member States to implement noise mapping using modelling or measurement techniques. In all instances, the noise mapping data reported to EEA has been calculated using a modelling method, although it is acknowledged that some noise mapping projects may utilise measurements to validate the outputs from the models.

With the sometimes large variations in the timeliness of reporting data by Member States and uncertainties about the comparability of input data used in the modelling process, the EEA has identified the need to make available more up-to-date data relating to environmental noise in Europe. To this end, a near-real-time exchange of data is underway that derives data from official measurement stations.

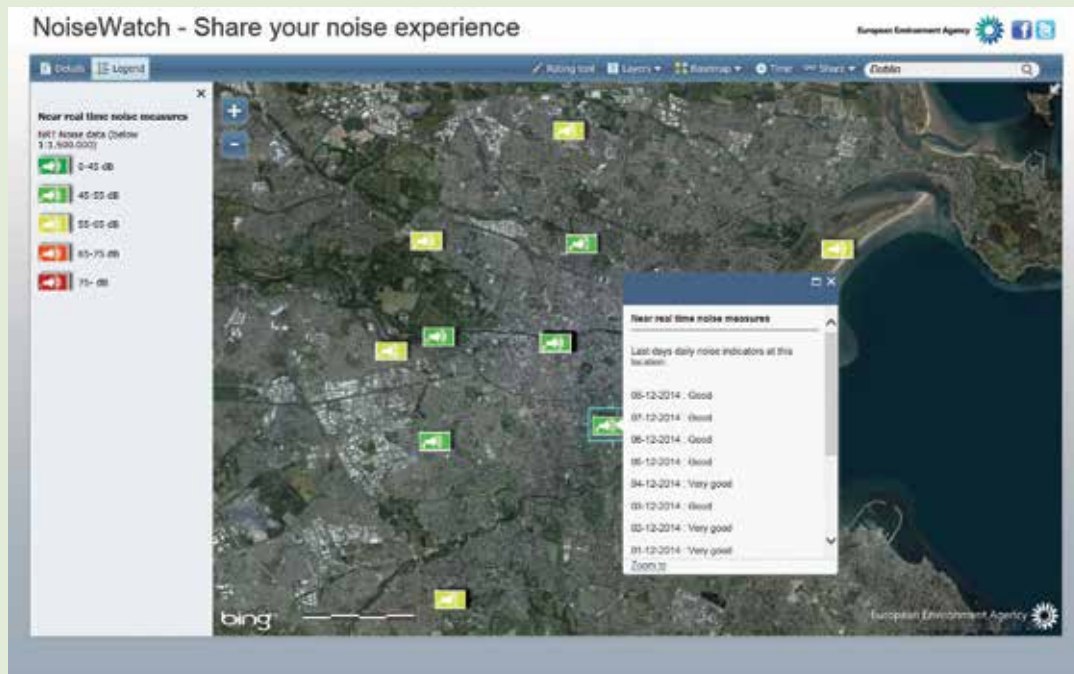
The first exchange has been conducted with the cooperation of Dublin City Council and is currently delivering near-real-time noise data to the EEA for up to 15 permanent noise monitoring stations located around the city of Dublin (Figure 3.21).

These data are converted into ratings as are more than 194 000 mobile device measurements that have been reported since December 2011.

The modelled city ratings and measurement station outputs are considered robust sources of data. The mobile ratings are based upon measurements made using mobile devices on iOS and Android platforms. Whilst many of these devices offer measurement capabilities comparable to dedicated instrumentation, it cannot be guaranteed that proper measurement protocol has been observed in each instance. The source tagging offered by this data can, however, be described as a robust dataset.

From this we know that reports by data providers in Europe show that almost 57 % of ratings correspond to road traffic noise. Aircraft noise accounts for 15 % of ratings, while railway noise is attributable to almost 12 % of ratings. Where noise from industrial sources is concerned, almost 17 % of ratings in Europe relate to this source (EEA, 2014b).

**Figure 3.21 Noise ratings at measurement stations, Dublin**



In comparison to END data, the dominance of road traffic noise is also reflected by the ratings, indicating clearly that road noise is a source of concern in Europe.

Ratings for rail and aircraft noise are at similar levels in comparison to END data. What is surprising though, is the relatively high number of ratings attributable to industrial noise. Where END data are concerned, industrial noise is very much the source with least exposure, but in terms of ratings it is ranked second only to road traffic in terms of ratings by data providers.

## 4 Impacts of noise exposure – health impact assessment

### 4.1 Relationships between noise exposure and health and well-being effects

Noise exposure from transport sources and industry can lead to annoyance, sleep disturbance, and related increases in the risk of hypertension and cardiovascular disease. Hypertension and cardiovascular disease are important risk factors for premature mortality, so exposure to noise pollution can also indirectly reduce life expectancy. Noise exposure has also been shown to cause a significant negative effect on the cognitive performance of schoolchildren (Basner et al., 2014).

For most of the aforementioned health effects, so-called exposure–response relations are available or can be derived from risk estimates reported in the epidemiological literature. Exposure–response relations describe the change in frequency of the health and well-being effects as function of noise exposure.

A number of recent research activities have addressed the health effects of environmental noise, such as the publication of position papers on annoyance and transportation noise and on sleep disturbance and transportation noise, and

the funding of multi-centre projects on the health effects of noise among children (RANCH, Stansfeld et al., 2005) and among adults (HYENA, Jarup et al., 2005), as well as the EU Network on Noise and Health project (ENNAH, Stansfeld and Clark, 2011). WHO publications include the 'Night noise guidelines for Europe' (WHO, 2009) and the 'Burden of disease from environmental noise' (WHO, 2011). Information from these research activities and documents has among other activities been used to create exposure–response relations for environmental noise, together with information from other epidemiological studies. The EEA has also published guidance on how to consider health impact evidence in the context of END action plan development (EEA, 2010).

Table 4.1 shows the health and well-being effects for which an exposure–response relation based on a pooled analysis or a meta-analysis of several studies is available, and which are applied in this report.

The reported exposure distributions for road traffic, railway, aircraft and industry noise in 2011 were used in combination with these selected exposure–response relationships to estimate the impact on various health and well-being end points for residents in the EEA member countries

**Table 4.1 Core characteristics of the applied exposure–response relations**

Health and well-being effect	Population	Reference
(Severe) annoyance	Adults	Road traffic and railways: Miedema and Oudshoorn, 2001; industry: Miedema and Vos, 2004; aircraft: Janssen and Vos, 2009
(Severe) sleep disturbance	Adults	Road traffic, railways and industry: Miedema and Vos, 2007; aircraft: Janssen and Vos, 2009
Reading impairment	7 to 17-years old	Only aircraft: adapted from Clark et al., 2006
Hypertension	Total population	Road traffic, railways and industry: Van Kempen and Babisch, 2012; aircraft: Babisch and Van Kamp, 2009
Coronary heart disease (mortality and morbidity)	Total population	All sources: Vinneau et al., 2013
Stroke (mortality and morbidity)	Total population	All sources: ad hoc meta-analysis based on 6 studies (Huss et al., 2010; Sørensen et al., 2011; Hansell et al., 2013; Correia et al., 2013, Floud et al., 2013; de Kluizenaar et al., 2013)

that reported data. Unlike in the previous chapter addressing noise exposure, no gap-filling has been used in the health impact assessment, meaning that total impacts of noise exposure in Europe will be greater than the numbers presented here.

The estimations for annoyance, sleep disturbance and reading impairment were made for sub-groups of the total population (adults and children 7–17 years old). For hypertension, coronary heart disease and stroke, the results are reported for the total population.

Annoyance and sleep disturbance can be estimated directly by combining the noise exposure distributions with exposure–response relationship (and the relevant fraction of the population). The exposure–response functions are source-specific and are based on a pooled analysis of several studies, with the exception of industrial noise. For this source, the relationship is based on a study in the Netherlands based upon eight industrial sites (Miedema and Vos, 2004). Since no studies on sleep disturbance and industrial noise have been carried out, the available relation for road traffic noise was applied, given the similarity of the exposure–response relations for (severe) annoyance from road traffic and industry noise. For the health impact assessment, the statistical relations published in the original papers instead of the commonly applied polynomials (European Commission, 2002 and 2004) were employed. Updated exposure–response relations for aircraft noise based on post-1990 studies (Janssen and Vos, 2009) were used, since there are clear indications that the exposure–response relationship for aircraft noise has become more pronounced over time.

The results of the RANCH study on reading comprehension were also re-analysed in order to derive an exposure–response relation for reading impairment (adopted from Clark et al., 2006 and Van Kempen, 2008).

In the WHO guidelines on community noise (WHO, 1999), it was concluded that epidemiological studies show that cardiovascular effects occur after long-term exposure to noise with  $L_{Aeq,24hr}$  values of 65–70 dB.  $L_{Aeq,24hr}$  is the equivalent noise level over a 24-hour period. Since that time, a number of studies have been published on the association between environmental noise and the prevalence of hypertension and the incidence of coronary heart disease (including myocardial infarction) and stroke. For hypertension, the result of the meta-analysis on road traffic noise of Van Kempen and Babisch (2012) was applied for all sources, except for aircraft noise for which a specific result is available (Babisch and Van Kamp, 2009). Recently, Vienneau et al.

(2013) carried out a meta-analysis with eight cohort and case-control studies on the incidence and the mortality of coronary heart disease. There is good evidence that hypertension is not only associated with a higher risk for coronary heart disease, but also with a higher risk for stroke. Since 2010, a number of studies have been published that investigated the association between noise exposure and the risk of stroke (Huss et al., 2010; Sørensen et al., 2011; Hansell et al., 2013; Correia et al., 2013; Floud et al., 2013; de Kluizenaar et al., 2013). An 'ad hoc' meta-analysis for stroke was carried out with the results of these six studies since a published meta-analysis was not available. For the combination of incidence and mortality, a relative risk of 1.04 (95 %CI: 1.00–1.09) per 10 dB increase in noise exposure was derived, which is similar to the risk for coronary heart disease reported by Vienneau et al. (2013). The results of the four meta-analyses suggest that the increased risk for hypertension and cardiovascular disease starts at levels of 50 dB  $L_{den}$ .

For hypertension and cardiovascular disease, the health impact depends among others on the 'base-line' prevalence (frequency) or incidence (new cases per year). These differ between countries and were taken into account in the calculations. For reading impairment, for which the health impact assessment was restricted to aircraft noise, the baseline frequency was fixed (10 %).

The methods employed for this health impact assessment are described in more detail in Houthuijs et al. (2014).

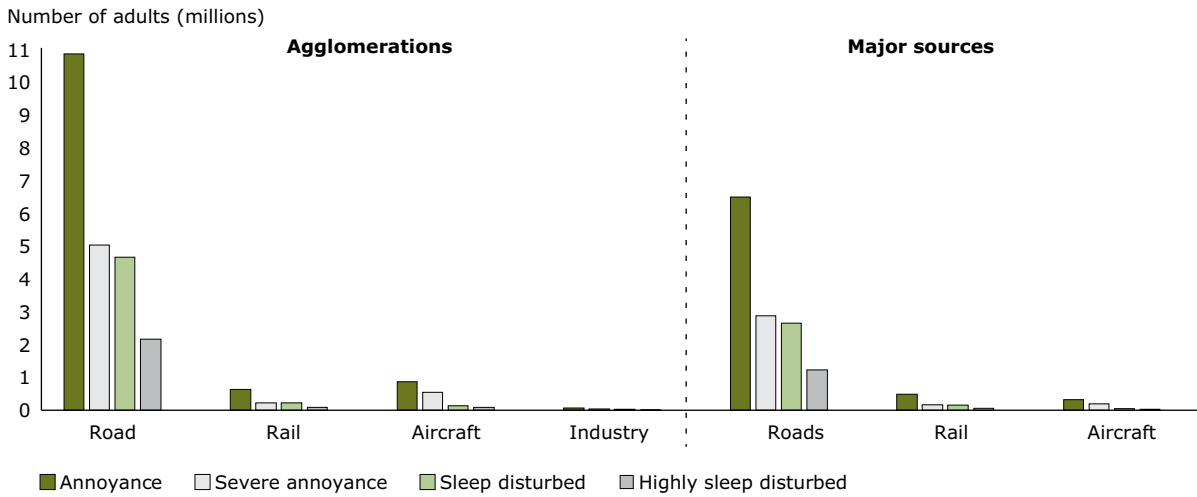
## 4.2 Annoyance and sleep disturbance

Based on the available data reported by countries for 2011, around 19.8 million adults living in agglomerations or near major sources with noise levels equal to or above 55 dB  $L_{den}$  may be considered as being 'annoyed' by noise from road traffic, railways, aircrafts or industry; 9.1 million of them are 'highly' annoyed.

It is similarly estimated that 7.9 million adults have sleep disturbance due to night-time noise from road traffic, railways, aircrafts or industry; 3.7 million of them are severely sleep disturbed. In Figure 4.1, the results for annoyance and sleep disturbance are presented according to the noise source and the location of the assessment.

As shown in the figure, the majority of the burden of annoyance and sleep disturbance is related to road traffic noise (about 90 %), of which about 65% occurs

**Figure 4.1** Estimated number of adults with (severe) annoyance and estimated number of adults that are (highly) sleep disturbed according to noise source and location of the assessment



in agglomerations. Airport noise is the second largest source of annoyance and sleep disturbance.

In Figure 4.2, the number of adults with severe noise annoyance due to road traffic is shown per 5 dB  $L_{den}$  exposure category for agglomerations and near major roads.

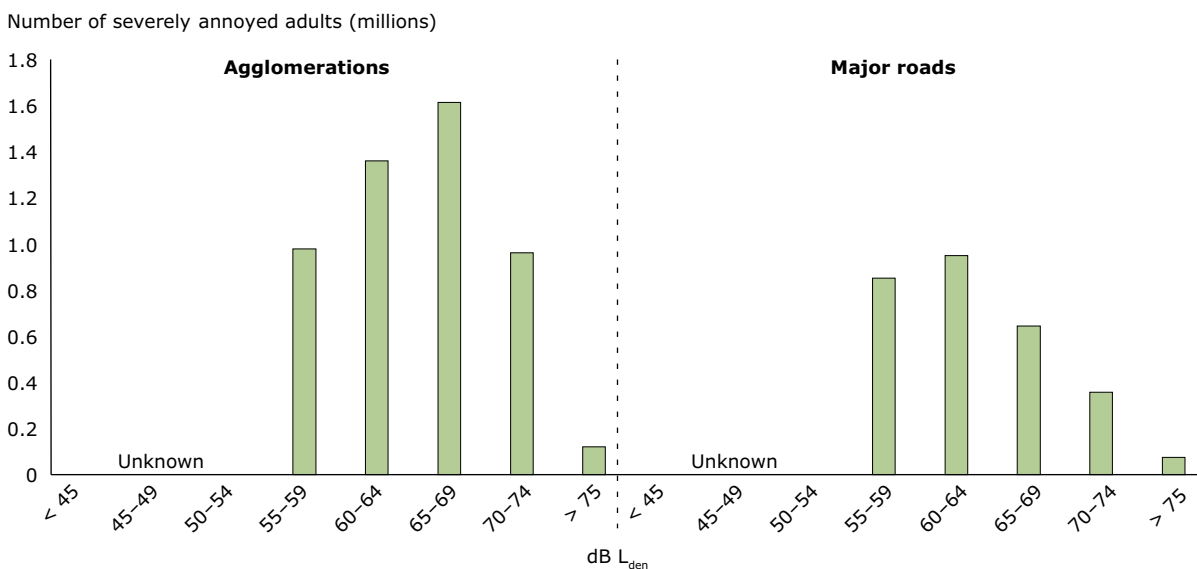
The largest number of adults with severe annoyance in agglomerations can be found in the 65–69 dB  $L_{den}$  category (1.6 million adults). The distribution for major roads is shifted to lower categories, with the highest numbers in the 60–64 dB  $L_{den}$  category

(950 000 adults). The distributions in Figure 4.2 suggest that a substantial part of the burden of severe annoyance can take place at levels below 55 dB  $L_{den}$ .

### 4.3 Reading impairment, hypertension, and cardiovascular disease and premature mortality

The exposure to environmental noise contributed to about 910 000 additional prevalent cases of hypertension in 2011. These are primarily related to

**Figure 4.2** Estimated number of adults with severe annoyance due to road traffic noise according to  $L_{den}$  exposure category and location of the assessment



road traffic noise (790 000 prevalent cases), as can be seen in Figure 4.3.

It is estimated that almost 8 000 school children (aged 7–17 years) have a reading impairment due to exposure to noise from aircraft operations at airports.

The total number of hospital admissions related to coronary heart disease and stroke is estimated to be 43 000 per year due to noise. This is about four-fold higher than the number of premature deaths. Noise exposure could contribute to a total of about 6 700 premature deaths per year due to coronary heart disease and about 3 300 premature deaths due to stroke. Road traffic noise is the main source: 8 900 of the estimated 10 000 premature deaths per year (89 %) are attributable to road traffic noise exposure.

In Figure 4.4, the estimated cases of road traffic-related premature mortality per year are shown according to the  $L_{den}$  exposure category and the location of the assessment.

Similar to Figure 4.2, the largest burden in agglomerations can be found in the 65–69 dB category and nearby major roads in the 60–64 dB category.

The hospital admissions due to cardiovascular disease lead to 17 000 years lived with a disability each year, and the premature mortality to approximately 156 000 years of life lost each year.

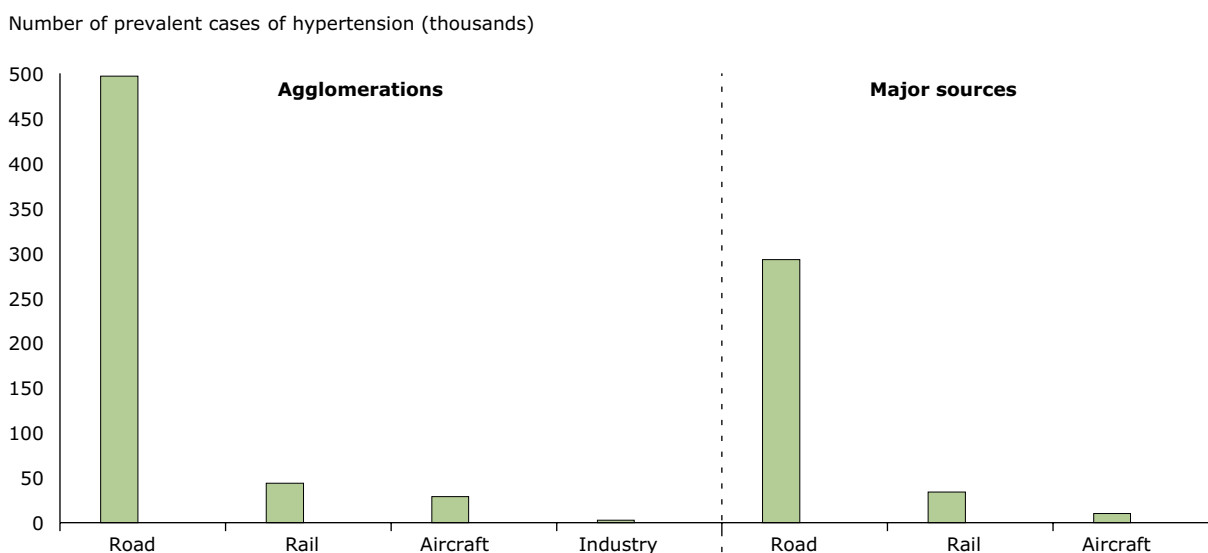
#### 4.4 Discussion

The health effects addressed in the preceding sections are considered as being the most investigated non-auditory health end points of noise exposure. Other potential health end points relevant to noise exposure have recently been reported, such as diabetes (Sørensen et al., 2013) and breast cancer (Sørensen et al., 2014). Although a possible impact of noise on these end points is biologically plausible, the findings of recent observational studies investigating these end points need confirmation before they can be considered in future health impact assessments.

Although almost 90 % of the health impact is related to road traffic noise exposure, the current assessment may reflect only 20–35 % of the total impact of road traffic noise in the EEA-33. Incomplete data from countries, and limitation of the noise assessment to agglomerations and major sources and to levels above 55 dB  $L_{den}$  or above 50 dB  $L_{night}$  are causes for underestimation. The size of the underestimation is not known for other sources of noise.

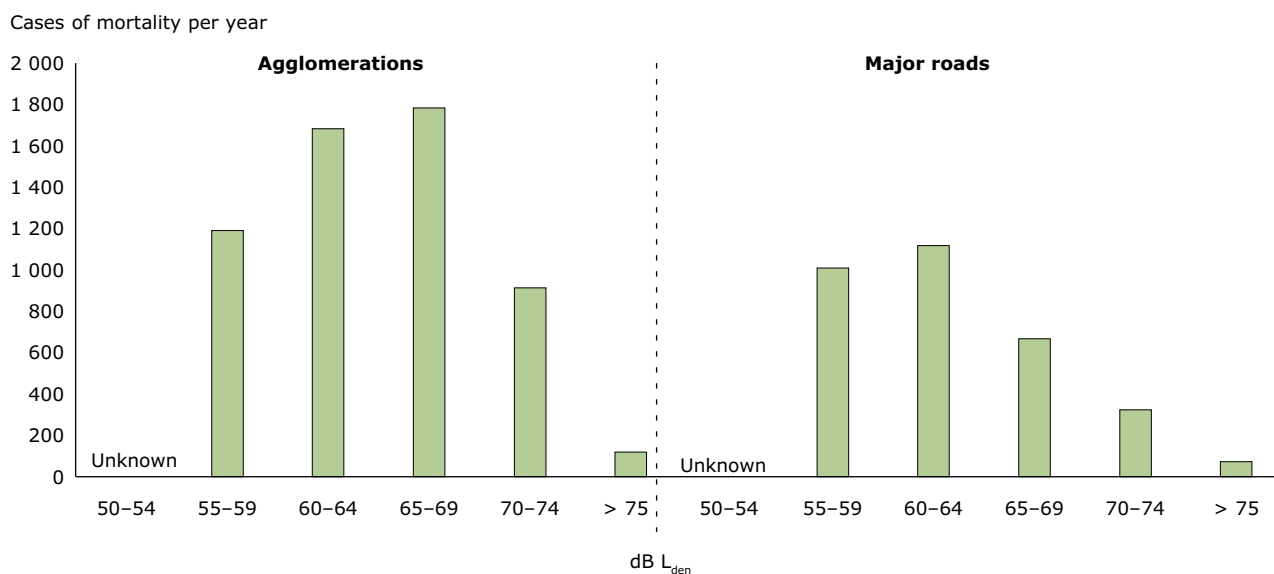
The burden of the health effects of road traffic noise can be found in agglomerations in the 65–69 dB and nearby major roads in the 60–64 dB category. These results suggest that measures only aimed at reducing health risks of high noise levels, like noise insulation, are not effective to reduce the total burden of disease due to road traffic noise.

**Figure 4.3** Estimated number of prevalent cases of hypertension according to noise source and location of the assessment





**Figure 4.4** Estimated cases of road traffic-related premature mortality per year due to noise exposure according to  $L_{den}$  exposure category and location of the assessment



The reported numbers encompass many uncertainties. The major sources of uncertainties are in the exposure–response relations, the transferability of the (often international) relations to individual countries of the EEA-33, the comparability of the baseline data on

hypertension, coronary heart disease and stroke between countries, and the assumption about the demographic build-up of the areas where the noise assessment took place. The importance and the magnitude of the uncertainties vary from health end point to health end point.

#### Box 4.1 Night Noise Guidelines for Europe

In 2009, the WHO published its Night Noise Guidelines (NNGL) for Europe (WHO, 2009), in which 40 dB  $L_{night}$  was declared as night noise guideline. Where this was not achievable in the short term, an interim target of 55 dB  $L_{night}$  outside was suggested.

The rationale for the guidelines were based upon the effects of sleep disturbance due to noise, such as body movements, awakening and self-reported sleep disturbance, starting at levels below 40 dB  $L_{night}$  and effects on the cardiovascular system starting above 55 dB.

Since the publication of the WHO report, a number of additional studies have been published on the cardiovascular effect of environmental noise suggesting that an elevated risk for hypertension, coronary heart disease and stroke may take place at levels of 50–55 dB  $L_{den}$ . It is not known to what extent daytime and night-time noise levels independently contribute to this increased risk.

Since in agglomerations night-time noise levels from road traffic are approximately 7–10 dB(A) lower than daytime noise levels, and daytime and night-time levels are highly correlated, more residents are part of the noise mapping on the basis of  $L_{den}$  exposure (above 55 dB  $L_{den}$ , the lowest level assessed under the END) than on the basis of their  $L_{night}$  exposure (above 50 dB  $L_{night}$ ).

Since noise-induced health effects can already start at low  $L_{den}$  levels and the night-time noise exposure is included in the  $L_{den}$ , the number of residents within an  $L_{den}$  assessment is considered a better indicator for the total health impact of environmental noise (including the effects of night-time noise) than the number of residents in an  $L_{night}$  assessment. For this reason, the focus of this report is predominantly on  $L_{den}$ . However, this should not be interpreted as that night-time noise exposure is not relevant for health and sleep (WHO, 2009).

The ENDRM accommodates the reporting of noise mapping exposure assessments in line with the NNGL level of 40 dB, but to date only a few EEA member countries have responded with these data.



## 5 Reducing and managing noise exposure

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By 2020 it is estimated that approximately 80 % of Europeans will be living in urban areas, with road transport being responsible for a significant fraction of environmental pollution, including noise (EEA, 2013). Environmental impacts associated with road traffic are projected to affect larger areas and larger numbers of people, with the consequent need for such impacts to be managed in order to mitigate negative environmental impacts in Europe's urban areas.

This can be done by, for example:

- access controls to manage the relationship between residents and traffic (especially in city centres);
- management including pedestrianisation, parking and loading controls, delivery time windows, etc.;
- promotion of the use of low(er)-emission vehicles, based on vehicles' emissions performance;
- integration of different traditional transport modes in the mobility policy such as bike sharing, car sharing and ride sharing;
- supporting modal shift to an increased share of walking and cycling, and the development of a good and accessible public transport network;
- development of a sustainable urban mobility plan, which needs to be aligned with urban development plans to ensure that neither is in conflict (EEA, 2013).

So, in order to significantly reduce people's exposure to road traffic noise, noise-abatement measures should be integrated into European mobility and land-use planning action programmes from now on, as noise considerations have often been neglected during planning processes and transport decisions (ERF, 2004).

### 5.1 Action plans

The END requires action plans to be drawn up for the major transport sources and the largest urban areas, which should aim to reduce the impact of noise upon the affected population. Not only that, but where areas are found to be of a high acoustic quality, in other words, free from noise pollution, they should also be protected by appropriate action plans.

These action plans were to have been drawn up by 18 July 2008 for first-round noise mapping assessments and then again by 18 July 2013 for second-round noise mapping assessments. The third round of action plans is expected to follow this 5-year cycle and be drawn up by 18 July 2018.

In the END an action plan is designed to manage noise issues and effects, including noise reduction if necessary'.

Acoustical planning is defined in the END as 'controlling future noise by planned measures, such as land use planning, systems engineering for traffic, traffic planning, abatement by sound insulation measures and noise control of sources'.

The control of noise at source in transport is, for instance, one key area where the European Commission may also act in relation to defining emission limits for modes of transport.

The minimum requirements for action plans are set out in Annex V of the END.

#### 5.1.1 Quiet areas in agglomerations

The END acknowledges the need for preventing or reducing environmental noise levels that may negatively affect human health, including annoyance and sleep disturbance. In addition, it highlights the need to preserve 'environmental noise quality where it is good', i.e. to protect quiet areas. The foundation for preserving these quiet areas was laid through the Green Paper on Future

### Box 5.1 Noise action plans

The type of measures planned in action plans of the first reporting round are very much linked to the noise source.

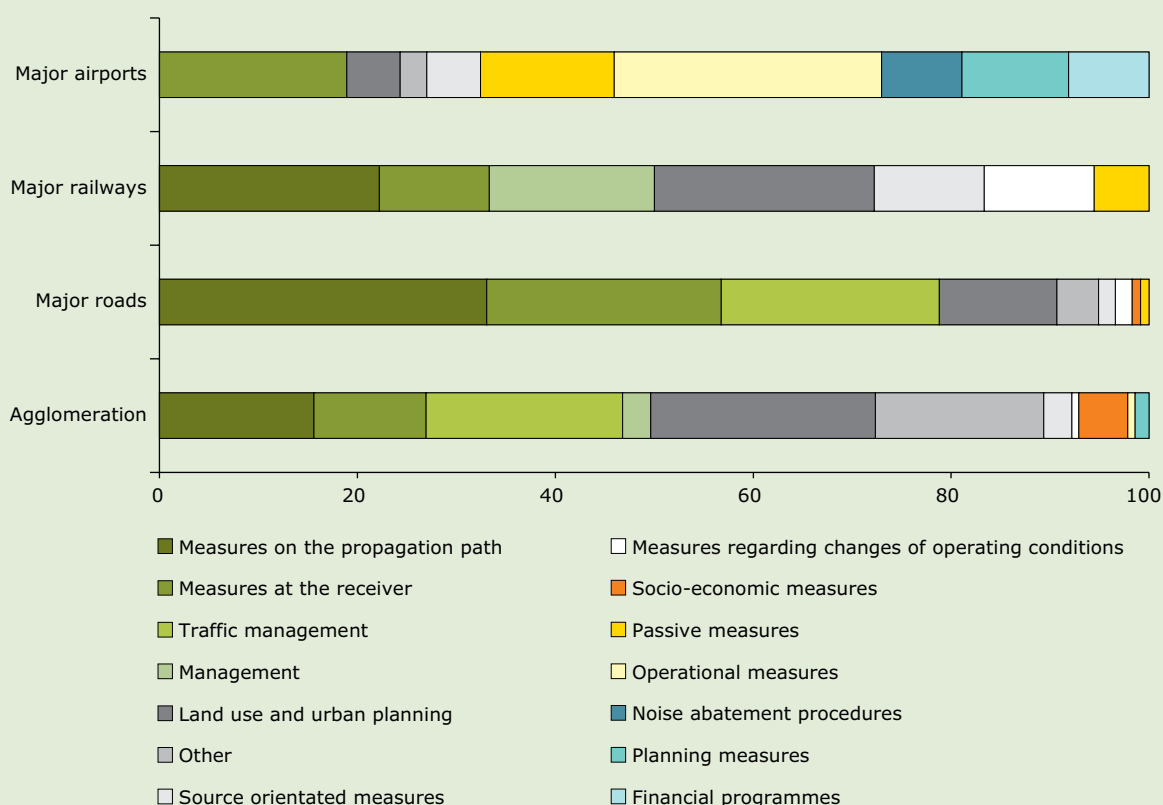
In the case of urban areas, information is currently available for 40 % of the cities. Groups of actions referring to land use and urban planning are the predominant ones. This kind of action is presented in 23 % of all actions plans related to agglomerations. Followed by measures related to traffic management (20 %) and others (17 %), this last one includes measures related to increasing public awareness, avoiding the generation of additional traffic and promoting public transport, and encouraging cycling and walking. The high percentage of measures related to traffic and transport in actions plans linked to agglomerations underlines the importance of these topics as noise sources inside agglomerations.

In the case of major roads, the actions that predominate are those related to measures on the propagation path (32 %), at the receiver (23 %), on traffic management (22 %), and on land use and urban planning (12 %).

Major railways differ from major roads, although propagation path (22 %) and land use and urban planning (22 %) are also included inside the most predominant actions, and measures at the receiver are presented in less than 15 % of the actions plans related to railways. Measures of traffic management presented in major roads are replaced by other specific railways management actions (17 %) such as tram track improvements.

In the case of major airports, the actions highlighted are those considered as operational (presented in 27 % of the actions plans related to major airports) followed by measures at the receiver (19 %).

**Figure 5.1 Analysis of END action plan measures**



This analysis is based upon reported information and is limited by the data format. In cases where the ENDRM has not been used, it may not be possible to make a comparative analysis of the measures reported.

### Box 5.2 Thinking outside the box on noise

Not all action against noise pollution is taking place within the context of END strategic action plans. Through the European Soundscape Award, the EEA aims to disseminate innovative action on noise as implemented at local, regional or national level in the Eionet of countries.

Many of these actions are effective and very easily replicated in other areas of Europe.

The most productive action on road traffic noise is to tackle the problem at source. Reducing vehicle emission limits can be effective, but only if it is based upon an appropriate test methodology, and even then a new limit may take many years before it is represented in the European vehicle fleet. On most of Europe's major roads, the key source of traffic noise comes from the tyre interaction with the road surface. If drivers were to fit quieter tyres to their vehicles, then the noise benefits would be realised immediately. There are requirements for labelling tyres, but how does a consumer find the right low-noise tyre for his or her vehicle? A project in Switzerland has come up with the answer: a multimedia awareness campaign on the issue of tyre noise and a user-friendly database allowing consumers to access the quieter tyres that fit their vehicle. Available online and in three languages, it empowers the consumer to offer an almost instant solution to road traffic noise from individual vehicles in Europe.

Learn more at <http://www.reifenetikette.ch/#home> and access the quiet tyre list directly at <http://www.reifenetikette.ch/#reifenliste>.

The 7th EAP identifies the need to rethink our approach to city design in order to reduce noise pollution in Europe by 2020. A project in Ireland has developed a Manual for Acoustic Planning and Urban Sound Design (MAP) for the city of Dublin. With the aim of encouraging a deeper level of interest in the urban sound environment by authorities and the public, MAP stimulated the introduction of urban sound installations through workshops that, as a concept, could readily be applied to other European cities. Learn more about MAP at <http://map.minorarchitecture.org>.



MAP, Dublin, 2014

**Photo:** © Sven Andersen

Noise Policy (European Commission, 1996): 'They [the noise maps] make it easy to recognise the noise exposure and thereby identify areas where action is required and other quiet areas where exposure should not increase.'

Article 8 of the END states that action plans for agglomerations with more than 250 000 inhabitants 'shall also aim to protect quiet areas against an increase in noise'. This is followed up by the requirement in Annex V to report on actions or measures that the competent authorities intend to take to preserve quiet areas. Actions may include land-use planning, systems engineering for traffic, traffic planning and noise control of sources.

### 5.1.2 Quiet areas outside agglomerations

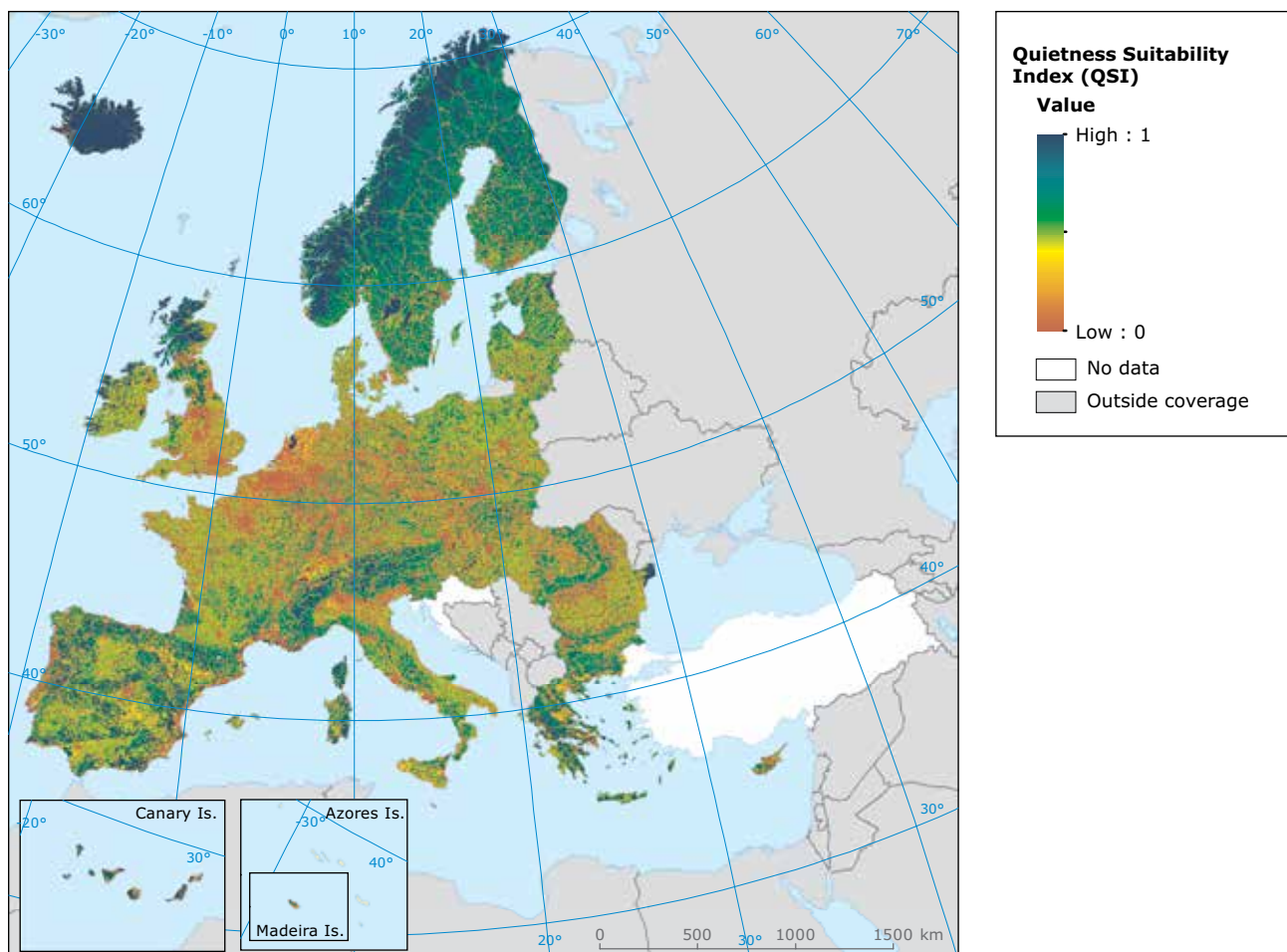
The information required by the END is focused around the major noise sources (e.g. major roads, major railways); consequently, there are large

areas outside urban areas where no information is provided. Considering this constraint, the European Topic Centre for Spatial information and Analysis (ETC/SIA), together with the EEA and Expert Panel on Noise, developed a methodology to identify potential quiet areas in Europe (EEA, 2014c).

The methodology is based on the computation of a Quietness Suitability Index (QSI). This index ranges from 0 (noisy areas) to 1 (quiet areas) and noise contour maps are used as a primary source. Then, additional information is used as a proxy, such as land use and other socio-economic data, in order to have a complete European coverage.

As illustrated in Map 5.1, the noisiest areas (low QSI values) reflect very well major transport infrastructures and areas with high population density (major urban and metropolitan areas). Quiet areas are not only localised in remote areas, as can be seen near the Mediterranean coast (Greece and Spain). In terms of accessibility, it is

**Map 5.1 Potential quiet areas in Europe, based upon Quietness Suitability Index (QSI)**



Source: EEA, 2014.

**Figure 5.2 Quiet areas by country (based on Quietness Suitability Index)**

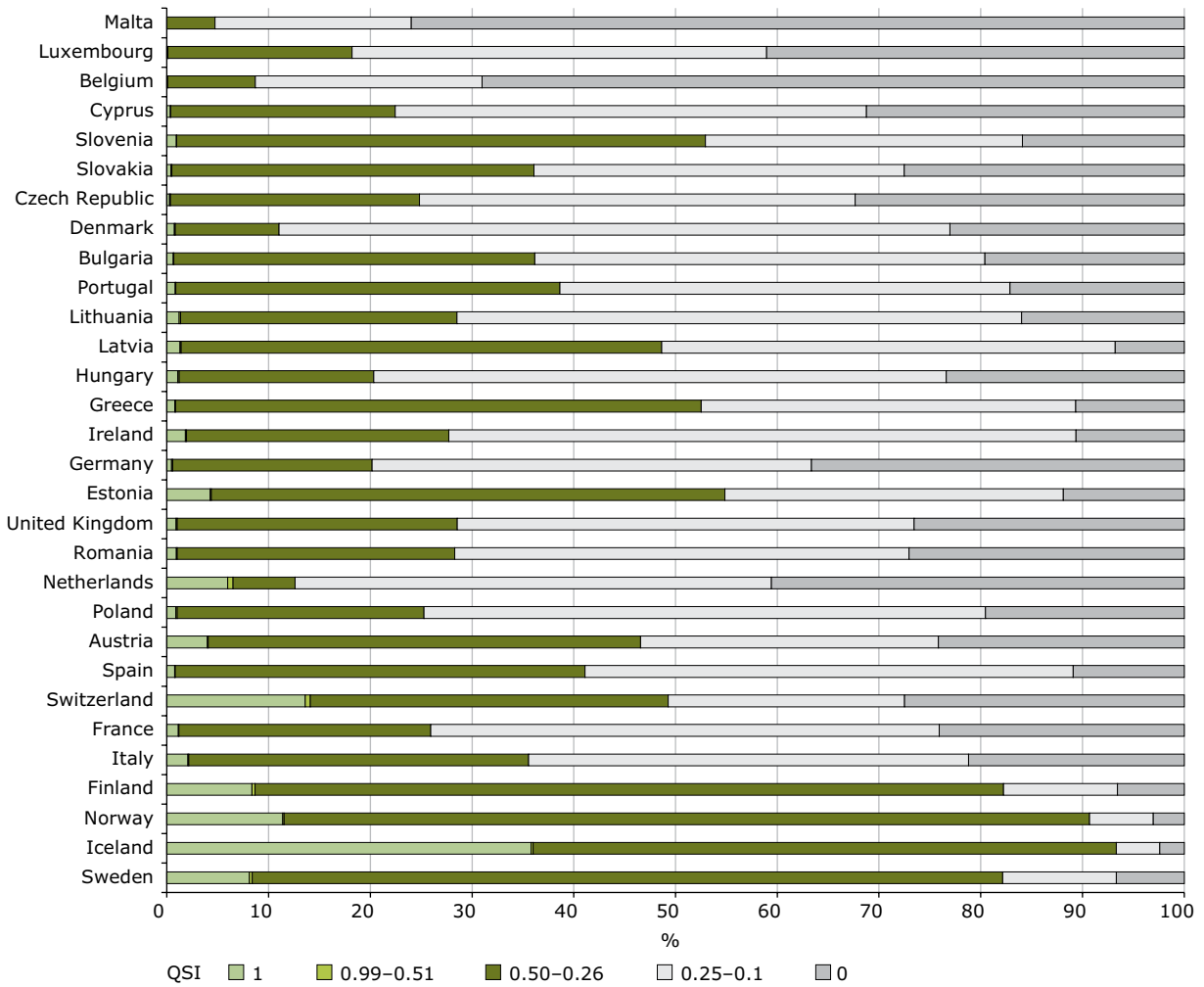


Photo: © Colin Nugent



important to identify potential quiet areas near places with high population density.

Figure 5.2 details the percentage of country area by ranges of the QSI. The QSI spans from 1 (quieter area) to 0 (noisy area).

Noisy, or relatively noisy areas (QSI < 0.5), account for more than 50 % of the land in most of the countries. The most extreme cases are found in small and densely populated countries like Belgium, Denmark, Malta and the Netherlands, where noisy areas reach around 90 % of the country. On the other side, northern countries like Finland, Iceland, Norway and Sweden have the highest share of quiet areas.

Quiet areas are also important for animals. As can be seen, the share of quiet areas inside Natura 2000 is higher compared to the share in the whole country. In particular, the Netherlands has the

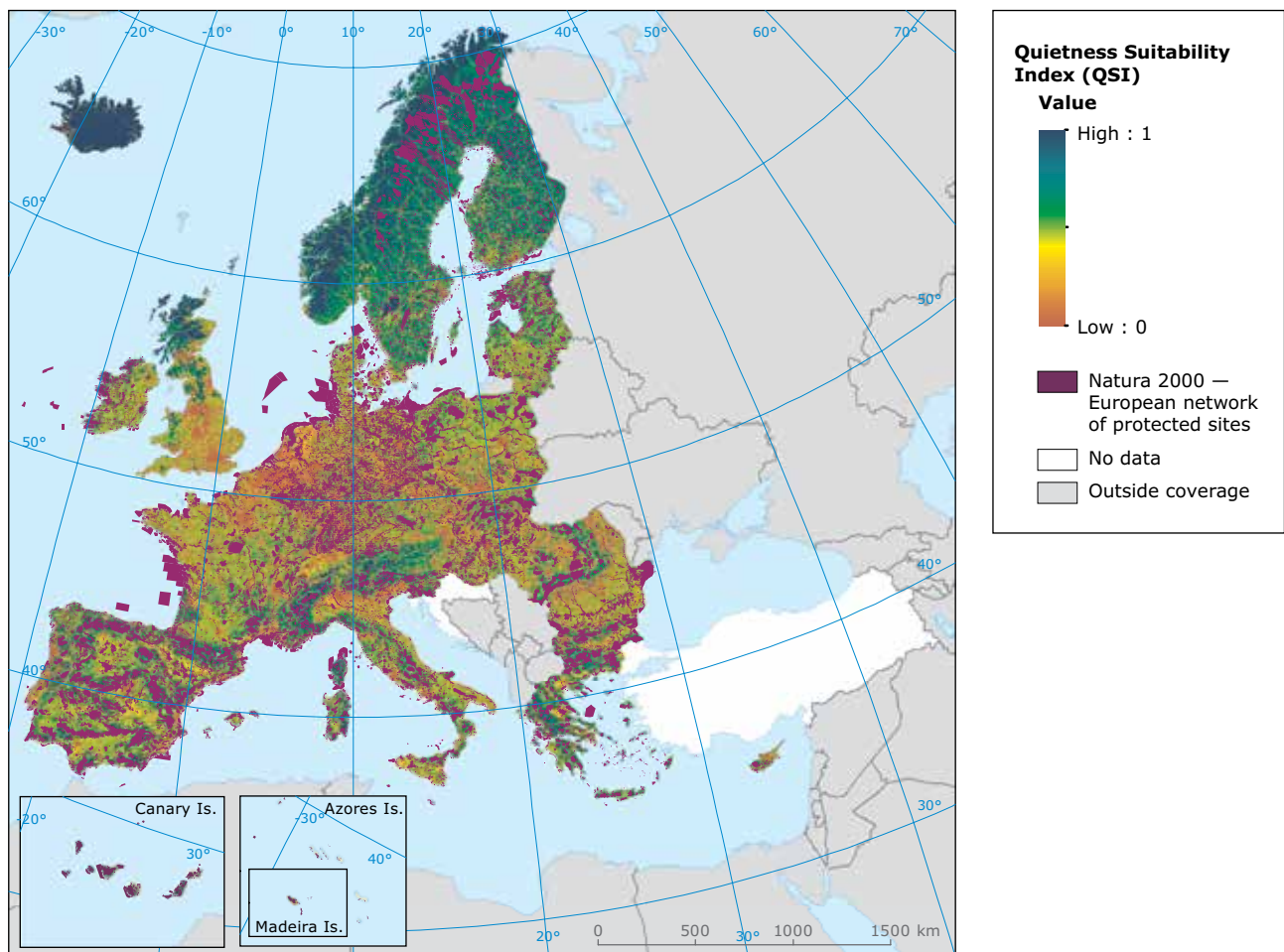
highest share, near 40 %. On the other hand, in small countries like Belgium, Luxembourg and Malta the share of quiet areas is very low and noisy areas represent a significant portion of the protected areas.

It should be noted that Iceland, Norway and Switzerland do not have Natura 2000 networks.

More than 50 % of quiet areas (QSI = 1) are located in Natura 2000 sites with a few exceptions (Finland and Sweden) (see Map 5.2).

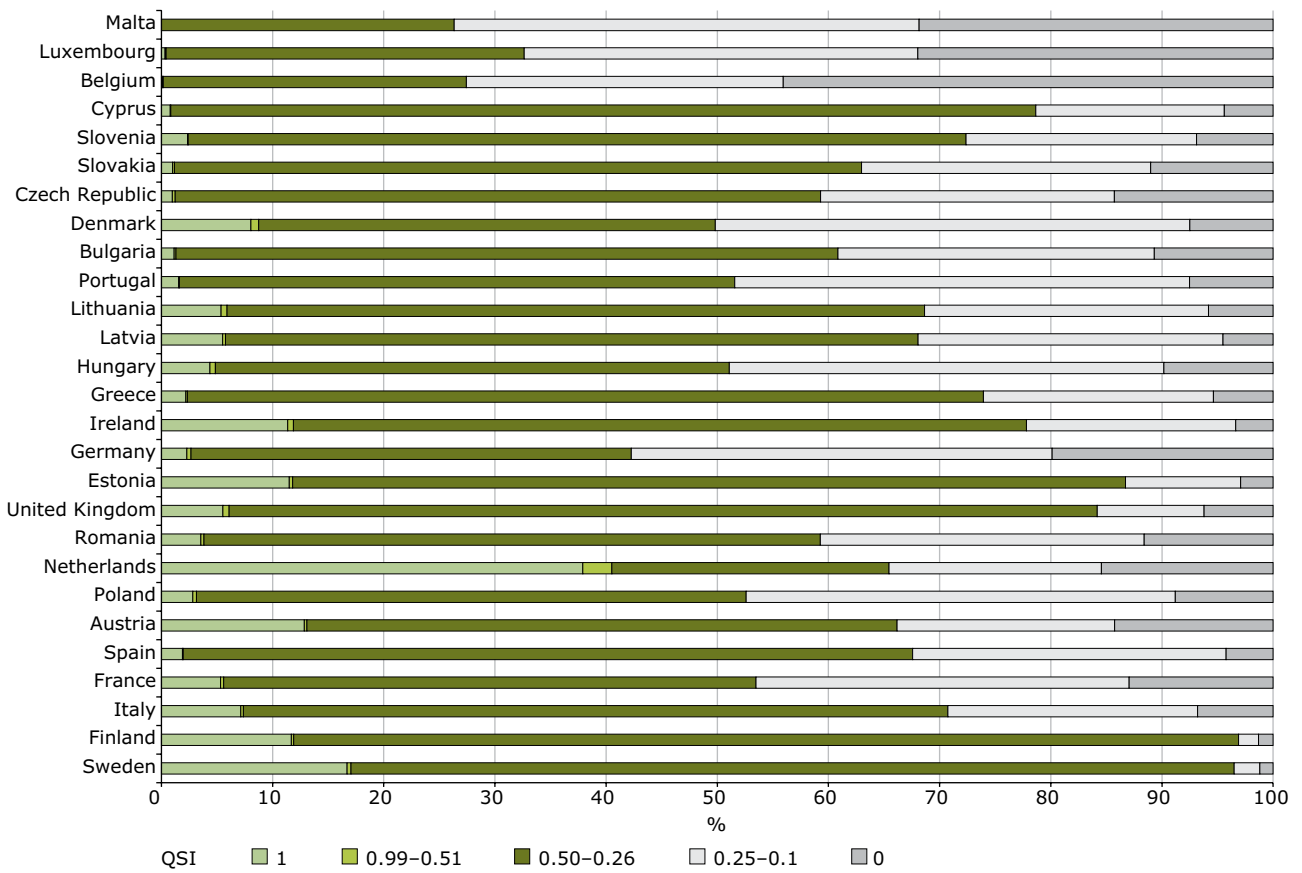
A report published by the European Parliament in 2012 made recommendations for the development of a more comprehensive noise strategy, wherein the vague definition of quiet areas by the END was highlighted as leaving ample discretion for interpretation by Member States, which led to confusion and divergence in approaches to the protection of quiet areas (EU, 2012).

**Map 5.2 Natura 2000 protected sites in relation to the Quietness Suitability Index**

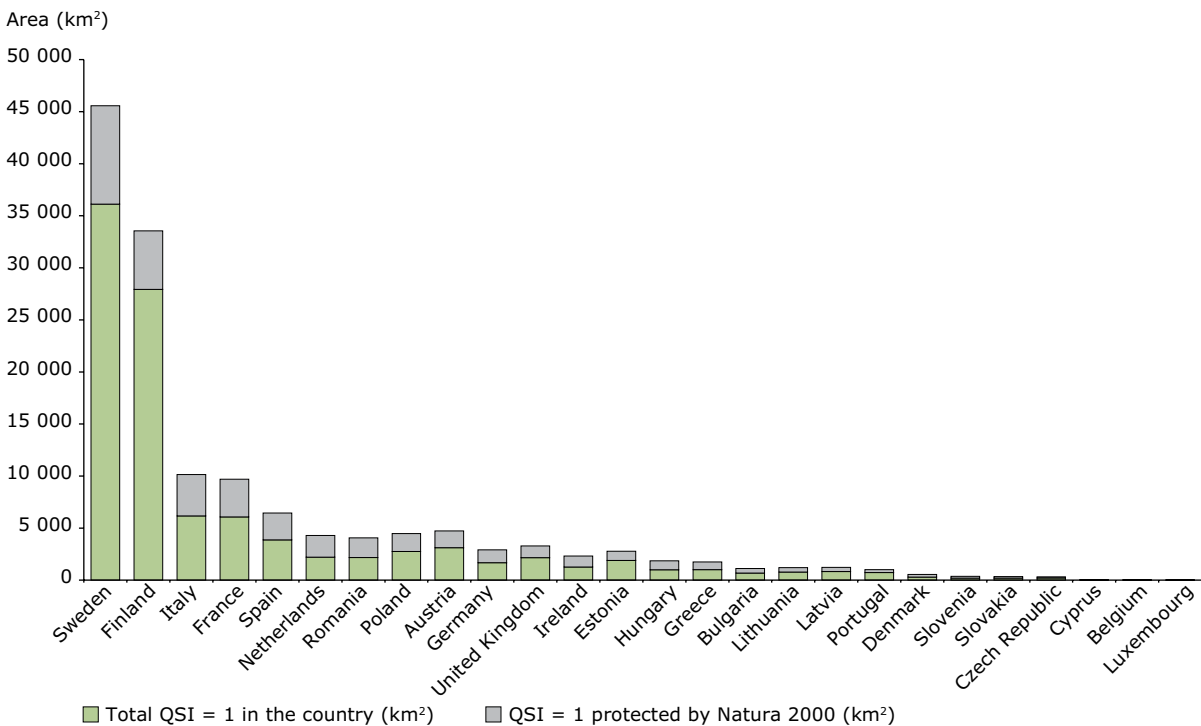


Source: EEA, 2014.

**Figure 5.3 Quiet areas protected by Natura 2000 – European network of protected sites (based on Quietness Suitability Index)**



**Figure 5.4 Total and protected quiet areas (QSI = 1) by country**



**Note:** The graph highlights the total and protected by Natura 2000 quiet areas (QSI = 1) by country.

**Box 5.3 EU emission limits for road vehicles**

Regulation (EU) No 540/2014 of the European Parliament and of the Council on the sound level of motor vehicles and of replacement silencing systems was officially adopted on 16 April 2014 (EU, 2014).

The main elements of the regulation are:

- The old test method of the vehicle noise Directive (70/157/EEC) will be replaced by a new test method recognised internationally and better reflecting present driving behaviour. This new test method has already been used in the EU for monitoring purposes for 3 years. It was developed under the auspices of the United Nations Economic Commission for Europe (UNECE).
- The limit values will be lowered in two steps of each 2 dB(A) for passenger cars, buses and light trucks; for heavy duty vehicles the reduction will be 1 dB(A) in the first step and 2 dB(A) in the second step. The first step is foreseen to apply 7 years after the date of publication of the proposal in the Official Journal of the European Union (OJ); the second step shall follow after a further 4 years. The proposed reduction would apply to the noise values resulting from the application of the new test method.
- Additional sound emission provisions (ASEP) will be included in the type-approval procedure and the existing derogations for certain vehicle types will be revised. ASEP are preventive requirements intended to cover driving conditions of the vehicle in real traffic outside the type-approval driving cycle. These driving conditions are environmentally relevant and it needs to be ensured that the sound emission of a vehicle under street driving conditions does not differ significantly from the vehicle tested.
- A specific annex on the minimum noise ('Approaching Vehicle Audible Systems') of electric and hybrid electric vehicles is proposed to be added. These requirements shall ensure that only adequate sound-generating devices are used and it shall lead to a harmonisation of the applied technology. The fitting was made mandatory by the legislator for electric/hybrid vehicles (after 5 years/publication).
- To foster competition, the legislator also introduced some requirements on the noise labelling at dealerships. 'Manufacturers shall endeavour to ensure that the sound level of each vehicle is displayed at the point of sale.' The Commission will have to carry out an impact assessment on further developing those requirements.

The provisions of the directive are expected to influence levels of environmental noise from road traffic in Europe around 13 years after its introduction — i.e. by mid-2027 (European Commission, 2011).

By contrast, an impact assessment of the proposed limits as conducted by the German Federal Environment Agency concluded that the new vehicle emission limits would have little or no impact upon reducing levels of environmental noise in that country. The reasons were identified as including the long lead-in period, disregard for the dominance of tyre noise, requirements to increase sound levels from otherwise quiet vehicles and lack of effective test method for the limits (UBA, 2012).

The EEA has published a digest of good practice in relation to the identification and management of quiet areas, which is available for download

at <http://www.eea.europa.eu/publications/good-practice-guide-on-quiet-areas>.



## 6 Conclusions

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As this report marks the first European-scale assessment of noise, it is not possible to draw firm conclusions about past trends concerning the state of Europe's acoustic environment. What we do know is that noise is one of the most pervasive pollutants in Europe and that drivers such as economic growth, expanding urbanisation, more extensive transport networks and increased industrial output will present challenges to protecting the quality of the European soundscape. Increased pressures impact upon our ability to protect our own health and the health of sensitive populations such as the young, the immobile and those living in deprived areas, which may well be at most risk from the adverse health effects associated with noise.

The health of our ecosystems is also at risk. The noise maps of Europe reveal graphically how the extent of even relatively moderate levels of noise such as 55 dB  $L_{den}$  are consuming more and more territorial area outside of urban areas and directly threatening valuable habitats and species that are particularly susceptible to noise.

It is clear from END data and citizen ratings that noise from road traffic is the most dominant threat, both due to its geographical extent and by the numbers of people it affects. In addition, while airports do not affect a wide geographical area, the effects of aircraft noise extend beyond the damage to health of those people living nearby airports. It also directly impacts the ability of younger generations to concentrate and learn in schools affected by aircraft flight paths. Although railway noise does not have the same high numbers of exposure that road traffic reaches, the numbers of people affected remain significant. In cities, it would appear from END data reports that sea ports and industrial sites are not affecting a very great number — less than half a million people, compared to the other sources — yet citizen ratings of noise in Europe indicate that industrial noise is the second most dominant source affecting our environment. Further work may be required to assess the extent of industrial noise assessments reported to EEA.

The greatest challenge to assessing Europe's noise environment lies mainly with data completeness. In terms of END data, we only have 44 % of the picture for some sources. This is entirely due to late reporting by countries. Even if there have been some limited improvements, this situation needs to be addressed urgently if the knowledge base for the further development of noise policy in Europe is to be strengthened. Data from mobile applications also offers an opportunity to learn more about the sources of noise affecting people living outside the scope of the END or distant from measurement stations.

Noise contour map data provide an opportunity to expand spatial analysis of our environment to also include the potential impact of noise upon biodiversity loss and habitat fragmentation. The impact of noise in this regard undoubtedly needs better quantification.

Data accessibility at European level is the cornerstone of providing a Shared Environmental Information System (SEIS) (European Commission, 2008). SEIS builds upon a set of data management principles that improve access to data sets, prevent unnecessary duplication of data collection and allow decentralised quality control. In this context, the synergy between different pollutants is marked. On every level, from defining agglomerations to implementing action plans, the assessments for air and noise pollution exhibit similarities. These synergies require further exploration to achieve a more integrated solution to ensuring health and well-being of urban populations.

Other challenges are more immediate. Road traffic noise is today the second worst environmental pollutant in Europe with at least 1 million healthy life years lost each year according to the WHO in 2011. Even the incomplete 2012 noise mapping data shows that there are at least 10 000 cases of premature death in Europe and at least 43 000 cases of hospitalisation each year, that almost 20 million people suffer annoyance and a further 8 million suffer sleep disturbance. Due to the incomplete reporting, these numbers are likely significantly

underestimated, potentially by more than a factor of two, meaning overall impacts upon society are expected to be much greater.

Moreover, assessments cannot yet be made to compare noise levels in Europe with WHO recommended levels for night time exposure, as reporting of this information by countries is not mandatory. The EEA requests this data in the ENDRM, but as yet only a few countries have responded.

Aside from the impacts upon human health, there needs to be more concerted European and country-level effort in relation to assessing the economic impacts of inaction on noise pollution. While member countries are encouraged to implement action plans against noise, action at source is often a more effective measure. Recent revision of vehicle emission limits is an important measure, but the timescales for implementation may render the action inconsequential. Similarly, labelling of car tyres can only succeed if the consumer is informed and/or incentivised to act upon the information provided by the label. It can

be noted that the same regulation on vehicle noise emissions also requires the increase of sound levels from electric vehicles.

Regarding industrial noise, there are relevant provisions in European legislation but it is not yet possible to assess the effectiveness of those provisions. Again, apparent under-implementation of the END, and the wide data gaps that exist for sea port noise assessments in particular, is a significant obstacle.

Finally, it should be noted that action need not always focus upon the areas of highest decibel levels or the so-called 'hot-spots' as identified by noise contour mapping. Even a reduction of 10 dB can present little tangible benefit to inhabitants of an urban area experiencing an  $L_{den}$  of 75 dB or more. Attention should also be paid to those areas not appearing above the threshold for actions — the areas where the acoustic environment is good. Such a two-fold approach to reducing environmental noise and protecting relatively quiet areas offers a strategy to protect our health and preserve Europe's natural soundscape before each is further degraded.

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# Annex 1 Examples of noise-related legislation in the European Union

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Directive 89/629/EEC of 4th December 1989 on the limitation of noise emission from civil subsonic jet aeroplanes, 1989.

Directive 2006/93/EC on the regulation of the operation of aeroplanes covered by the Convention on International Civil Aviation, 2006.

Regulation 216/2008/EC on common rules in the field of civil aviation, 2008.

Communication on air transport and the environment, 1999.

Directive 96/48/EC on the interoperability of the trans-European high speed rail system, 1996.

Directive 97/24/EC on certain components and characteristics of two or three wheel motor vehicles, 1997.

Directive 2001/43/EC amending Council Directive 92/23/EEC relating to tyres for motor vehicles and their trailers and to their fitting, 2001.

Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, 1985.

Directive 2000/14/EC on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors, 2001.

Directive 2001/16/EC on the interoperability of the trans-European conventional rail system, 2001.

Commission Decision 2002/735/EC concerning the technical specification for interoperability relating to the Rolling stock subsystem of the trans-European high speed rail system referred to in Article 6(1) of Directive 96/48/EC.

Commission Decision 2002/732/EC relating to technical specification for interoperability relating to high speed railway infrastructures, 2002.

Commission Decision of 29 April 2004 specifying the basic parameters of the Noise, Freight Wagons and Telematic applications for freight, Technical specifications for interoperability referred to in Directive 2001/16/EC, 2004.

Directive 92/23/EEC of the European Parliament and of the Council of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting, 1992.

Directive 2001/43/EC of the European Parliament and of the Council of amendment of 92/23/EC relating to tyre noise emission.

Directive 2003/44/EC of the European Parliament and of the Council of 16 June 2003 amending Directive 94/25/EC on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft, 2003

Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (Recast), 2006.

Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefore, 2009.

Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters, 2009.

Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast), 2010.

Regulation (EU) No 540/2014 of the European Parliament and of the Council of 16 April 2014 on the sound level of motor vehicles and of

replacement silencing systems, and amending Directive 2007/46/EC and repealing Directive 70/157/EEC, 2014.

Regulation (EU) No 598/2014 of the European parliament and of the Council of 16 April 2014

on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC, 2014.



## Annex 2 Example of data gap-filling methodology applied to agglomeration road data

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**Option 1** – Use ENDRM DF4\_8 results as reported and contained in the NOISE database.

- Method applied for 307 of the 472 listed agglomerations.

**Option 2** – Where results are not reported for DF4\_8 (as indicated by the NOISE database), derive results for the phase 2 agglomeration, from the phase 1 results for the same agglomeration (if available) adjusted to reflect any updates to the agglomeration population in phase 2.

- Method applied for 44 of the 472 listed agglomerations.

**Option 3** – Where results are not reported for DF4\_8 (as indicated by the NOISE database), derive results for the phase 2 agglomeration, from the phase 2 average results reported for the same country (where available) adjusted to reflect any updates to the agglomeration population in phase 2.

- Method applied for 81 of the 472 listed agglomerations.

**Option 4** – Where results are not reported for DF4\_8 (as indicated by the NOISE database), derive results

for the phase 2 agglomeration, from the phase 1 average results reported for the same country (where available) adjusted to reflect any updates to the agglomeration population in phase 2.

- Method applied for 28 of the 472 listed agglomerations.

**Option 5** – Where results are not reported for DF4\_8 (as indicated by the NOISE database), derive results for the phase 2 agglomeration, from the phase 2 NOISE database EEA-wide average results, adjusted to reflect any updates to the agglomeration population in phase 2.

**Exclusions** – Where results are not reported for phase 2 and no information on the population of the agglomeration has been provided (i.e. DF1\_5), it was not possible to provide a quick forecast of the estimated exposure, and therefore the agglomeration has been excluded from this analysis.

- 8 of the 472 listed agglomerations (in Greece and Turkey) have been excluded from this analysis and no results have been incorporated from Croatia or Turkey, as no information has been reported in DF1\_5.

The technical note on gap filling methodological approach may be accessed in full at: <http://forum.eionet.europa.eu/nrc-noise/library/noise-report-2014>

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Publications Office





Schedule 12  
Part A

WARD: West End  
UPRN: 010033545187

## City of Westminster

64 Victoria Street, London, SW1E 6QP

### Premises licence

Regulation 33, 34

**Premises licence number:**

13/09851/LIPN

**Original Reference:**

13/09851/LIPN

#### Part 1 – Premises details

#### Postal address of premises:

The Boulevard Theatre  
First Floor & Second Floor, 6-12 Walker's Court & Ground Floor (Entrance Area), 27 Peter Street,  
London  
W1F 0BY

**Telephone Number:** Not Supplied

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Performance of a Play  
Late Night Refreshment  
Sale by Retail of Alcohol

#### The times the licence authorises the carrying out of licensable activities:

##### Performance of Dance

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

##### Exhibition of a Film

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

##### Performance of Live Music

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)

Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Playing of Recorded Music**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Performance of a Play**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Late Night Refreshment**

Monday to Saturday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 23:00 to 01:00 (Performance Venue)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Sale by Retail of Alcohol**

Monday to Sunday: 10:00 to 22:00 (Pre-booked Private Events)  
Monday to Thursday: 10:00 to 01:00 (Performance Venue)  
Monday to Thursday: 10:00 to 23:30 (Bar Area - No Other Activities Permitted)  
Friday to Saturday: 10:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Sunday: 12:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Sundays before Bank Holidays: 10:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**The opening hours of the premises:**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Thursday: 09:00 to 23:30 (Bar Area - No Other Activities Permitted)  
Friday to Saturday: 09:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Sundays before Bank Holidays: 09:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption on the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Soho Estates Limited  
Portland House  
12-13 Greek Street  
London  
W1D 4DL

**Registered number of holder, for example company number, charity number (where applicable)**

00473566

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Name:** To Be Confirmed

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** To Be Confirmed

**Licensing Authority:** To Be Confirmed

**Date:** 13<sup>th</sup> June 2014

**Signed:** pp  
Operational Director - Premises Management



## Annex 1 – Mandatory conditions

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
  - (b) "permitted price" is the price found by applying the formula-
$$P = D+(D \times V)$$
Where-
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4.
  - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.

6. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
7. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
8.
  - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
9. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11.
  - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

12. The responsible person shall ensure that;

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

13. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate

**Annex 2 – Conditions consistent with the operating Schedule**

None.

### Annex 3 – Conditions attached after a hearing by the licensing authority

14. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
16. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
19. Licensable activities at the premises are restricted to;
  - a. Persons attending a ticketed theatrical or other stage performance; or
  - b. Persons attending a pre-booked private event where a record of the event shall be kept for 31 days and made available to the police or Licensing Authority upon request; or;
  - c. Persons using the theatre bar at times when the premises are not being used for a ticketed theatrical or other stage performance or for a pre-booked private event.

For the purposes of this condition

- i. all persons attending a theatrical or other performance shall be seated for the performance and leave the premises by 01.00 on the days following Monday to Saturday and 22.30 on Sunday;
- ii. all persons attending a pre-booked private event shall leave the premises by 22.00 on every day of the week; and
- iii. all persons using the theatre bar at times when the premises are not being used for theatrical or other stage performance or for a pre-booked private event shall leave the premises by 23.30 on Monday to Thursday, midnight on Friday and Saturday and Sunday before Bank Holidays, and 22.30 on other Sundays, or, on any day, 1 hour prior to the commencement of a theatrical or other stage performance or a pre-booked private event, whichever is the earlier.



- iv. On any days when the premises are used as a performance venue or for a pre-booked private event, the bar must completely cease to operate for a period of at least one hour before the commencement of any performance in the theatre or the start of the private event.
- 20. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed :
  - a. 155 persons for a seated performance, or
  - b. 250 persons standing if all seats in the auditorium are removed from the first floor of the premises, (or such lesser numbers as determined by the Environmental Health Consultation Team on removal of the works condition), or
  - c. 75 persons at times when no theatre or other stage performance or pre-booked private event is taking place at the premises.
- 21. The licensable activities authorised by this licence are subject to the primary use of the premises continuing to be that of a Theatre and the sale and consumption of alcohol being ancillary to the use of the premises as a performance venue or for private events whenever either of those activities are taking place.
- 22. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises
- 23. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
- 25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - o dry ice and cryogenic fog
  - o smoke machines and fog generators
  - o pyrotechnics including fireworks
  - o firearms
  - o lasers
  - o explosives and highly flammable substances.
  - o real flame.
  - o strobe lighting.
- 26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

27. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
28. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
32. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
33. All drinking vessels used in the auditoria shall be polycarbonate. All alcohol in glass bottles sold in the bar area is to be decanted into polycarbonate containers or polycarbonate carafes. With the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the auditoria.
34. After 23:00, there shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
35. The operators of the business and/or the licensees shall ensure that any capacity limits set for the premises are properly monitored at all times and recorded hourly. Information regarding the capacity shall be given to an authorised officer or Police Officer on request.
36. After 23:00, there will always be at least two SIA registered staff on duty at all times.
37. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
38. A minimum of 7 working days notice shall be given by the Environmental Health Consultation Team when there is a change to the theatrical production.
39. On an open stage and elsewhere in the premises any permanently installed scenery should normally be made from the following:
  - o Non-combustible material; or
  - o Inherently flame-retarded fabric; or
  - o Durably-treated flame regarded fabric; or
  - o Timber, hardboard or plywood treated by a process of impregnation which meets Class 1 (BS 476-7) or Class-s3.d2 (BS EN 13501-1) surface spread flame; or Timber framing of minimum 22mm nominal thickness; or
  - o Medium-density fibreboard (MDF), plywood, chipboard not less than 18mm in thickness; or
  - o Plastics material subject to special consideration by appropriate Responsible Authority, being the Fire Authority; or
  - o Other materials acceptable to the appropriate Responsible Authority, being the Fire Authority.

40. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - o Any emergency lighting battery or system
  - o Any electrical installation
  - o Any emergency warning system
  - o Ceiling.
41. All materials used in finishing and furnishing the premises should, as far as it reasonably practicable, be selected so as to be difficult to ignite and provide a low surface spread of flame and low rates of heat release and smoke emission.
42. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
43. Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
44. A direct telephone number for the manger at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
45. Loudspeakers shall not be located in the ground floor entrance lobby or outside the premises save for those used only for making emergency announcements.
46. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.
47. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
48. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
49. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
50. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
51. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
52. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited.

For the purpose of this section,

'Directly' means:- employ, have control of or instruct.

'Indirectly' means allowing / permitting the service of or through a third party.



53. Licensable activities authorised by this licence may continue from the end of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day.
54. The licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.
55. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
56. No person shall without the written consent of the Council give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

57. The hours for regulated entertainment, late night refreshment and sale of alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
58. On any days when the premises are used as a performance venue or for a pre-booked private event, the bar must completely cease to operate for a period of at least one hour before the commencement of any performance in the theatre or the start of the private event.

## **Annex 4 – Plans**

Attached









Schedule 12  
Part B

WARD: West End  
UPRN: 010033545187

## City of Westminster

64 Victoria Street, London, SW1E 6QP

### Premises licence summary

Regulation 33, 34

**Premises licence number:**

13/09851/LIPN

#### Part 1 – Premises details

##### Postal address of premises:

The Boulevard Theatre  
First Floor & Second Floor, 6-12 Walker's Court & Ground Floor (Entrance Area), 27 Peter Street,  
London  
W1F 0BY

**Telephone Number:** Not Supplied

##### Where the licence is time limited, the dates:

Not applicable

##### Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Performance of a Play  
Late Night Refreshment  
Sale by Retail of Alcohol

##### The times the licence authorises the carrying out of licensable activities:

###### Performance of Dance

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

###### Exhibition of a Film

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

###### Performance of Live Music

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)  
Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Playing of Recorded Music**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Performance of a Play**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Late Night Refreshment**

Monday to Saturday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Saturday: 23:00 to 01:00 (Performance Venue)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

**Sale by Retail of Alcohol**

Monday to Sunday: 10:00 to 22:00 (Pre-booked Private Events)  
Monday to Thursday: 10:00 to 01:00 (Performance Venue)  
Monday to Thursday: 10:00 to 23:30 (Bar Area - No Other Activities Permitted)  
Friday to Saturday: 10:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Sunday: 12:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

Sundays before Bank Holidays: 10:00 to 00:00 (Bar Area - No Other Activities Permitted)

Non-Standard Timings: Private Events or Performance Venue see condition 58.

**The opening hours of the premises:**

Monday to Sunday: 09:00 to 22:00 (Pre-booked Private Events)  
Monday to Thursday: 09:00 to 23:30 (Bar Area - No Other Activities Permitted)  
Friday to Saturday: 09:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Sundays before Bank Holidays: 09:00 to 00:00 (Bar Area - No Other Activities Permitted)  
Monday to Saturday: 09:00 to 01:00 (Performance Venue)  
Sunday: 09:00 to 22:30 (Bar Area - Activities other than Pre-booked Private Events)

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption on the Premises.

**Name and (registered) address of holder of premises licence:**

Soho Estates Limited  
Portland House  
12-13 Greek Street  
London  
W1D 4DL

**Registered number of holder, for example company number, charity number (where applicable)**

00473566

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Name:** To Be Confirmed

**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 13<sup>th</sup> June 2014

**Signed:** pp  
Operational Director - Premises Management





## City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: West End  
UPRN: 010033586275

Premises licence

Regulation 33, 34

Premises licence number:

14/09064/LIDPSR

Original Reference:

14/05175/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Restaurant  
Basement And Ground Floor  
6 Walker's Court  
London  
W1F 0BU

**Telephone Number:** Not Supplied

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

#### The times the licence authorises the carrying out of licensable activities:

##### Playing of Recorded Music

Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

##### Late Night Refreshment

Monday to Saturday: 23:00 to 01:00  
Sunday: 23:00 to 00:00

##### Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

#### The opening hours of the premises:

Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00



**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Soho Estates Limited  
Portland House  
12-13 Greek Street  
London  
W1D 4DL

**Registered number of holder, for example company number, charity number (where applicable)**

00473566

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Name:** Not Appointed

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** Not Appointed

**Licensing Authority:** Not Appointed

**Date:** \_\_\_\_\_14<sup>th</sup> January 2015\_\_\_\_\_

**This licence has been authorised by Miss Bina Patel on behalf of the Operational Director - Premises Management.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) 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.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Annex 2 – Conditions consistent with the operating Schedule**

None.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 07.00 hours on the following day
15. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.00 hours on the following day.
16. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
17. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
18. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
19. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) all seizures of drugs or offensive weapons
  - (e) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
20. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,



- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

- 21. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- 22. The sale of alcohol for consumption off the premises is only allowed from the delicatessen on the ground floor of the premises (to be shown hatched on the attached plan) between the hours of 10.00 to 22.00 on Monday to Saturday and 12.00 to 22.00 on a Sunday.
- 23. There shall be no regulated entertainment in the delicatessen on the ground floor of the premises.
- 24. The Peter Street entrance to the premises cannot be used after 22.00.
- 25. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
- 26. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
- 27. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
- 28. There shall be no admittance or re-admittance to the premises after midnight.
- 29. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.
- 30. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- 31. The entrance door shall be kept closed at all times when regulated entertainment is provided except for the immediate access and egress of patrons.
- 32. Loudspeakers shall not be located in the entrance area or outside the premises building.



33. The emergency exit doors within the basement shall be maintained closed at all times. These exit doors shall not be used for general access or egress at any time except in cases of emergency.
34. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
35. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
36. After 23.00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 20 persons at any one time.
37. The hours for licensable activities and opening times is extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.
38. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority by way of variation.
49. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
40. The licence will have no effect until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the agreed capacity for the ground floor and basement has replaced this condition on the Licence, subject to the overall capacity not exceeding 230 persons at any one time.





**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

WARD: West End  
UPRN: 010033586275

Premises licence  
summary

Regulation 33, 34

Premises licence number:

14/09064/LIDPSR

**Part 1 – Premises details**

**Postal address of premises:**

Restaurant  
Basement And Ground Floor  
6 Walker's Court  
London  
W1F 0BU

**Telephone Number:** Not Supplied

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

**The times the licence authorises the carrying out of licensable activities:**

**Playing of Recorded Music**

Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

**Late Night Refreshment**

Monday to Saturday: 23:00 to 01:00  
Sunday: 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 00:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Soho Estates Limited  
Portland House  
12-13 Greek Street  
London  
W1D 4DL

**Registered number of holder, for example company number, charity number (where applicable)**

00473566

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Name:** Not Appointed

**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** \_\_\_\_\_ 14<sup>th</sup> January 2015 \_\_\_\_\_

**This licence has been authorised by Miss Bina Patel on behalf of the Operational Director - Premises Management.**

## **CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

### **Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) 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.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.



10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

#### **Conditions consistent with the operating schedule**

11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

#### **Interested party as proposed the following amendment “after the words ....CCTV system insert the words internally and externally”**

12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. Save for the first floor stalls bar and restaurant, the provision of licensable activities shall be restricted to:
  - a) persons attending a ticketed theatre show or other stage performance; or
  - b) persons attending a pre-booked private event; a list of such events shall be kept for 31 days for inspection by the responsible authorities; or
  - c) Members of the Theatre Club and their bona fide guests (limited to 4 at any time). A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council
14. Alcohol may only be sold after Core Hours (23:30 Monday to Thursday, midnight Friday to Saturday & 22:30 Sunday) to persons who are either:
  - a) Attending a ticketed theatre show or other stage performance; or
  - b) Attending a private pre-booked event, a list of such events shall be kept for 31 days for inspection by the responsible authorities; or
  - c) Seated and taking a table meal there and for consumption by such a person as ancillary to their meal; or
  - d) Members of the Theatre Club and their bona fide guests (limited to 4 at any time). A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- a) all crimes reported to the venue
  - b) all ejections of patrons
  - c) any complaints received concerning crime and disorder
  - d) any incidents of disorder
  - e) all seizures of drugs or offensive weapons
  - f) any faults in the CCTV system or searching equipment or scanning equipment
  - g) any refusal of the sale of alcohol
  - h) any visit by a relevant authority or emergency service

**Interested Party has proposed the following amendment “new subsection i) any complaints about Pedi cabs attending and waiting in the immediate vicinity of the premises.”**

19. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances
  - real flame
  - strobe lighting
20. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
21. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
22. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
23. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
24. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
25. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
26. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
27. The operators of the business and/or the licensees shall ensure that any capacity limits set for the premises are properly monitored at all times and recorded hourly. Information regarding the capacity shall be given to an authorised officer or Police Officer on request.

28. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.

**Interested Party has proposed the following amendment: “Delete. Take away facilities are not appropriate at this venue Replace with new condition “All persons leaving the premises shall be asked to do so quietly and marshals shall be provided every evening that the premises is open to supervise this and prevent Pedi cabs and private hire vehicles congregating in Peter St and Berwick St. Customers shall be actively directed down Walkers Court to Brewer street away from Peter Street which is predominantly residential in nature.”**

29. Unless otherwise agreed with the council, a minimum of 7 working days notice shall be given by the Environmental Health Consultation Team when there is a change to the theatrical production.
30. The certificates listed below shall be submitted to the Licensing Authority upon written request:
- Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system
  - Ceiling
31. All materials used in finishing and furnishing the premises should, as far as it reasonably practicable, be selected so as to be difficult to ignite and provide a low surface spread of flame and low rates of heat release and smoke emission.
32. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
33. Patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
34. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
35. Loudspeakers shall not be located in the ground floor entrance lobby or outside the premises save for those used only for making emergency announcements.
36. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.
37. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
38. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.

**Interested Party has proposed the following amendment; “Add a second sentence No deliveries to the premises shall take place on Peter Street after 22.00 and before 08.00.”**

39. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
40. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
41. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
42. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited.

For the purpose of this section,

'Directly' means:- employ, have control of or instruct.

'Indirectly' means allowing / permitting the service of or through a third party.

43. Licensable activities authorised by this licence may continue from the end of permitted hours on New Year's Eve until the end of permitted hours on New Year's Day.
44. Unless otherwise agreed in writing with the Police, after 23:00, there will always be at least two SIA registered staff on duty at all times whilst there is a theatre performance or pre-booked event taking place.

**Interested Party has proposed the following amendment: “delete the proposed wording and replace with There shall be two SIA registered officers on duty at all times the premises are open after 21.00 pm.”**

45. Save for pre-booked, private events, any alcohol sold in the auditorium shall only be contained in non-breakable vessels save for 20cl bottles of prosecco and champagne, or where agreed in writing with the Environmental Health Consultation Team. All such drinks in glass bottles are to be served to the customer with a suitable polycarbonate container, and customers shall not be permitted to drink directly from any glass bottle.
46. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
47. The licensable activities authorised by this licence are subject to the primary use of the premises continuing to be that of a Theatre and the sale and consumption of alcohol being ancillary to the use of the premises as a performance venue or for private events whenever either of those activities are taking place.
48. No licensable activities shall take place at the premises until premises licences 13/09851/LIPN and 14/09064/LIDPSR have been surrendered.
49. No licensable activities shall take place at the premises until the works have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
50. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of

construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

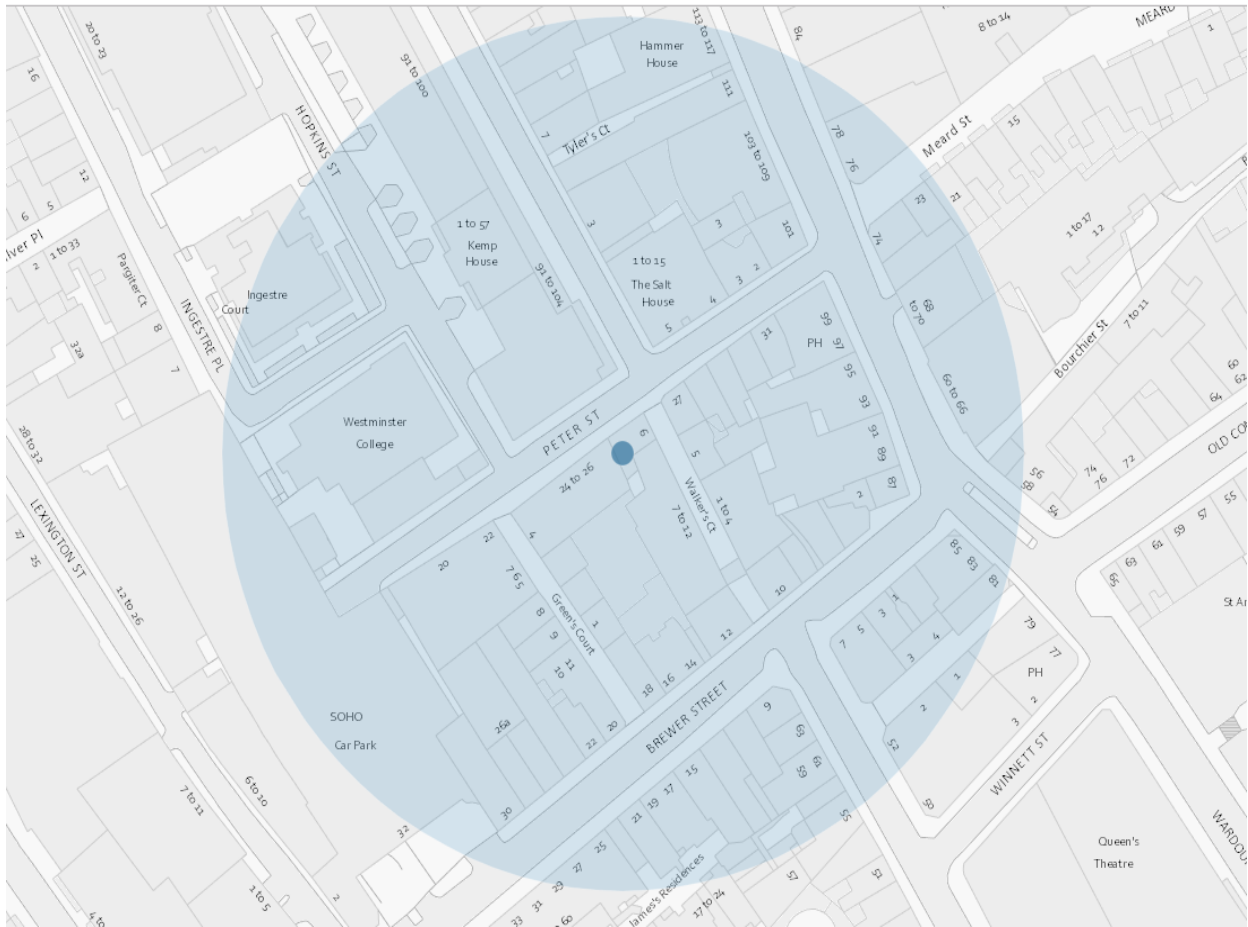
51. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
52. The licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the licence.

### **Conditions proposed by the Interested Parties**

53. Guests departing from the Boulevard complex should be dispersed South along Walker's Court in the direction of Shaftesbury Avenue in order to avoid disturbance to the residents of Peter Street and Berwick Street.
54. After 22.00 no ingress or exit from the of 6 Walker's Court doorway (except in emergencies)
55. A fixed number of staff shall be positioned outside the premises every night to ensure orderliness and quietness of dispersing guests, and they should remain on site until the guests are dispersed. If complaints are received by the Council, the license should require an increase in the number of staff.
56. The numbers of guests on balconies shall be restricted
57. No sound from speakers outside entrance or on balconies
58. Noise restrictions are applied to the internal level of sound and of recorded music to prevent nuisance
59. No waste or empty bottles to be put outside or collected after 22.00 or before 08.00
60. No admittance or readmittance to premises after midnight.
61. No alcohol to be taken off the premises.
62. No food be taken off the premises.
63. No glass of any kind be taken off the premises.
64. The premises licence is intended for use by the Boulevard Theatre and to be surrendered when they leave the premises.
65. No deliveries between 22:00 and 08:00
66. No removals or deliveries of theatrical props between 22:00 and 08:00
67. Any disputes with pedicab operators to be recorded, and such records be made available to Westminster City Council.

## Residential Map and List of Premises in the Vicinity

## Appendix 7



Resident Count: 272

### Licensed Premises within 75 Metres of 6 Walkers Court

Licence Number	Trading Name	Address	Premises Type	Time Period
14/09064/LIDPSR	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 00:00
14/09063/LIDPSR	(Restaurant)	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 00:00

18/11625/LIPDPS	Absurd Bird	25 Peter Street London W1F 0AH	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
15/08865/LIPN	The Box	11 - 12 Walker's Court London W1F 0BZ	Night clubs and discos	Monday to Saturday; 09:00 - 04:00   Sunday; 09:00 - 00:30
17/00277/LIPVM	The Box	11 - 12 Walker's Court London W1F 0BZ	Night clubs and discos	Monday to Saturday; 09:00 - 04:00   Sunday; 09:00 - 00:30
14/06422/LIPT	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Cinema	Monday to Sunday; 09:00 - 01:00
13/09851/LIPN	The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Theatre	Monday to Thursday; 09:00 - 23:30   Monday to Saturday; 09:00 - 01:00   Monday to Sunday; 09:00 - 22:00   Friday to Saturday; 09:00 - 00:00   Sunday; 09:00 - 22:30   Sundays before Bank Holidays; 09:00 - 00:00
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00   Sundays before Bank Holidays; 12:00 - 03:30



14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 01:00   Sundays before Bank Holidays; 12:00 - 03:30
17/06767/LIPT	Yalla Yalla	Basement And Ground Floor 1 Green's Court London W1F 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
17/10558/LIPDPS	Yalla Yalla	Basement And Ground Floor 1 Green's Court London W1F 0HA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
12/08457/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
13/04632/LIPN	Foxcroft & Ginger	3 Berwick Street London W1F 0DR	Cafe	Monday to Thursday; 08:00 - 23:00   Friday; 08:00 - 00:00   Saturday; 09:00 - 00:00   Sunday; 09:00 - 22:30
18/03699/LIPDPS	Randall & Aubin	16 Brewer Street London W1F 0SQ	Cafe	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
15/09155/LIPV	Lina Stores	18 Brewer Street London W1F 0SH	Shop	Monday to Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Sunday; 00:00 - 00:00
18/02179/LIPVM	Cutter And Squidge	20 Brewer Street London W1F 0SJ	Shop (large)	Monday to Wednesday; 09:30 - 21:00   Thursday; 09:30 - 22:00   Friday; 09:30 - 23:00   Saturday; 10:00 - 23:00   Sunday; 11:00 - 21:30

14/08656/LIPT	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Cafe	Monday to Saturday; 11:00 - 01:00   Sunday; 11:00 - 00:00
18/14531/LIPDPS	Byron	99 Wardour Street London W1F 0UF	Restaurant	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30   Sundays before Bank Holidays; 12:00 - 00:00
06/12416/WCCMAP	Soho Food And News	2 Brewer Street London W1F 0SA	Shop	Monday to Sunday; 09:00 - 03:00
17/07738/LIPDPS	Chilango	24 Brewer Street London W1F 0SN	Restaurant	Monday to Friday; 10:00 - 23:00   Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:30
11/11034/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Monday to Thursday; 10:00 - 00:30   Friday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
18/10483/LIPDPS	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/01861/LIPVM	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
19/00157/LIPCH	Adanami	30 Brewer Street London W1F 0SS	Recording Studio	Monday to Sunday; 00:00 - 00:00

14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 00:00
16/09817/LIPN	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Monday to Saturday; 09:00 - 06:00   Sunday; 09:00 - 05:00   New Year's Eve; 00:00 - 00:00
14/09446/LIPN	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Monday to Wednesday; 07:00 - 23:00   Thursday; 07:00 - 23:30   Friday; 07:00 - 00:00   Saturday; 08:00 - 00:00   Sunday; 08:00 - 22:30
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Monday to Saturday; 07:30 - 23:30   Sunday; 07:30 - 23:00
17/12283/LIPT	Damson & Co	21 Brewer Street London W1F 0RL	Restaurant	Monday to Sunday; 08:00 - 21:45   Sundays before Bank Holidays; 08:00 - 00:00
18/14474/LIPVM	O Bar	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday; 09:00 - 03:30   Tuesday; 09:00 - 03:30   Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 03:30   Saturday; 09:00 - 03:30   Sunday; 12:00 - 00:00   Sunday; 12:00 - 00:00

18/07978/LIPDPS	MasQMenos	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Cafe	Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sunday; 12:00 - 22:00
19/01972/LIPT	Spuntino	61 Rupert Street London W1D 7PW	Restaurant	Monday to Saturday; 10:00 - 01:30   Sunday; 12:00 - 00:00
19/04378/LIPDPS	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
18/15162/LIPVM	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Monday; 09:00 - 03:30   Tuesday; 09:00 - 03:30   Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 03:30   Sunday; 09:00 - 00:00
15/02786/LIPDPS	El Camion	25-27 Brewer Street London W1F 0RR	Restaurant	Monday to Saturday; 09:00 - 03:30   Sunday; 12:00 - 23:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Saturday; 09:00 - 03:30   Sunday; 09:00 - 00:00
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30   Friday to Saturday; 23:00 - 00:00
14/07563/LIPDPS	Four Seasons	23 Wardour Street London W1D 6PW	Restaurant	Monday to Saturday; 10:00 - 05:00   Sunday; 12:00 - 05:00