

Statement of Jonathan Read

1. I am Jonathan Read and I am a Director of Tobacco Dock Venue Limited, the premises licence holder and I am also the Designated Premises Supervisor for the premises.
2. The demolition of the News International headquarters in 2015/16, subsequent sale to Berkley Homes and the redevelopment of the site as London Dock, opened up the vista towards the City and we saw an opportunity to capitalise on these views and create a roof top space.
3. The applicant has suggested that the proper process was not followed for this Licensing Authority granting permission for use of this space. Olio Hunter and Gavin Mitchell also assert in their submissions that the local residents' were not consulted regarding Skylight opening and that Tobacco Dock Venue Limited were in some way "devious". This plainly is not true as the appropriate application to vary the premises licence, with the appropriate public consultation, took place in 2017. The criticism of the Licensing Authority (set out in the email Jack Hunter sent to Councillor Denise Jones) has absolutely no merit and is entirely unjustified and the allegation of being "devious" slanderous.
4. Initially we intended to create an alternative space to the main Tobacco Dock venue for corporate events – typically drinks receptions – but we had also identified the lack of amenity in the Wapping area for places for local residents to socialise other than the typical riverside pubs. Once established therefore we opened Skylight to the public on Thursday through to Sunday, opening between 5pm to 11pm on Thursdays and Fridays; noon to 11pm on Saturday's and Noon to 10pm on Sunday's.
5. Skylight has become a popular destination for local residents – we have over 120 locals who are regulars and we also host three local residents' groups socials a couple of times a year. Feedback from the community has been overwhelmingly supportive with comments received from emails and on Trip advisor, such as "it is great to have somewhere fun and vibrant to go that isn't a tourist-trap pub" and "Me and my neighbours in Elouna Apartments [block at top of Wapping Lane, 50 metres from Skylight] love the fact that we have one of East London's coolest rooftops on our doorstep."
6. Skylight supports over 40 direct jobs and with security, cleaning, maintenance indirectly supports dozens more as well as paying substantial business rates. Skylight has also raised over £30,000 for charities including the Jo Cox Foundation, the British Red Cross following the London Bridge terrorist attacks and supporting the Australian Bush fire relief efforts. We consider it to be very much the Hub of the local community as do the majority of local residents.
7. The Premises License for Skylight is part of the overall premises license for Tobacco Dock and therefore the conditions attached to this license apply to the Skylight. These include having SIA accredited door staff, CCTV and importantly the noise mitigation measures set out in the conditions. As part of our management plan, sound is monitored outside the 3 sensitive residential properties and on the rare occasion Db level limits are being reached we immediately instigate our plans to reduce levels. Considering events such as BBC Introducing Live have 7 sound stages and an audience of nearly 10,000 and we have no sound spillage we are confident that our operational processes and sound management plans are completely effective.

8. Tobacco Dock hosts in excess of 250 events per annum and attracts over 500,000 visitors to lifestyle exhibitions such as Taste of London food festival, the London Halal Food Festival and Lululemon's Sweat Life festival, corporate parties, conferences, product launches and awards dinners. It is now one of London's leading venues and we have won over 20 awards for the quality of our customer service and operational expertise. We are currently shortlisted in 7 categories in the EVENTEX global event awards.
9. We take our responsibilities as a venue operator very seriously indeed and have proactive measures in place to ensure that there is minimal impact of the local community such as putting litter picking patrols in place during and after public events, giving as much advanced notification as possible to local residents of events that have large footfall, working with event organisers on stewarding plans and installing temporary toilet facilities outside the venue. We enjoy a very positive relationship with the local community and frequently host community meetings in the venue and provide a forum for residents to communicate any concerns.
10. The complaint by Mr Hunter is a most regrettable set of circumstances. Following his initial complaint we extended noise monitoring to outside the complainant's building. We offered to arrange for measurements to be taken inside Mr Hunter's flat and on his balcony, [REDACTED]. I attach to my statement a photograph of google maps which shows the proximity of his flat which is 89 metres from Skylight.
11. [REDACTED]
12. Since the process of the license review commenced however, I communicated directly with Mr Hunter to establish his preferred outcome from this course of action [REDACTED]
13. The music being played on the rooftop is not regulated entertainment and thus not a licensable activity. We do not accept that the music is causing a nuisance to him or other residents.
14. With Mr Hunter's agreement we carried out acoustic tests on 7th February (using Vanguardia acoustic consultants) when we had a large corporate event with over 600 guests at Skylight. Vanguardia took simultaneous measurements at Skylight and also inside Mr Hunter's flat and on his balcony. Background music was played at its usual level in Skylight. The level of music is set at a maximum level and cannot be exceeded and has been at that level since we opened the bar back in 2017.
15. Sound Levels recorded at Skylight were between 63-67 dBA Leq and those in the flat were 30 dBA Leq with the windows closed when the music was entirely inaudible; and 35 dBA Leq (barely audible) with the windows open. The measurement was 47 dBA Leq on the balcony of the apartment, some 9 dB Leq lower than the required level on the premises licence condition.
16. All these sound checks are well within the levels prescribed in the Licensing Conditions which were set by the Environmental Health Officer – 56 dB leq. To give some comparisons of noise

levels a whisper is typically around 30Db, rainfall is around 50Db, normal conversation around 60Db, a washing machine on normal cycle 75-80 Db and shouting 110 Db. This supports the fact that we are a responsible and well managed venue and we are not causing a noise nuisance to local residents.

17. I note in the email correspondence Councillor Jones has produced, that Local Authority Officers visited the complainant's property on the 26th July 2019. We were not aware the Local Authority were going to be monitoring the noise levels on that evening. It is clear the Local Authority did not consider there was a nuisance even though this would have been a typical evening at Skylight. We were not contacted that weekend either by the Local Authority or Local Residents.
18. Mr Mitchell has submitted a noise nuisance diary sheet for the period 8th June 2018 to 1st July 2018. Tobacco Dock has never received a noise complaint from Mr Mitchell nor indeed had any contact from him whatsoever. If he had made contact we would have offered to take sound readings from his flat and establish if indeed there prescribed levels were being exceeded and taken measures to mitigate, exactly as we did with Mr Hunter. I also note that although Skylight has been trading from November 2018 – January 2019, from May 2019 – September 2019 and November 2019 – February 2020 he has not produced any further records. We have had no engagement with the Local Authority regarding any complaints made by Mr Mitchell and I am at a loss to understand what prompted him to record such a diary.
19. Mr Mitchell asserts that “there is usually a lot of noise in Wapping Lane, when drunk people are leaving the bar”. Patrons leave Skylight via Pennington Street and the vast majority use Shadwell Overground or DLR. Those that use taxis get picked up on Pennington Street so I would suggest that Mr Mitchell's claims are entirely false.
20. He also seems concerned that people “stand at the bar and stare over into my flat”. There is no bar that faces Mr Mitchell's flat, which is also at least 80 metres away, and it strikes me as highly unlikely that a patron would choose this vista (south) rather than a view of the City skyline (west) or Canary Wharf (east) or Tower Bridge and the Shard (south West). If it is, however, a genuine concern we will gladly look at installing a suitable planted screen so that there is no opportunity for patrons to look towards Discovery Walk, even though it is impossible to see into those flats from the Skylight even if you wanted to.
21. In summary, Tobacco Dock Venue Ltd and I as the Designated Premises Supervisor believe that our track record demonstrates that both Tobacco Dock and Skylight are run to extremely high, in fact award-winning, professional standards with sensitivity to our environment and the local community. We have brought a moribund building, which was unused for 25 years and on the English Heritage at risk register back to life and it is now a top 5 London events venue attracting some of the UK's most prestigious consumer and business events and generates significant GVA for the London Borough of Tower Hamlets and London as a whole. We have created over 400 jobs and also support a community of over 200 entrepreneurs in scaling businesses located in our co-working spaces. We also pay over £263,000 in business rates per annum.
22. We would be more than happy to explore further ways to mitigate any sources of complaints from the local residents but do not accept that noise is a nuisance based on the very recent measurements taken by acoustic experts. If we cannot play background music at Skylight, we will be disadvantaged to such an extent that the bar enjoyed by so many local residents will

not be commercially viable and will have to close with the loss of over 40 jobs. This would be a great a great pity.

23. Other than Mr Hunter our venue has only been contacted by one other resident regarding the the noise of the music from Skylight, a Mr Armstrong in 2018. We have always acted in the most professional and courteous manner and have a very good working relationship with the responsible authorities. If there has been any concern raised with any other aspect of the use of Tobacco Dock by the responsible authorities we have responded immediately and effectively. We cannot be expected to do so for complaints which have no merit or substance, although until July 2019 that is what we tried to do.
24. Finally I would like to say that it was most regrettable that Mr Hunter failed to follow the correct process when applying for the premises licence review, given how damaging such an application can be for a business and the amount of advice he had been given from the Council on how to submit his review. His failure to follow the correct procedure meant the public notices exhibited at the premises were on the premises for a week longer than they should have been. Despite a 5 week consultation only 2 other residents complained. I have addressed the complaint from Mr Mitchell. Mr laroslavski lives over 150 metres from the venue as the crow flies. He has never made a complaint to the venue.
25. It is my firm belief the Sub-Committee should not be taking any action in this matter as there is no evidence that a nuisance is occurring which should be prevented.

Jonathan Read.

24th February 2020