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From: [REDACTED]  
Sent: Wednesday, October 19, 2016 12:51 PM  
To: Regen, Licensing  
Subject: Licence application 855941

Dear Sirs,

I live close to the applicant's business.

So far we have received no notice from them of their intended business and why they now seek to extend the exiting licence to one including music, a material change for a business which sits at the heart of the most residential part of Bermondsey Street with people living above and to each side as well as immediately behind the premises.

My concern about the application is as follows:

The prevention of crime and disorder:

There are already eight other licenced premises within a 100 metre radius. They cause a lot of noise until late into the night seven days a week. This is a live-work neighbourhood.

People from those premises regularly use Carmarthen Place as a public convenience. There is also an amount of smashed glass.

Public safety

See above. The premises are also located on one of the narrowest parts of the street. It would be inappropriate to have tables outside as that would mean pedestrians having to walk on the road at busy times.

The previous occupants made no adequate provision for waste disposal and left their bins on private land where food waste rotted and became an issue of public health. A robust waste disposal agreement needs to be in place.

Prevention of nuisance

Again, see above. In addition, because of the smoking laws people congregate outside at the entry to Carmarthen Place to smoke despite this being in front of residents' front doors, and leave their litter on the street.

A music licence will potentially lead to greater noise pollution for neighbours.

The protection of children from harm

All of the above plus the fact that young children live next to and behind the premises and additional noise from a music licence potentially affects their sleep.

Yours faithfully.

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

2

**From:** [REDACTED]  
**Sent:** Friday, October 28, 2016 12:04 PM  
**To:** Regen, Licensing  
**Subject:** Premises Licence Application No. 855941 (72, Bermondsey Street)

Dear Sir/Madam,

I am writing to you in order to make representations in respect of the current premises licence application in respect of 72, Bermondsey Street.

My name is [REDACTED] and I live at [REDACTED] Bermondsey Street.

My first representation concerns a discrepancy between the application as shown online and the public notice displayed on the premises. The former includes an application for permission to provide regulated entertainment in the form of recorded music. The public notice displayed on the premises has a section for "regulated entertainment". This has been completed as "n/a". This clearly shows that the applicant is not seeking a licence for any regulated entertainment. I would suggest, therefore, that any grant of a licence for any form of regulated entertainment would not be appropriate as any member of the public who saw only the public notice would not be aware that there was, in fact, an application for regulated entertainment being made. The application in this regard is defective.

In any event, I would object to the grant of any permission for regulated entertainment in the form of the playing of recorded music. Incidental or background music does not require licensing. It follows that the applicant must be seeking something which goes beyond the mere provision of background music to customers. In my view this would be entirely inappropriate in these premises. They are very small and are surrounded by residential premises, which are to be found immediately on either side, above and behind. The provision of anything other than background music is very likely to be audible in neighbouring residential premises and should, therefore, not be permitted.

I should make it clear that there has been no consultation of any kind by the applicant with local residents with regard to the nature and extent of their plans for use of the premises. My representations are, therefore, being made in somewhat general terms as I have no idea quite what the applicant intends to provide.

I am not opposed to the grant of a licence for the supply of alcohol in principle but I consider it necessary in order to promote the licensing objectives that certain conditions should be placed on the licence. I have in mind, in particular, the prevention of public nuisance. I would be happy with licensing conditions which were the same as those imposed on the previous licence granted in respect of these premises.

My property [REDACTED] premises. My house projects slightly forward of the street line and I have windows to both my living room and main bedroom which look directly down at the entrance to 72, Bermondsey Street only a few feet away. I am concerned about the possibility of customers being permitted to consume alcohol outside the front of number 72. This is because the noise of customers sitting outside is very likely to be audible in the living room and bedroom of my home. I would, therefore, wish to prevent consumption of alcohol in the street outside. I appreciate that the premises may wish to make off-sales and I have no objection to this. I would, therefore, propose a condition prohibiting the removal of open containers of alcohol or glasses from the premises as this would still permit off-sales whilst preventing consumption outside. I would also seek a condition restricting customers from standing outside the premises smoking for similar reasons. Also, smokers who leave the premises to stand outside and smoke will be standing directly below my windows. Similar considerations also apply to the residents of the upper parts of No. 72 and the residents of other nearby premises.

I have concerns about the terminal hour proposed as customers will be permitted to purchase alcohol until 10.30pm and yet the application also states that the premises will close at 10.30pm. This suggests that sales of alcohol for consumption on the premises will be made right up until the moment the premises are to close. This provides for no drinking-up time and will only encourage customers to leave with alcohol they have just purchased. I would suggest that the supply of alcohol should not be permitted later than 30 minutes

before the time the premises are to close – ie until 10.00pm on Mondays to Saturdays and 9.00pm on Sundays.

I am also concerned about potential noise and disturbance from customers using the premises, particularly if it is intended to provide anything like a wine bar or pub environment. I would, therefore, wish to see conditions attached to the licence which prevent the premises from being used by “vertical drinkers”. Possible such conditions would be, for instance, restricting sales of alcohol for consumption on the premises only to those who are also consuming food or restricting the sale of alcohol only to those who are seated.

I am also conscious that the current use class of the premises is A1. I have no idea if the proposed use is consistent with this. Whilst I appreciate that this is a matter for the planning authority I would be grateful if you could draw this matter to their attention in their role as a statutory consultee. I would expect to see a proper application for change of use if the proposed use is other than A1.

I would be grateful if you would please acknowledge receipt of my representations.

Yours,

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**From:** [REDACTED]  
**Sent:** Saturday, October 29, 2016 11:25 AM  
**To:** Regen, Licensing  
**Subject:** Application 855941 72 Bermondsey St

Dear Sirs

I chair the Bermondsey Street Area Partnership, a local organisation with business and resident members. BSAP and its predecessors has been active in the Bermondsey St area for 20 years working to make the area as good as it can be for people who live here, work here or come to visit.

We are keen that Number 72 come back into active commercial use as it has been empty for some time and empty business premises detract from the attractions of the street. However, this is a really historic corner in this historic street, in a conservation area. What's more, Number 72 is at the heart of the most residential part of the street with homes to either side, above and behind. Licensing conditions need to be appropriate for that environment.

### **Noise**

1 It is inappropriate for loud music to be played at any time as this will reverberate through walls and floors into neighbours' homes. 2 It will also be inappropriate for people to stand outside Number 72 drinking or smoking as the sound of even happy social chat outside can be disturbingly loud inside neighbouring houses and flats, likely to become louder under the influence of alcohol.

3 Emptying of commercial waste must be done in normal working hours and definitely not through the night hours or before 7am.

### **Safety**

1 This part of the street has very narrow pavements, so on safety grounds, people should not be allowed to stand around on the pavement as this will drive pedestrians into the road at risk to themselves and others.

2 Commercial waste bins standing in Carmarthen Place or Bermondsey St in this tight corner would make the area unsafe by providing hiding places for antisocial or criminal behaviour. Therefore waste must be stored on the premises.

### **Litter**

Customers of the proposed business who want to smoke will stand under the arch at the entrance to Carmarthen Place, leaving smoking debris and empty/broken glasses etc on the road surface and pavements. The business on the premises must be responsible for cleaning the mess up at the end of the day, not leaving it till the beginning of the following day's business hours.

If you need any further information, do let me know.

Yours faithfully

[REDACTED]

[REDACTED]

4

From: [REDACTED]  
Sent: Monday, October 31, 2016 10:15 AM  
To: Orton, Mark; Regen, Licensing  
Subject: RE: Licence application 855941 - 72 Bermondsey Street, SE1

Dear Mr Orton

We are writing to make representations about the premises licence application in respect of 72 Bermondsey Street.

We live at [REDACTED] Street. Unlike other areas of the street, the area around 72 is almost entirely residential with homes all around it. The proposed new establishment shares an adjoining wall with the ground floor of our home. We have [REDACTED] young sons [REDACTED]  
[REDACTED]

We should say at the outset that the application has been made without any consultation with neighbours and residents. We are disappointed by this as it does not suggest that the leaseholder or applicant is keen to build constructive relationships with those nearby who will be affected by the new business.

On a practical level, the failure to consult with us means that we have no real idea of the sort of establishment that the applicant intends to set up. We have been told that what is planned is a cafe but the desire for a licence to sell alcohol until 10 pm suggests some kind of wine bar/bar. We understand that the setting up of a wine bar/bar would be in breach of the planning permission currently applicable to the property and no doubt that issue is being considered.

However with that caveat we make the following representations on the application.

The prevention of crime and disorder

There are already a large number of licensed premises very near to the property, many of which have sprung up in the last few years, drawing large crowds of drinkers to Bermondsey Street. What was at one time a vibrant local community of shops, businesses and local residents has rapidly turned into a party zone for groups of rowdy tourist drinkers.

We had been told several years ago that "saturation zone" policies would be applied to Bermondsey Street, so that the number of establishments serving alcohol would be limited, but that does not appear to have occurred.

These licensed premises cause a lot of noise and disorder until late into the night and early hours of the morning seven days a week, despite this part of the street primarily being a residential area.

We cannot see that there is a need for any more licensed establishments in the neighbourhood and believe that another one will add to the level of crime and disorder and anti-social behaviour the

current ones already generate.

We understand that the application has now been varied so that the last sale of alcohol is at 10 pm with the premises closing at 10.30 pm. However if the application is to be granted we believe that further conditions should be set on the sale of alcohol, to mitigate its impact on local residents, namely (i) prohibiting the removal of open containers of alcohol or glasses from the premises, so as to permit off-sales whilst preventing consumption outside; (ii) restricting customers from standing outside the premises drinking or smoking; and (iii) restricting sales of alcohol for consumption on the premises only to those who are also consuming food or to those who are seated.

#### Public safety

In addition to the public safety risks caused by alcohol, we have seen people who have left licensed premises in the area urinating in Camarthen Place (to the side of and behind the property), including recently in front of our 5 year old son, at around 7 pm. We have also seen smashed glass.

72 is on a part of the street with very narrow pavements, and so people should not be permitted to stand outside it drinking or smoking as this will force pedestrians into the road.

We are also concerned that those who previously occupied 72 were very inconsiderate of their neighbours and the environment with respect to waste disposal. They left their overflowing bins on private land where food waste rotted, causing an obvious public health issue. If the application is granted efforts must be made to ensure that the waste is removed during normal working hours.

#### Prevention of nuisance

Noise, disorder, rotting food waste and urination are all elements of nuisance. In addition, users of local licensed premises congregate at the entry to Camarthen Place and smoke, despite this being the area of residents' front doors. They also leave cigarette butts behind.

#### The protection of children from harm

As we have said above our [REDACTED] has witnessed public urination behind our property. Our older son's sleep has been disrupted by the noise and disorder coming from nearby licensed premises.

Overall we are concerned that yet another licensed premises on Bermondsey Street will add to the level of disorder, nuisance etc that we already face, and we believe that if the application is granted conditions must be applied to it as we set out above.

We would be willing to attend a conciliation meeting.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]

Sent: Monday, October 31, 2016 10:44 PM

To: Orton, Mark; Regen, Licensing

Subject: Licence application 855941 - 72 Bermondsey Street, SE1

Dear Mr Orton

I am writing to let you know our concerns regarding the licence application for 72 Bermondsey St.

We live with [REDACTED] in a property on [REDACTED] adjoining the rear of no. 72.

Our concerns are set out below:

#### The prevention of crime and disorder

In the 10 years we have lived here, Bermondsey St has been increasingly taken over, in the evenings at least, by drinkers, many of whom become rowdy and offensive as the night wears on. We are concerned that the addition of yet another venue serving drinks in the evening will only add to the squalour we witness most evenings including people urinating outside our house, taking drugs and smashing glass.

As an example of the type of incident that we are particularly concerned about, recently we requested some revellers who were outside our house late in the evening to keep the noise down. They responded by throwing a bottle against the wall our our house.

#### Public safety

The previous occupants of the premises made no arrangements for the storage of their waste, other than to leave their bins on other people's property without their permission, usually overflowing, smelly and attracting vermin. Given the lack of space for bins outside the venue, I hope that the incoming tenants will arrange to store their waste inside the premises, to be collected during daytime hours.

If the users of the new business stand outside smoking and drinking, this will create a hazard for other users of the narrow pavement, who will be forced to step into the road to pass. We presume that this issue could be dealt with by additional conditions in the licence preventing removal of open containers of alcohol from the premises.

#### Prevention of nuisance

The previous points contain elements of nuisance, in addition, there is the general nuisance of users of local businesses standing in Carmarthen Place smoking and leaving their cigarette waste on the ground.

## Protection of children from harm

As we noted, we have small children who are negatively affected by all of the points above. In addition, our children would be harmed if there was audible music played in the evenings, this is especially the case as our house has the bedrooms on the ground floor.

We have no problem at all with the creation of an innovative business in the premises, as long as the licensing terms deal with the issues we raise above. Unfortunately, as the new tenants have not seen fit to contact us directly to explain their vision, it is difficult for us to know what they intend and we are naturally concerned.

Your sincerely

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



6

From: [REDACTED]  
Sent: Tuesday, November 01, 2016 4:19 PM  
To: Regen, Licensing  
Subject: Objecting to licence application 855941

Dear Sir/Madam,

I am writing to you in order to make representations in respect of the current premises licence application in respect of 72, Bermondsey Street.

My name is [REDACTED] and I am the owner of [REDACTED] St.

My first representation concerns a discrepancy between the application as shown online and the public notice displayed on the premises. The former includes an application for permission to provide regulated entertainment in the form of recorded music. The public notice displayed on the premises has a section for "regulated entertainment". This has been completed as "n/a". This clearly shows that the applicant is not seeking a licence for any regulated entertainment. I would suggest, therefore, that any grant of a licence for any form of regulated entertainment would not be appropriate as any member of the public who saw only the public notice would not be aware that there was, in fact, an application for regulated entertainment being made. The application in this regard is defective.

This is an old building with mixed residential and commercial use I would object to the grant of any permission for regulated entertainment in the form of the playing of recorded music. Incidental or background music does not require licensing. It follows that the applicant must be seeking something which goes beyond the mere provision of background music to customers. In my view this would be entirely inappropriate in these premises. They are very small and are surrounded by residential premises, which are to be found immediately on either side, above and behind. The provision of anything other than background music is very likely to be audible in neighbouring residential premises and should, therefore, not be permitted.

No consultation of any kind has been made by the applicant with local residents with regard to the nature and extent of their plans for use of the premises and respect needs to be given to this.

I am concerned about the prevention of public nuisance. I would be happy with licensing conditions which were the same as those imposed on the previous licence granted in respect of these premises.

My property is [REDACTED] the premises. I am concerned about the possibility of customers being permitted to consume alcohol outside the front of number 72. This is because the noise of customers sitting outside is very likely to be audible in the living room of my home. I would, therefore, wish to prevent consumption of alcohol in the street outside. I appreciate that the premises may wish to make off-sales and I have no objection to this. I would, therefore,

propose a condition prohibiting the removal of open containers of alcohol or glasses from the premises as this would still permit off-sales whilst preventing consumption outside. I would also seek a condition restricting customers from standing outside the premises smoking for similar reasons. Also at the front of the building smokers will be standing directly below my windows.

I have concerns about the terminal hour proposed as customers will be permitted to purchase alcohol until 10.30pm and yet the application also states that the premises will close at 10.30pm. This suggests that sales of alcohol for consumption on the premises will be made right up until the moment the premises are to close. This provides for no drinking-up time and will only encourage customers to leave with alcohol they have just purchased. I would suggest that the supply of alcohol should not be permitted later than 30 minutes before the time the premises are to close – ie until 10.00pm on Mondays to Saturdays and 9.00pm on Sundays.

I am also concerned about potential noise and disturbance from customers using the premises, particularly if it is intended to provide anything like a wine bar or pub environment. I would, therefore, wish to see conditions attached to the licence which prevent the premises from being used by “vertical drinkers”. Possible such conditions could be restricting sales of alcohol for consumption on the premises only to those who are also consuming food or restricting the sale of alcohol only to those who are seated.

It is also doubtful if the proposed use is consistent with A1 usage. I appreciate that this is a matter for the planning authority and would be grateful if you could draw this matter to their attention in their role as a statutory consultee. I would expect to see a proper application for change of use if the proposed use is other than A1.

I would be grateful if you would please acknowledge receipt of my representations.

Yours,

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