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24/01/19

To Whom It May Concern

RE: LICENSING APPLICATION 866263

I'm sending this letter as an objection/concern to the licensing application by Madelaine Beevers for an alcohol license for One and All Cafe at 28 Peckham Rye

I live ██████████ premises and I object to the licensing application for the following reasons.

- It is proposed that the cafe will remain open until 10.30 pm on a daily basis except Mondays. The area is primarily residential with professionals and families living in the near vicinity. Having noise seven days a week would be unacceptable. This will cause excessive noise pollution during and after the bar has closed. The consumption of alcohol can also cause anti-social behaviour.
- I live ██████████ and am aware from previous evening events held at the opening and private parties with the former owners that the property is not sound proofed. This is hugely annoying as the noise travels up to my flat and is very disturbing. If there is night events etc I would expect the cafe to be soundproofed.
- I am not in my flat in the day so can tolerate the annoyance of people using my front door space to rest their bikes, smoke cigarettes etc. I am in my flat at night and would find this intimidating and intrusive.
- The anti-social behaviour already experienced by residents are drunken, loud behaviour, litter and urinating. This has increased steadily with the rapid changing nature of the area. The area already has many drinking and eating premises. There is not the need for a further drinking/ eating establishment at night.
- The pavements have become overfull with refuse (large industrial sized bins) from the restaurants. The rubbish is already also stored behind the establishments attracting foxes, rats and mice. The area is primarily residential, the abundance of restaurants opening is causing an increased amount of rubbish on the streets. Many of the commercial properties leave bags or flytip illegally, the area is filthy at night and especially in the morning. Another drinking premises would not help this situation but would contribute to it. The rubbish already left outside the cafe by commercial business is unacceptable and there is obviously no regard for the residents or the community.
- Noise pollution is also caused by the moving of bins and throwing of glass into the bins at late hours.
- Drunken and loud people gather at the bus stop and the taxi ranks. This disturbs the neighbourhood and is upsetting. Glass and other rubbish is found at the bus stop in the mornings. This is especially dangerous for children.
- The amount of road traffic has increased. Cars are parked on both sides of the road, on single and double yellow lines.
- People would be accumulate on the pavement to smoke. This is unpleasant, the smell travels and cigarette butts are left. People who use the bench outside the cafe willingly leave their cigarette butts on the pavement, I have not witnessed the cafe ever having swept them up. They are stuck to our shoes and are carried inside. Having the cafe open later and people smoking on the street into the night would only increase this.
- Deliveries to the restaurant would also cause traffic and noise.

To summarise objection fits all four of Southwark Councils criteria;

1. The prevention of crime and disorder

2. Public safety
3. The prevention of nuisance
4. The protection of children from harm

Regards



Dear resident,

Having received your objections to my application for a premises licence at 28 Peckham Rye please find below my response to each of your points:

1. Regarding noise pollution. You have said that having noise seven days a week will be unacceptable. On Sunday evenings we will be closed and on Mondays the Migrateful charity cooking class will be using the site. While I understand that the simple increase in customers to and from the café will increase, I do not believe this will have significant effect on noise in the area. I plan on staying open in the evenings regardless of obtaining a premises licence because the evening openings are about the community events and activities that will take place in the café. These range from open mic poetry nights, talks and debates, comedy evenings and film screenings. The opening hours are considerate and closing times deliberately on the early side. I have no interest in running a late night bar and will be extremely strict in making sure that noise is not a problem. We will stop serving alcohol at 10pm which is significantly earlier than other venues in the immediate vicinity. We are not serving spirits in the café, only beers and wine. In my experience, it is the combination of highly alcoholic drinks and longer hours in which to consume them that causes problems with noise and rowdy behaviour. I have deliberately chosen to exclude spirits and close at 10.30pm in order to minimise disruption and prioritise the community events which will all be concluded earlier in the night.
2. Sound travelling up the building. I cannot speak for the former owner, but it is usually amplified music coming from speakers that will travel up the building and I assume he/she did not control the volume. I would like to reassure you that on nights where there are no events, there will be background music playing while customers have dinner. This will not cause a disturbance as it will be the same level as during the day and will decrease as we approach closing time. There will be no excessive noise being emitted beyond normal restaurant sounds. The events themselves will not be amplified and will not involve sound levels that will cause disturbance. While I fully understand why you might be worried about the noise levels travelling up from the café it is important that I point out the type of activities that will be taking place; we are talking about spoken word jams, talks, art sessions, some acoustic music, comedy and poetry nights. These types of events will not create unreasonable noise and it is my belief that soundproofing would be totally redundant. All music will be turned off at 10.30pm at the latest.
3. I have seen no evidence that people would rest their bikes against your door throughout the night and cannot comment on this. As for smokers please be reassured of the smoking policy I will be strictly adhering to. There will be no more than four smokers outside the café at the same time, no smoking after 10pm and absolutely no drinking outside. Restricting the smoking numbers discourages groups from smoking together which will lessen noise but also reduces the amount of smoke itself.
4. You have pointed out the anti-social behaviour that exists in the area due to drinking. I have also experienced this and in particular the area directly opposite the café that is used for public drinking and hanging out. My team and I have no intention of serving these people and encouraging anti-social behaviour. I fully understand that living above a venue that sells alcohol you may be worried about customers becoming rowdy as a result of consuming it but I must remind you we will not be serving alcohol past 10pm and spirits will not be available. My staff and I are well trained and dealing with people who may become rowdy but it is my belief we will rarely have to call upon this training.

You have included a subjective comment about the area not needing anymore eating/drinking establishments. I agree the area is changing rapidly but I believe it is changing for the better. Having legitimate and well controlled evening establishments for local people is always better than it being the place known for anti social behaviour and street drinking. In the future it will cease to be the place where you can get away with this behaviour and just be a thriving independent high street.

5. You point out the problem with other commercial businesses and residents leaving rubbish outside the front of the café. I agree this is horrible and I will be happily assist in approaching the council on this issue as I do not like the build-up of rubbish outside my business. However, my obtaining a licence is not going to make it worse. The previous business unfortunately had a contract with a disreputable waste company who did not collect when they said they would. The larger refuse bins were also attracting residents and businesses to dump more bags on top and were often there for days at a time. In my experience I have found these bins to be troublesome and do not use them. I have a contract with a highly reliable, environmentally friendly waste company whereby we put our bins out (away from the main build up – please see picture attached for extent of our waste output) during the one hour slot the trucks are passing. I pay more than the average for this contract and am happy to do so in order to do my bit to improve this issue, not make it worse. Our waste management system would continue in the same way should a premises licence be obtained.
6. As per the previous point, I do not use the big refuse bins so there would be no noise pollution created by moving them outside. Glass from wine bottles, (all our beer will be in cans) will be disposed of using recycling bags and collected promptly by our waste management company during the day.
7. The bus stop has always been a busy place and a natural location for people travelling home so I understand why you might worry that customers from the café will add to this. However, we have a strict dispersal policy and will do our utmost to ensure customers leave quietly. Due to the early closing time compared with other local venues and lack of spirits on offer this issue will not be made worse by our customers as they will have dispersed long before the other establishments close and will not be so heavily under the influence. Glass being left at the bus stop is a very specific situation that I find it hard to respond to in any way that will appease you. Please be assured my team and I will always do our utmost to assist customers in moving on swiftly and respecting the neighbourhood as much as possible.
8. You state that traffic has increased and people park on both sides of the road. While I understand it is busy area I cannot comment as you mention no relevance to my obtaining a premises licence.
9. Smoking outside the café. I fully appreciate this is a frustrating issue. Please be assured that because you have not witnessed us sweeping up the cigarette butts it does not mean it isn't happening. We sweep most afternoons if there is a build up and the street cleaner does this in the morning as well. People who smoke while waiting for buses also contribute to this problem and the butts likely build up again in the evening. We have a strict smoking policy as explained in point 2 which restricts smoker numbers. There are no cigarette bins outside the café as these encourage smoking and attract other smokers not using the café to loiter while they finish their cigarettes. In light of this we will conduct a thorough sweep outside the premises as part of our close down duties.

10. Any additional deliveries will take place between 9am and 5pm Monday to Friday, no parking is allowed outside the café due to the location of the bus stop and there will be no extra noise.

In light of your objections I want to take this opportunity to briefly explain the vision behind the evening openings. I am planning evening activities centred around the community scene and being a great venue for events that improve the lives of residents, many of whom will not be interested drinking and staying out late. I would however still like to offer some local beers and wine because this goes hand in hand with having dinner out and attending evening events. My team and I will always respect that neighbours are residing in the same building and will do our best to make sure you are not disturbed. Any rowdiness cause by the consumption of alcohol will be swiftly and quietly dealt with in a way you can rely upon. You will hopefully feel no difference to how it is now.

Thank you very much for taking the time to read my responses.

Madelaine Beevers



From: [REDACTED]
Sent: Thursday, February 21, 2019 10:32 PM
To: McArthur, Wesley
Subject: Re: Licensing application 866263

Dear Wesley,

Thank you for all the documents. I would like to proceed with further comments (1).
I would welcome meeting with the applicant but as such they have made no attempt to do so.

Also, I am aware that other residents wished to submit applications as the sign on the cafe window indicated that the closing date was 10th Feb. The council website was not accepting applications as the date had passed before this. I am wondering why conflicting information was displayed.

[REDACTED]

21 Feb 2019

With regards to the response from One and All cafe I would like to proceed with my objection. I appreciate clarity being given on all the points but refer back to point 2 which is still causing concern. I also appreciate wanting to build a successful business however as this is also my home it is of highest importance that we are allowed to continue living in a peaceful environment. The majority of the area is residential.

I enclose the response for referral.

Sound travelling up the building. I cannot speak for the former owner, but it is usually amplified music coming from speakers that will travel up the building and I assume he/she did not control the volume. I would like to reassure you that on nights where there are no events, there will be background music playing while customers have dinner. This will not cause a disturbance as it will be the same level as during the day and will decrease as we approach closing time. There will be no excessive noise being emitted beyond normal restaurant sounds. The events themselves will not be amplified and will not involve sound levels that will cause disturbance. While I fully understand why you might be worried about the noise levels travelling up from the café it is important that I point out the type of activities that will be taking place; we are talking about spoken word jams, talks, art sessions, some acoustic music, comedy and poetry nights. These types of events will not create unreasonable noise and it is my belief that soundproofing would be totally redundant. All music will be turned off at 10.30pm at the latest.

The former owners never played amplified music and appeared to control the volume. However the cleaners in the evening would turn the radio up. Only on couple of occasions did they have evening events and again there was not amplified music just acoustic. The sound travelled into the common area and the flat. The reason being that there are only stud walls between the cafe back wall and the residential areas. With this in mind and our previous experiences of noise I wonder how the definitive comment 'The events themselves will not be amplified and will not involve sound levels that will cause disturbance' can be made.

There is no reference to how often these events will be happening which is also of concern, will this be very week?

I agree that 10.30pm is not late when you are having a night out but I work every day and so on a regular basis this would be intrusive and a disturbance.

The reply states that the events will not create unreasonable noise, I would like to know what is considered reasonable noise?

I am also curious to the knowledge about sound proofing being redundant, has this be proven? This is contrary to information I have read and I have also known of other restaurants being required to take such measures to protect residents.

Thank you

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Dear Resident,

I apologise for any lack of clarity on the sound levels issue. I don't want to repeat anything I wrote in my first answers but I would like to make it as clear as possible what sort of noise you are likely to experience:

- We will be open until 10.30pm Tuesday to Saturday. The plan is to have events once or twice a week likely on Wednesday – Friday.
- On nights when there is no event the café will likely emit the same noise levels as during the day.
- At the café we plan to have an open mic/poetry night once every couple of weeks and an organised talk once every couple of weeks as well. Somewhere in the mix there will be craft evenings and some acoustic nights but I'm unsure of the frequency of these at this stage.

Regarding noise levels there will be a gathering of people at the back of the café to hear poets, speakers and performers. This is why I have written "*the events themselves will not be amplified and will not involve sound levels that will cause disturbance.*" I was trying to get across that the type of noise that these activities produce is not likely to be heard throughout the building and therefore will not cause disturbance. Consequently, sound proofing the café would be a waste of time and money. If we were to put on an event that produced greater noise levels or amplified music etc I would absolutely liaise with neighbours first and discuss sound proofing etc.

Finally, I would like draw attention to the fact that I am not required to have a licence for the activities I have described nor to stay open until 10.30pm. In light of this information would you be willing to withdraw your objection?

Many thanks,

Madelaine Beevers

One & All Cafe

From: [REDACTED]
Sent: Tuesday, March 05, 2019 11:06 PM

To: McArthur, Wesley

Subject: Re: Application for a premises licence - One and All Cafe, 28 Peckham Rye, London, SE15 4JR (our ref: 866263)

Dear Wesley

Please find attached my final comments and my wish to continue with the objection due to possible noise pollution (choice one) As I mentioned before I would have been willing to meet with the cafe owner to discuss my objection and concerns.

Regards

[REDACTED]

Thank you for providing clarity to the concern about noise pollution. With these details we feel that perhaps we need to give more details about the extent of noise travel and why we are adamant that soundproofing has been deemed necessary.

Due to the lack of insulation and the current stud walls it is possible to hear café noise during the day in the stairwells and in the flat above. This includes the sound of talking, movement etc. It is felt that this is acceptable in the day as we are working, it mixes in with outside daytime noise. Unfortunately at night though, we feel that this would be intrusive and a disturbance to the residents' living and sleeping, the idea of acoustic music is especially worrying.

I believe that the restaurant at 46 Peckham Rye and Pedlar soundproofed their restaurants to protect the residents from 'restaurant' noise. In these old and poorly insulated buildings soundproofing can be effective.

Given our worries we are afraid that we cannot withdraw our objection.

Regards

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