

Appendix F

From:
Sent: 01 March 2013 15:19
To: Regen, Licensing
Subject: Objections to application for Licence number: 840295

Re. License number 840295, Del Aziz restaurant

Dear Sirs

I am writing as a local resident to object to the application by Del Aziz restaurant to extend its license to a 24 hour license, and ask you to consider the application in context with one of your stated aims, to "provide necessary protections for local residents whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting places of entertainment."

My objections to this application to extend the already generous license held by Del Aziz are on two grounds: public safety and the prevention of crime; and preventing public nuisance.

Despite the high volume of building in the local area and the appearance of numerous hotels on and around Southwark Street, the residential area around Tate Modern is exactly that: a residential area. We are accustomed to welcoming crowds of millions of tourists visiting local cultural attractions during museum and theatre opening hours, and enjoying the degree of relief from noise and traffic (human and road) that closing time brings. I believe that an extension of licensing for premises in our area would substantially increase the amount of anti-social behaviour associated with increased numbers of drunken people roaming and fouling the streets, causing a considerable nuisance to residents and increasing levels of fear among lone residents reluctant to go out at night and afraid to challenge those causing nuisance. The local environment would be changed into one that makes the many people (like me) living alone feel very uncomfortable about the safety of leaving our homes at night, and also expose us to unacceptable levels of noise disturbance very late at night. I do not understand how the obvious and well-documented problems associated with all-night drinking can be reconciled with the desire to think of our area of Bankside as a 'cultural quarter'.

On the question of noise, I would also ask you to consider the 'tall building' effects that arise in our area now that a number of very tall buildings have been constructed. The noise bounces off the buildings and rises to flats apparently high above the street. Effectively, we live in a soundbox with multiple amphitheatre effects created by the buildings' layout relative to one another, making the noise created by even a few people shouting (which many people seem to do when drunk and excited by a late night out) have a real impact. Genuine nuisance is created by this already, but at least it stops shortly after midnight. If it were to continue into the small hours it would make living here unbearable.

I also wonder if the premises should not be applying for a change of use, since the desire to stay open all night and serve alcohol until dawn seems much more in keeping with a nightclub than a restaurant. Can you confirm whether permission for a club has been sought from the Council either separately to or in conjunction with this license extension application? if not I would urge you to raise the matter with your colleagues in Planning.

Thank you for your attention in this matter, and I look forward to hearing from you in due course.

Yours faithfully

From: Michelle Sullivan [REDACTED] **On Behalf Of** Thomas O'Maoileoin
Sent: 15 March 2013 13:12
To: McArthur, Wesley
Subject: Premises Licence Application - Cafe Del Aziz, 5 Canvey Street, London SE0 0YY

Dear Mr McArthur

I write further to your email dated 14 March and my meeting with the owner of the above premises.

I am pleased to confirm that he has asked me to write to you to amend the operating schedule as attached to our application so as to include the following conditions:

1. Customers shall use no outside area after 23:00 hours other than those who temporarily leave the premises to smoke and no more than five people at any one time.
2. After 23:00 hours alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such persons as an ancillary to their meal.
3. A personal licence holder will be on the premises at all times after 23:00 hours and when alcohol is being offered for sale.
4. Suitable notices shall be displayed requesting patrons to leave the premises in a quiet and orderly manner so as not to disturb local residents.

The above conditions have come about following receipt of a letter from the Metropolitan Police. I would hope that they address the concerns of both the local residents and the environmental health officer.

I would be extremely grateful if you could forward this email to those who made representations.

If they have any queries arising they should contact me.

Many thanks for your kind assistance.

Kind regards

Thomas O'Maoileoin
Partner

Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP

From: [REDACTED]
Sent: 20 March 2013 12:56
To: McArthur, Wesley
Cc: Blissett, Alan; Graham.S.White@met.pnn.police.uk; Morris, Adele
Subject: Re: Premises Licence Application - Cafe Del Aziz, 5 Canvey Street, London SE0 0YY

Dear Wesley

I support the Councillor's comments and am also not prepared to withdraw my objection. In particular, point 1 seems tricky to enforce and monitor (the damage is done as soon as it's broken, and how will the staff contain their customers and drag them in again once outside?); and point 4 seems grossly inadequate and completely unenforceable. Both points acknowledge the nuisance caused to residents without offering any solution. I simply cannot see why this restaurant should be allowed to convert itself into a nightclub by stealth without any real tests being applied.

I would also reiterate my deep concern about precedent setting for this area. License applications are currently open in the NEO Bankside development, which forms part of an echo chamber/soundbox effect with the surrounding residential buildings, and there are other licensed premises in the Blue Fin building environs which will no doubt be watching the progress of the Del Aziz application with great interest and possible plans of their own.

Regards

From: Thomas O'Maoileoin [mailto:TOMaoileoin@tandtp.com]
Sent: 20 March 2013 13:13
To: McArthur, Wesley
Subject: Re: Premises Licence Application - Cafe Del Aziz, 5 Canvey Street, London SE0 0YY

Dear Wesley

Thanks for your email.

I'd be grateful if you could let the resident know that the conditions have been drafted by the police.

In relation to being a nightclub there seems some confusion as we don't have planning for that nor are we permitted to have music and dancing. It is certainly not our intention.

Have the EHO any conditions that they want?

Kind regards
Thomas

Thomas O'Maoileoin
Partner

Thomas & Thomas Partners LLP
38a Monmouth Street
London WC2H 9EP

From: McArthur, Wesley
Sent: 20 March 2013 14:18
To: [REDACTED]
Subject: FW: Premises Licence Application - Cafe Del Aziz, 5 Canvey Street, London SE0 0YY

Dear [REDACTED],

FYI please see the email of today's date from Mr. O'Maoleoin as below and my reply to him.

Further, the application does not seek to extend the hours permitted for live music, recorded music and facilities for dancing.

Regards,

Wesley McArthur

Licensing Enforcement Officer

London Borough of Southwark

E-mail: wesley.mcarthur@southwark.gov.uk

General: licensing@southwark.gov.uk

Phone: 020 7525 5779

Fax: 020 7525 5705

From: [REDACTED]

Sent: 20 March 2013 14:30

To: McArthur, Wesley

Subject: Re: Premises Licence Application - Cafe Del Aziz, 5 Canvey Street, London SE0 0YY

Dear Wesley

As I said earlier, and regardless of who drafted them, I don't see how the conditions are actually going to be enforceable or effective, especially 1 and 4. The police will not be there to make sure they are adhered to, and once they are broken the damage is done and the incident over before any enforcement action can be organised. I'm afraid I don't find the applicant's reassurances at all reassuring! Therefore my objections still stand, as well as my support for the specific remarks made by councillor Morris.

Best regards

[REDACTED]