

APPENDIX F

To all the local residents who have made representations against our licensing application for Brunchies, 1 Valmar Rd, SE5 9NG.

I have read your comments and the majority of you have included in your objections that you oppose the playing of music and alcohol outdoors, therefore I am writing to clarify particulars in our application.

1. There was an error in the application which said that recorded music would be played in the yard between the hours of 10:00 to 15:30, for which we wrote to Licensing on 17th May and revoked this aspect. As almost all the objectors have stated nuisance relating to the use of the yard until late hours, I have checked from the licensing register online and I can see that recorded music has been stated for both inside and outside. I have written to licensing and explained that the recorded music was not for outside during any hours. Our intention is not to play music in the yard, but between 08:00 to 23:00, one does not need a licence.
2. The notice displaying the application details was put on site and published in the local paper, which clearly states what we applied for. The application was also clear that the yard area will only be used between the hours of 10:00 to 15:30. Where we stated "sale of alcohol" we mean the yard is where alcohol would be consumed, but it would be served from inside the premises.
3. We have not sought to use the yard outside the permitted hours that the planning authority have permitted. Some of you have mentioned that the applicant has ignored his current temporary planning permission, however, certain days have been covered already with Temporary Event Notices, mainly from Wednesday to Sundays. You would not have been notified about this which is why you would think the planning permission was breached.
4. We get some event enquiries (birthdays and anniversaries etc) and we have hosted a few of them in the last year by serving a Temporary Event Notice to the relevant authorities. The public is not consulted regarding this as it is not permanent, and it can be verified from licensing. We never had any complaints from residents or likewise anything from the responsible authorities, such as police. Should any complaint have been made, it would have brought to our attention. TENs have limitations and it means that we need to serve a notice each time for one, which have costs associated to them. Therefore, when we were applying for the sale of alcohol in the yard area, we discussed with the licensing officer how we can include these events into the application together. We agreed to apply for the last Friday and Saturday of each month to host such events, which we believe is a fair compromise to the local residents. Should we receive any inquiries for events, we will direct them to only one of those days. This does not mean that we would have enquiries all those days each month. We may have instances where no events are booked and so some of those days would not be utilised. I would like to stress that the premises would not be run like a bar open to the public.

5. The events will not be open for free flow. People would have booked these events for private use well in advance and all arrive for certain event start times and likewise leave at event finish times. As this is for inside only, there are no concerns for broken glass or litter because it will not be run like a bar or pub. When the use of the outside takes place, it would not cause the nuisance that free flow customers might when leaving drinking establishments such as pubs and bars. Some of you also mentioned you do not want to see/hear this every weekend, but we have **NOT** applied for this weekly. We have only applied for the last Friday and Saturday of each month (again, only if someone books an event), Halloween eve and NYE.
6. As part of our planning permission, there are several conditions, one of them being in relation to sound proofing. All the conditions have been satisfied and the sound proofing report was well above the minimum requirements. We're certain the sound proofing has had a positive impact because we have been hosted event days where permitted and we had no noise or nuisance complaints.
7. Due to covid-19, one of the government guidelines are, where possible use outside spaces and social distancing arrangements to prevent infection, without needing planning permission. Some places do this into late hours, such as pubs, bars and restaurants all over the country. We are only asking to use it for limited hours between 10:00 to 15:30. We believe these to be reasonable hours. Like all restaurants, we were closed for quite some time and even when we reopened, a lot of people didn't want to eat inside, hence we're struggling. There are 7 employees who are making their own living for their families from this premises. We have no intention of upsetting any of hours neighbours, but we are in tough times and in order to survive, we need to make use of our outdoor space as well.
8. Almost everyone also mentioned that it is a residential area, and we appreciate that and we don't want to disturb residents, but the shop is at the corner of Valmar Road and Coldharbour Lane. The front door could have been from Coldharbour Lane, which some of the shops have licenses for live music until the early hours of the morning. They're also in the same area with residential dwellings above and around them. We do not believe that our requests would be any more detrimental to the existing licences which local businesses hold.

I hope this helps clarify matters for you all and hopefully with a clearer understanding of what we're trying to do and are seeking, you will reconsider your representation.

Kind regards,

M Kaya