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LICENSING (HEARING) SUB COMMITTEE

Date: THURSDAY, 2 JUNE 2016

Time: 11.00 am

Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

APPLICANT:
DISAPPEARING DINING CLUB LIMITED

PREMISES: 24-26 NEWBURY STREET, EC1A 7HU

CONTENTS

Hearing Proce	(Pages 1 - 2)	
Report of the [Director of Markets & Consumer Protection	(Pages 3 - 10)
Appendix 1:	Copy of Application	(Pages 11 - 26)
	i) Amendments to Application	(Pages 27 - 28)
Appendix 2:	Conditions consistent with the operating schedule	(Pages 29 - 30)
Appendix 3:	Representations from responsible authorities	
	i) Environmental Health	(Pages 31 - 32)
Appendix 4:	Representations from Other Persons	
	i) Residents and Elected Members	(Pages 33 - 60)
Appendix 5:	Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales	(Pages 61 - 62)
Appendix 6:	Plan of Premises	(Pages 63 - 64)

LICENSING (HEARING) SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

- 1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
- 2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
- 3. At the start of the hearing the Chairman of the Sub Committee will introduce him/herself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.¹
- 4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to be heard in support of any of the parties making representations or the applicant.
- 5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support, consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
- 6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
- 7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
- 8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

¹ In hearings where a licence is being reviewed, references in this procedure to 'applicant' should be read as references to the licence holder and references to 'those making representations' should be read as references to those applying for the review.

- 9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
- 10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
- 11. Those making representations will then be invited to make closing submissions followed by the applicant.
- 12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
- 13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

Agenda Annex

Committee(s): Hearing Date(s): Item no.
Licensing Sub-Committee 2 June 2016

Subject:

Licensing Act 2003 - Application for a new premises license

Name of premises: Disappearing Dining Club

Address of premises: 26 Newbury Street, EC1A 7HU

Report of: Public / Non-Public

Director of Markets and Consumer Protection

Ward (if appropriate): Farringdon Within

1 <u>Introduction</u>

- 1.1 To consider and determine, by public hearing, the application for a new premises license under the Licensing Act 2003, taking into account the representations of the responsible authorities detailed in paragraph 4, other persons detailed in paragraph 5 and the policy considerations detailed in paragraph 6 of this report.
- 1.2 The decision of the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives, namely:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

2 **Summary of Application**

2.1 An application made by:

Disappearing Dining Club Ltd c/o Interax Accountancy Services Ltd Basepoint Oakfield Close Tewkesbury Business Park Tewkesbury Gloucestershire GL20 8SD was received by the City of London Licensing Authority on 8 April 2016 for a new premises licence in respect of the premises at:

26 Newbury Street EC1A 7HU

- 2.2 Full details of the application are contained in the copy of the Application Form at Appendix 1.
- 2.3 The application is to provide the following activities:

<u>Activity</u>	Current Licence	<u>Proposed</u>
Supply of Alcohol, Recorded Music, Anything of a similar description to	N/A	Mon - Wed 11:00 - 01:00 Thu - Sat 11:00 - 02:00
recorded music.		Sun 12:00 – 01:00
Late Night Refreshment	N/A	Sun – Wed 23:00 – 01:30
		Thu – Sat 23:00 – 02:30

- 2.4 In addition to the timings above, non-standard timings are requested as follows:
 - The terminal hour for all licensable activities to be extended by one hour at the start of British Summertime.
 - All the above licensable activates to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. (Although see 2.5 below).

The supply of alcohol is for 'on' sales only.

- 2.5 On 14 April 2016, the applicant sought an amendment to the application with an addition to the operating schedule and non-standard timings as follows:
 - 'No Promoted Events' to be added to the operating schedule.
 - The installation of a more intricate CCTV system to that described in the original operating schedule.

• The licensing activities to be extended on New Year's Eve to 03:00 only.

The amendments can be seen as Appendix 1i.

- 2.6 The Operating Schedule submitted by the applicant suggests a number of steps intended to be taken in order to promote the four licensing objectives. Those conditions which are consistent with the operating schedule and could be included on the licence are attached as Appendix 2. This includes those conditions which are consistent with the operating schedule included in the amendment.
- 2.7 The mandatory licence conditions can be found in the Licensing Act 2003, sections 19-21. Also, in the Schedules to The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 (as amended) and The Licensing Act 2003 (Mandatory Conditions) Order 2014.

3 <u>Licensing History of Premises</u>

- 3.1 Our records show that the premises has never been licensed before.
- 3.2 The premises is to be used as a basement food and wine bar offering modern European dishes for lunch and dinner with an accompanying bar food menu.

4 Representations from Responsible Authorities

- 4.1 There is one representation from the City of London Environmental Health pollution team against the granting of the licence on the basis that there is a significant risk of noise disturbance, particularly during dispersal of customers.
- 4.2 It is also their contention that the licence Application contains insufficient information to demonstrate how the Applicant will promote the 'prevention of public nuisance' licensing objective.
- 4.3 The representation can be seen in full as Appendix 3.

5 Representations From Other Persons

- 5.1 There are twenty representations from other persons. All of these are against the granting of a licence to these premises on the terms laid out in the operating schedule on the basis that they believe one or more of the licensing objectives will be undermined.
- 5.2 The majority of the representations are from residents of Newbury Street and Bartholomew Close in addition to six Members.
- 5.3 All of those making representations feel that the licensing objective relating to the prevention of public nuisance will be undermined. One or more of the representations also feel that at least one of the other licensing objectives, the prevention of crime and disorder and public safety, will be undermined.
- 5.4 Where an opinion has been proffered, those making representations would prefer the licence not be granted at all or with a terminal hour for licensable activities no later than 23:00.
- 5.5 The representations can be seen in full as Appendix 4.

6 Policy Considerations

6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing policy and statutory guidance issued under s 182 of the Licensing Act 2003.

City of London Corporation's Statement of Licensing Policy

6.2 The following sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application.

Paragraph 29 states that in completing the operating schedule, applicants should set out in some detail how they intend to run the premises in order to promote the four licensing objectives.

Paragraph 50 states an overriding policy principle namely, that each application will be decided on its individual merits, with the process complying with the regulations made under the Licensing Act 2003.

Paragraphs 51-54 state the Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as stated in paragraph nine of this report.

Paragraph 59 addresses the need to strike a fair balance between the desires and expectations of operators and the benefits to the community of licensed venues with the reasonable expectations of local residents and workers not to be disturbed during night time hours.

Paragraph 66 introduces a number of relevant matters to be considered by the City Corporation when assessing the likelihood of a particular licensable activity causing an unacceptable adverse impact, particularly on local residents and businesses.

Statutory Guidance

6.3 The following sections/paragraphs of the statutory guidance issued under s182 of the Licensing Act 2003 are particularly applicable to this application (revised March 2015):

Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.14 states that it is, '...important that in considering the promotion of [the public nuisance licensing objective, licensing authorities] focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.' Also, paragraph 2.15 indicates that the prevention of public nuisance could, in appropriate circumstances include, 'the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.'

Chapter 10 refers to conditions attached to premises licences with paragraph 10.10 stating that, 'Conditions should be determined on a case-by-case basis and standard conditions which ignore these individual aspects should be avoided.' Also, 'Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.'

7 Map and Plans

- 7.1 A map showing the location of the premises together with nearby licensed premises is attached at Appendix 5. A key of those premises is included which indicates the maximum permitted hours for alcohol sales in respect of each premises.
- 7.2 Plans of the premises are attached as Appendix 6.

8 Summary

8.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The Corporation must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the City.

9 Options

- 9.1 The Sub-committee must, having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - i) grant the licence subject to any conditions consistent with the operating schedule modified to such extent as the Subcommittee considers appropriate for the promotion of the licensing objectives and include the mandatory conditions contained in Ss. 19-21 of the Licensing Act 2003;
 - ii) exclude from the scope of the licence any of the licensable activities to which the application relates;
 - iii) To refuse to specify a person in the licence as the premises supervisor;
 - iv) Reject the application.

For the purposes of paragraph 9.1(i) conditions consistent with the operating schedule are modified if any of them are altered or omitted or any new condition is added.

9.2 Where a licensing authority takes one or more of the steps stated in paragraph 9.1 above the applicant, or the holder of the licence and/or a person who made relevant representations in relation to the application, may appeal the decision to the Magistrates' Court. Any appeal must be commenced within 21 days following notification of the decision to the appellant by the licensing authority.

10 Recommendation

10.1 It is therefore RECOMMENDED that your Sub-Committee determine this application for a premises licence in accordance with paragraph 9 of this report.

Prepared by P Davenport

Licensing Manager

peter.davenport@cityoflondon.gov.uk

Background Papers

BACKGROUND PAPER	<u>DEPT</u>	FILE
Corporation of London Statement of Licensing Policy (revised Jan 2013)	MCP	5th Floor Walbrook Wharf
Statutory Guidance – 'Revised Guidance Issued Under Section 182 Of The Licensing Act 2003'. March 2015		Statutory Guidance

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Las SAppendix 6516

City of London Corporation

Application for a premises licence to be granted under the Licensing Act 2003

CITY OF LONDON
Environmental Health & Public Protection

- 8 APR 2016

Ted

DIR. REG FAO

LIC/60608

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records. Disappearing Dining Club Limited (Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003 Part 1 - Premises Details Postal address of premises or, if none, ordnance survey map reference or description Basement 26 Newbury Street Post town London Postcode EC1A 7HU Telephone number at premises (if any) Non-domestic rateable value of premises £13,600.00 Part 2 - Applicant Details Please state whether you are applying for a premises licence as Please tick as appropriate a) an individual or individuals * please complete section (A) b) a person other than an individual * i. as a limited company 図 please complete section (B) as a partnership ii. please complete section (B) as an unincorporated association or iii. please complete section (B) other (for example a statutory corporation) please complete section (B)

c)	a recognised clul	b				_	1 .		
d)	a charity							mplete section (-
e)	the proprietor of	an education	onal establish	lment			produce CO	mplete section (
f)	a health service b			unem			1	nplete section (l	
g)	a person who is re Standards Act 20 hospital in Wales	egistered u	nder Part 2 o respect of ar		produce con	nplete section (I	-		
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England								
h)	the chief officer of police of a police force in England								
* If yo	u are applying as a j	person des	cribed in (a)	or (b) j	please c	onfirm	:		
	tick yes								
I am ma	arrying on or proposed ble activities; or aking the application statutory function of a function discharged bividual APPLI	n pursuant or ed by virtu	to a ne of Her Maj	esty's	preroga		e use of the pr	emises for	
Mr [Mrs 🗌	Miss		Ms			Title (for		
Surnam	e			F	irst nar				
I am 18 y	years old or over						_/_		_
		7				_/	Plea	se tick yes	
Current p different address	postal address if from premises			/					
Post town							Posts of		
Daytime	contact telephone	number					Postcode		
E-mail ad optional)	dress								

Mr 🗌	Mrs 🗌	Miss		Ms	Other Title (for example, Rev)	
Surname				First na	mes	
I am 18 years o	ld or over				□ Plea	se tick yes
Current postal a different from p address	address if remises					
Post town					Postcode	
Daytime contac	t telephon	e number			Toblode	
E-mail address (optional)						
please give the n	name and n	registered a	ddress of a artnership ach party	applicant in ful or other joint concerned.	I. Where appropriat venture (other than	ie please give any a body corporate),
Vame						
Disappearing Din	ing Club L	ımited				
C/O Interax Acco Basepoint Oakfie Sewkesbury Busin	ld Close	rvices Limit	ed			
ewkesbury Houcestershire L20 8SD	- So a mil					
egistered numbe 8235125	r (where ap	plicable)				

Description of applicant (for example, partnership, company, unincorporated association etc.)

Limited Company

Telephone number (if any)

E-mail address (optional)

Pa	irt 3 Operating Schedule	
W	hen do you want the premises licence to start?	DD MM YYYY AS A P
If y	you wish the licence to be valid only for a limited period, when do you nt it to end?	DD MM YYYY
Ple	ase give a general description of the premises (please read guidance note 1)	
The and	e premises will be a food and wine bar with an offering of Modern Europ dinner with an accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompanying bar food menu of meats, cheeses and tasting ensive range of wines and a short list of beers, spirits and cocktails to accompany the short list of beers, spirits and cocktails to accompany the short list of beers, spirits and cocktails to accompany the short list of beers.	ean restaurant dishes for lunch
If 5 plea	000 or more people are expected to attend the premises at any one time, see state the number expected to attend.	N/A
Wh	at licensable activities do you intend to carry on from the premises?	
(Ple	ase see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2	to the Licensing Act 2003)
Prov	vision of regulated entertainment	Please tick any that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	— ⊠
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in hox H)	— ⊠

Prov	vision of la	ate night re	freshment (if ticking yes, fill in box I)		\boxtimes
			ng yes, fill in box J)		
			es K, L and M		\boxtimes
A					
Plays Standa	ard days a	nd timings	Will the performance of a play take place indoors or outdoors or both – please tick (please read		T
(please	e read gui	dance note	guidance note 2)	Indoors	
Day	Start	Finish	-	Outdoors	
Mon		Tillish	Bloomer	Both	
1			Please give further details here (please read guidance n	ote 3)	
Tue					
Wed			State any seasonal variations for performing plays (ple note 4)	ease read guidan	ce
Thur					
Fri			Non standard timings. Where you intend to use the preparation of plays at different times to those listed in the left, please list (please read guidance acts 6)	emises for the	\dashv
Sat			the left, please list (please read guidance note 5)	OF THE PERSON NAMED IN COLUMN TO PERSON NAME	
Sun	/				

В

Films Standard days and timings (please read guidance note 6)	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indeers	
Day Start Finish		Outdoors	
Management	Please give further details here (please read guidance n	Both	
	(preuse reau guidance n	ote 3)	

,	
Tue	
Wed	State any seasonal variations for the exhibition of films (please read guidance note 4)
Thur	
Fri	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left please list (please read guidance note 5)
Sat	left please list (please read guidance note 5)
Sun	
С	

Standa	r sporting rd days and read guida	d timinos	Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indeor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
² ri			please list (please read guidance note 5)
at			
un			

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2) Indoor		<u>d</u>
Day	Start	Finish	Outd	oers	
Mon		T MISH	Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertal (please read guidance note 4)	inment	
Thur					
Fri			Non standard timings. Where you intend to use the premises or wrestling entertainment at different times to those listed in on the left, please list (please read guidance note 5)	for boxing	
Sat Sun			(Productional guidance note 5)		

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	6
Day	Start	Finish		Outdoors	
Mon	Junt	Philish	The state of the s	Both	
Tue			Please give further details here (please read guidance n	ote 3)	
Wed			State any seasonal variations for the performance of li read guidance note 4)	ve music (please	;

Thur	
Fri	Non standard timings. Where you intend to use the premises for the
Sat	performance of live music at different times to those listed in the column on the left, please list (please fead guidance note 5)
Sun	
F	

Recorded music Standard days and timings (please read guidance note 6)		nd timinos	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish	-	Outdoors	
Mon	11.00	01.00	Please give further details here (please read guidance	Both note 3)	
Tue	11.00	01.00	_		
Wed	11.00	01.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	11.00	02.00			
Fri	11.00	02.00	Non standard timings. Where you intend to use the property of recorded music at different times to those it on the left, please list (please read quidence note 5)	remises for the	
Sat	11.00	02.00	At the start of British Summertime, the terminal to		
Sun	12.00	01.00	From the end of permitted hours on New Year's Eve, to the start of permitted nours on New Year's Eve, to the start of permits on New Year's Eve, to the start of permits on New Year's Day.		

Performances of dance Standard days and timings (please read guidance note 6)		d timings	Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	Ø
Day	Start	P: 11	-	Outdoors	
<u> </u>	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	1
Tue					
Wed			State any seasonal variations for the performance of guidance note 4)	lance (please rea	ad
Thur					
Fri			Non standard timings. Where you intend to use the pi performance of dance at different times to those listed the left, please list (please read guidence at the list)	remises for the	on
Sat			the left, please list (please read guidance note 5)		
Sun					

H

descr. within Standa	n (e), (f) on ard days ar	hat falling	Please give a description of the type of entertainment you will be provi			
Day	Start	Finish	Will this entertainment take place indoors or		Τ_	
Mon	11.00	01.00	outdoors or both - please tick (please read guidance	Indoors		
		01100	note 2)	Outdoors		
Tue	11.00			Both		
1 40	11.00	01.00	Please give further details here (please read guidance r	note 3)		
	<u> </u>					

Thur	11.00	02.00	State any seasonal variations for entertainment of a similar description that falling within (e), (f) or (g) (please read guidance note 4)
Fri	11.00	02.00	(prouse road guidance note 4)
Sat	11.00	02.00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
un	12.00	01.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.
			From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.

Late night refreshment Standard days and timings (please read guidance note 6) Day Start Finish		ard days and timings place indeed on an art learning refreshment take		Indoors	
		Finish		Outdoors	
Mon	23.00	01.30	Please give further details here (please read guidance	Both note 3)	
Tue	23.00	01.30			
Wed	23.00	01.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	02.30			
Fri	23.00	02.30	Non standard timings. Where you intend to use the provision of late night refreshment at different times, the column on the left places list (a)	4 .4	
Sat	23.00	02.30	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour. From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.		
Sun	23.00	01.30			- 1

Supply of alcohol Standard days and timings (please read guidance note 6) Day Start Finish		ndard days and timings Dease tick (please real please tick)		
		Off the premises		
+	rinish	Both		
11.00	01.00	State any seasonal variations for the supply of alcohol (please reguidance note 4)	ead	
11.00	01.00			
11.00	01.00			
11.00	02.00	and the state of t	r the	
11.00	02.00	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour. From the end of permitted hours on New Year's Five to the start of the		
11.00	02.00			
12.00	01.00	,		
	Start 11.00 11.00 11.00 11.00	Start Finish 11.00 01.00 11.00 02.00 11.00 02.00 11.00 02.00 11.00 02.00 11.00 02.00	Start Finish State any seasonal variations for the supply of alcohol (please read guidance note 4)	

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name		
	ony Langley	
Address Cole Str London	reet	
1		
Postcode	SE1 4YH	
Personal lice	nce number (if known)	
Issuing licen London Boro	sing authority (if known) ough of Lambeth	

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)		nd timinos	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	7
Mon	11.00	01.30	<u></u>
Tue	11.00	01.30	
Wed	11.00	01.30	Non standard ()
Thur	11.00	02.30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	11.00	02.30	At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.
Sat	11.00	02.30	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.
Sun	12.00	01.30	

Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9) 1. Food will be served at tables by write / e. i.
1. Food will be served at tables by waiter/waitresses at all times.
wantesses at all times.
b) The prevention of crime and disorder
1. A suitable Closed-Circuit Television (CCTV)
licensable activities rae being carried out and at any other times where members of the public are present on
2. The PLH/DPS will adopt a "sent"
2. The PLH/DPS will adopt a "cooling down" period where music volume is reduced 30 minutes before the
3. A facility will be provided for customers to order Hackney taxis/private hire vehicles through members of
staff.
4. All staff will receive full training on licensing.
c) Public safety
c) I wone safety
d) The prevention of public nuisance
1. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
quietly.
1
1
e) The protection of skill and
e) The protection of children from harm

Page 23

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Checklist:		
 I have ma 	ade or enclosed payment of the fee. Please tick to indicate agre	emen
• I have end	closed the plan of the premises.	\boxtimes
 I have ser 	nt copies of this application and the plan to responsible authorities and others where	\boxtimes
		\boxtimes
	closed the consent form completed by the individual I wish to be designated premises r, if applicable.	
I understa	nd that I must now advertise my application.	\boxtimes
rejected.	nd that if I do not comply with the above requirements my application will be	⊠
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TO MAKE A F.	CNCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 20 ALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. Tres (please read guidance note 10)	03,
Signature of app signing on behal	olicant or applicant's solicitor or other duly authorised agent (see guidance note 11) for the applicant, please state in what capacity.	. If
Signature		
 Date		- 1
	7 April 2016	
Capacity	Woods Whur 2014 Limited - Solicitors for the applicant	\dashv
or joint applicat	tions, signature of 2 nd applicant or 2 nd applicant's solicitor or other authorised agen acc note 12). If signing on behalf of the applicant, please state in what capacity.	 nt
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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Andrew Woods
Woods Whur 2014 Limited
Devonshire House
38 York Place

Post town Leeds

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

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Appendix 1i)

Andrew Woods; M&CP - Licensing

Breese, Robert

From:

Kerry Welburn

Sent:

To: Cc:

14 April 2016 09:34

Subject:

New Application - Disappearing Dining

Dear John

Following your email to Andy, we confirm that our client is agreeable to the following being added to the application:-

- 1. No Promoted Events to be held at the premises "A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc iockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public"
- 2. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.
- New Years Eve extension to 3am only.

Kind regards.

Kerry Welburn

Woods Whur 2014 Limited

Devonshire House, York Place, Leeds LS1 2ED.

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Appendix 2

<u>Disappearing Dining Club – 26 Newbury Street</u> Conditions Consistent with the Operating Schedule

- 1. A prominent sign shall be displayed at all exits from the premises requesting that patrons leave quietly. (MC16)
- 2. (Taken from the amended application). The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recent data or footage with the absolute minimum of delay when requested. (MC01)
- 3. (Taken from the amended application). There shall be no promoted events on the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and/or the event is (independent of the premises licence holder) promoted to the general public.(MC02)

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Appendix 3i)

Hewitt, Andre

From:

Austin, Hazel

Sent:

22 April 2016 09:45

To:

M&CP - Licensing

Cc: Subject: Sambells, Rachel; Blake, Steve; Davenport, Peter Application for Premises License - 26 Newbury Street

Dear Licensing Authority,

The Environmental Health Responsible Authority would like to object to the above application for the following reasons:

The licence application does not contain adequate information to demonstrate how the applicant intends to promote the licensing objective 'prevention of public nuisance' and the City of London Policy document: Statement of licensing Policy.

There are a significant number of residential properties within close proximity to the premises in the licence application.

Namely -

7 flats at 1 - 3 Newbury Street London EC1A 7HU

4 flats at Newbury House 10 - 13 Newbury Street London EC1A 7HU

32 flats at Cloth House 5 Cloth Street London

5 flats at 5 Middle Street London EC1A 7JA

1 flat at 4 Middle Street London EC1A 7JA

1 flat at 3 Middle Street London EC1A 7JA

1 flat at 2 Middle Street London EC1A 7JA

1 flat at 1 Middle Street London EC1A 7JA

2 flats at 7 Kinghorn Street London EC1A 7HT

9 flats at 39 - 40 Bartholomew Close London EC1A 7JN

4 apartments at Newbury House 10 - 13 Newbury Street London

20 flats at Aldersgate Court 30 Bartholomew Close London EC1A 7ES

Flat at 15 - 17 Middle Street London EC1A 7JA

21 flats at 18-21 Middle Street London EC1A 7JA

Town house at 22 Middle Street London EC1A 7JA

10 flats at 23 Middle Street London EC1A 7AB

3 flats at 24 Middle Street London EC1A 7JA

Town house at 24 Cloth Fair London EC1A 7JQ

Town House at 25 Cloth Fair London EC1A 7JQ

Town House at 26 Cloth Fair London EC1A 7JQ

Town House at 27 Cloth Fair London EC1A 7JQ

This carries significant risk of noise disturbance to neighbours during the operation and dispersal of customers. The Environmental Health Responsible Authority believes that the public nuisance licensing objective will be adversely affected by the patrons gathered outside to smoke and during dispersal unless there are clear management policies and practices in place or put in place to prevent disturbance and nuisance from music and people noise.

We are also concerned that even with policies and practices in place the late hours applied for will cause public nuisance to the nearby residents as experience has shown in similar locations such as Carter Lane.

The applicant has not supplied sufficient information as set out in the City of London Licensing Policy in relation to paragraphs 33 to 40 for the reasons expressed at paras 39 & 40 to obviate our concerns

A noise management policy should be in place setting out measures to prevent noise break out from the premises affecting the residential premises and conditions proposed to ensure that any licence granted addresses these concerns

Regards

Hazel Austin
Environmental Health Officer
Pollution Team

Dept. of Markets & Consumer Protection City of London, PO Box 270, Guildhall, London, EC2P 2EJ

Tel: 020 7332 3036 Mob: 077 709 66721

Email: hazel.austin@cityoflondon.gov.uk

Web: cityoflondon.gov.uk/noise

Register non-road mobile machinery (NRMM) via this link: nrmm.london

Should you wish to provide feedback on the service you have received, please follow this link: surveymonkey.com/r/PHPP Noise

Appendix 4i)

Hewitt, Andre

From:

Jas Thind

Sent: To: 06 May 2016 21:38

Cc:

M&CP - Licensing

Subject:

: Objection to Application for a New Premises License, Disappearing Dining Club Ltd, 26

Newbury St EC1A 7HU

Re:Application for a New Premises License, Disappearing Dining Club Ltd, 26 Newbury St EC1A 7HU

Dear Sirs,

My husband and I own Flat, 1-3 Newbury Street, EC1A 7HU which is currently occupied by our son Kieran Thind and which we also use very frequently as our London base. We understand that Disappearing Dining Club Ltd has applied for a New Premises License for the basement at 26 Newbury St, EC1A 7HU.

This email is a formal notification of our strongest objections/representation to the granting of such a licence.

As you know, Newbury St is an extraordinarily narrow street which is mainly residential and is a one way street. We are on the first floor of the building and find that all noise from Council rubbish collections, local roadworks, vibrates enormously due to the proximity of the buildings. The pavement is also very narrow on each side and the road is generally only accessible by small cars.

We do not believe that the licence would remotely promote any of the City of London Licensing Objectives but in particular the following:

a) Prevention of Crime and Disorder.

Taxis/traffic/ambulances

Newbury St is extremely narrow and is a one way street. Only one car can enter and leave. It will be impossible for numerous taxis to wait for customers - this will surely result in arguments between customers and a queue of taxis immediately below the window of our apartment with noisy, inebriated people entering taxis and slamming doors a) potentially throughout the day since the licence will start from 11am and b) even worse, until 1 or 2am most mornings including weekends. This will be an unmitigated disaster for residents due to the impossibility of controlling loud drunken behaviour and should there be any fights between inebriated clients it will be impossible for an ambulance to help them due to the inevitable congestion of taxis at closing hours. The licence will in fact promote crime and disorder and the taxis and traffic will in fact be a public nuisance both to residents and clients of the licensed premises.

b) Prevention of a Public Nuisance

(i)Noise: The applicant states that they will adopt a "cooling down" period for music 30 minutes before closing.

This implies that music will be played throughout the day and volume will be turned down at 12.30am or 1.30am, equivalent to loud music for 13-14 hours a day. This will be a huge "public nuisance" firstly to all residents and to long established businesses such as the Fletcher's Hall and Fletcher Gallery during the day - that operate discreetly.

(ii) Public Signage requesting customers leave quietly

Please do not hesitate to consult further with us.

Mr Kieran Thind: Tel

Inebriated customers do not read signs and are no longer in control of their faculties! It will be impossible for management or staff to both serve customers inside and manage the noise of those waiting in a drunken state outside for taxis. Opening and closing of doors past 11pm at night will massively disturb residents and make it impossible for anyone to sleep. This is again a public nuisance.

- (iii) Running a restaurant requires a constant stream of delivery vans again very difficult in a one way narrow street. It will also require disposing of waste, rubbish bags and bottles. The pavements are narrow. This will be a health hazard. The rubbish will attract rats and foxes at night also creating risks to the public in a narrow space.
- (iv) Where will air conditioning and ventilation be placed? The street is very narrow. These units will inevitably have to be placed very close to residents. We will hear the constant noise of these units both day and night another public nuisance
- (v) Since the street is narrow, air does not circulate well during the summer. The licensed premises will need to open all their windows for air so the music and noise will travel throughout the street. Additionally customers will have to stand on the narrow pavement in order to smoke at a danger to their health and safety due to arrival of taxis in a narrow space.

We would urge the Licensing Authority to exercise its common sense and not agree such a licence. The damage to the residents and neighbourhood will be great and without any benefit to the public in approving a licence for such a narrow. In fact the location would pose dangers in terms of health and safety.

Finally, we are not aware of the applicant having advertised the application in local papers and do not believe that all residents and interested parties have been made aware of such application. The applicant should provide copies of such newspaper advertisements.

Yours faithfully,		
Mrs Jaswinder Thind and Dr Sukhpal Thind: Tel:		

Flat , 1-3 Newbury Street

London EC1A 7HU

From:

Julian Ingall

Sent:

02 May 2016 19:16

To:

M&CP - Licensing

Subject:

Application for a New Premises License, Disappearing Dining Club Ltd, 26 Newbury

St EC1A 7HU

Re: Application for a New Premises License, Disappearing Dining Club Ltd, 26 Newbury St EC1A 7HU

Please accept this email as written notification of my objection to the Application for a New Premises License, Disappearing Dining Club Ltd, 26 Newbury St EC1A 7HU.

I live at 1-3 Newbury St, EC1A 7HU.

Newbury St is a very narrow street and number 26 is less than 50m from my home. Noise reverberates and amplifies upwards. There are residential properties from one end of Newbury St to the other - it is not populated solely by commercial premises

I believe that the License would have a negative impact on my life as a resident in the vicinity. This is because the application does not promote the City of London Licensing Objectives;

Page 13 of the New Premises License Application, Disappearing Dining Club Ltd - M. Describe the steps you intend to take to promote the four licensing objectives:

b) The Prevention of Crime and Disorder:

'3. A facility will be provided for customers to order Hackney taxis/private hire vehicles through members of staff.'

This measure will actually create a public nuisance. Newbury St is very narrow and sound reverberates loudly across the buildings - the noise of car engines running and doors slamming in the early hours of the morning will be very disturbing.

d) The Prevention of Public Nuisance:

'1. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.'

This measure does not ensure that the customers will be quiet, it only asks them to leave quietly. The combined influence of alcohol and loud music will make this difficult to enforce. The noise from the customers will reverberate loudly along Newbury St and be very disturbing.

The proposed licence will generate additional disturbances. This includes:

Customers standing outside the restaurant when the weather is warmer and/or to smoke. The noise will reverberate loudly along Newbury St and be very disturbing.

The management of the bar and restaurant's waste will necessitate additional noisy late night collections of bottles and rubbish.

There will be an increased risk of infestation from food waste, which will attract vermin such as rats and foxes.

The constant hum of the restaurant's ventilation system will be intrusive to a street that is extremely quiet outside business hours.

Julian Ingall
Flat 1-3 Newbury Street



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Other business such as overseas mortgages and commercial mortgages are provided through Coreco Specialist Finance Limited. Coreco Specialist Finance Limited is not authorised or regulated by the

From:

Laura Daly

Sent:

30 April 2016 00:53

To:

M&CP - Licensing

Subject:

Objection to Application for a New Premises License, Disappearing Dining Club Ltd,

26 Newbury St EC1A 7HU

Re: Application for a New Premises License, Disappearing Dining Club Ltd, 26 Newbury St EC1A 7HU

Following my conversation today with Robert Breese, please accept this email as written notification of my objection to the Application for a New Premises License, Disappearing Dining Club Ltd, 26 Newbury St EC1A 7HU.

I live at 1-3 Newbury St, EC1A 7HU. Newbury St is a long narrow street with flat fronted buildings. There is no greenery to break up sound, so noise at ground level reverberates and amplifies upwards. There are residential properties from one end of Newbury St to the other - it is not populated solely by commercial premises. There is no current night time economy in Newbury St.

I believe that the License would have a negative impact on my life as a resident in the vicinity. This is because the application does not promote the City of London Licensing Objectives;

Page 13 of the New Premises License Application, Disappearing Dining Club Ltd - M. Describe the steps you intend to take to promote the four licensing objectives:

b) The Prevention of Crime and Disorder:

'2. The PLH/DPS will adopt a "cooling down" period where music volume is reduced 30 minutes before the closing time of the premises.'

The "cooling down" period implies that the music will be played at a higher volume for the rest of the day. This will be a public nuisance as the noise will certainly disturb the peaceful environment of Newbury St from 11am until 30 minutes before closing time - which is, on average, 14 hours of music at a high volume every day. This is not acceptable.

In addition, turning music down for 30 minutes at the end of business is not a sufficient way to prevent disorder in the evening or earlier in the day.

'3. A facility will be provided for customers to order Hackney taxis/private hire vehicles through members of staff.'

This measure will actually create a public nuisance. Newbury St is very narrow and sound reverberates loudly across the buildings - the noise of car engines running and doors slamming in the early hours of the morning will be very disturbing.

d) The Prevention of Public Nuisance:

'1. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.'

This measure does not ensure that the customers will be quiet, it only asks them to leave quietly. The combined influence of alcohol and loud music will make this difficult to enforce. The noise from the customers will reverberate loudly along Newbury St and be very disturbing.

The proposed licence will generate additional disturbances. This includes:

Customers standing outside the restaurant when the weather is warmer and/or to smoke. The noise will reverberate loudly along Newbury St and be very disturbing.

The management of the bar and restaurant's waste will necessitate additional noisy late night collections of bottles and rubbish. There will be an increased risk of infestation from food waste, which will attract vermin such as rats and foxes.

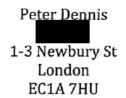
The constant hum of the restaurant's ventilation system will be intrusive to a street that is extremely quiet outside business hours.

Best wishes

Laura Daly



Please note that I do not want my address and contact details to be published with my objection or listed publicly.



City of London Licensing Authority Walbrook Wharf, 78-83 Upper Thames St London EC4R 3TD

1st May 2016

Dear Sir or Madam:

Re: Premises Licence Application LIC/00608, The Disappearing Dining Club, Basement, 26 Newbury St EC1A

This letter is a representation against the licensing application above.

As a full time resident of Newbury Street, living a mere 30 yards from the site of the proposed "Disappearing Dining Club" I strongly object to the possible granting of a licence to this venture, and the hours for which the licence is proposed.

In relation to the licensing objectives:

Prevention of Public Nuisance -

Newbury Street is a quiet backstreet, with a large number of flats within both the street itself and the immediate vicinity housing both individuals working in the area, and families with children. The application states that the club will be open until 1.30 am on Mondays, Tuesdays, Wednesdays and Sundays, and until 2.30 am on the other days. It will provide both music and alcohol. There is no day on which the premises will be closed.

This is obviously impossible without there being major noise disruption to the residents, many of whom rise very early to get to work in the City..

The application states that signage will be placed within the building advising those at the club to leave quietly in order to reduce the nuisance to the Public. Such notices however will have no effect on those arriving at the club seeking a late night drink – the public houses in the area generally close at 11 so the club will be an enticing proposition for those who wish to carry on drinking after this time, or to those spilling out of the clubs on the other side of Smithfield Market such as Fabric. This is not appropriate for a road such as Newbury St.

Prevention of Crime and Disorder -

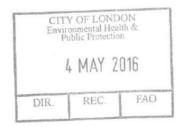
Realising the disruption and potential disorder that will be caused by diners and drinkers spilling on to the road at 2.30 in the morning, the application states that a facility will be provided within the club such that diners/drinkers can call a cab which can then collect them from the premises. This proposal is ill thought through, unworkable and completely at odds with the requirement to reduce Public Nuisance. Newbury is a single track road with no space for taxis to park and wait. The club, from the plans, seems to have 26 covers – potentially 26 people waiting for 26 taxis at 2.30am in a road with no room for them. And of course if the taxis cannot park outside and wait, but have to wait on Cloth Fair or the surrounding streets, the potential for disorder outside the club remains as people spill out to find their cabs.

In short I urge you not to grant the licence as applied for, as I believe it fails to meet at least two of the licensing objectives. Newbury St, is a quiet increasingly residential street, its character and harmony greatly endangered by this proposed licence.

With all best wishes

Yours faithfully

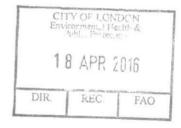
Peter Dennis





Corporation of London Licensing Department Walbrook Wharf 78-83 Upper Thames Street London EC4R 3TD

14 April 2016



Dear Sirs

Disappearing Dining Club Limited Application for premise licence 26 Newbury Street, London EC1A 7HU

We wish to object to this application.

This is a residential area and we were careful in our own application to you for our premises licence to avoid late night opening. Our licence permits entertainment and the sale of alcohol up to midnight but in practice it is our policy that all events should end no later than 11:00 pm.

This is an area which, with the greatest respect to the City Police, is not heavily policed. We know this, to our cost, since our premises were broken into and used for an illegal rave in August 2013 and the police were powerless to remove these people. Newbury Street is extremely narrow (which will funnel noise between the buildings) with limited vehicle access, and is wholly unsuitable for a drinking club. We have also to be concerned that our guests may be at risk of intimidation by the clientele of this late night establishment.

Our board have discussed this and we are of the opinion that a late night drinking club in Newbury Street is likely to lead to an increase of crime and disorder and will constitute a threat to public safety, and we urge you to reject this application.



Farmers & Fletchers In the City, Cloth St, London EC1A 7LD

From:

Brendan Barns

Sent:

20 April 2016 09:59

To:

M&CP - Licensing

Subject:

Disappearing Dining Club Limited - Alcohol and entertainment applications - City of

London

Dear Sir/Madam

I understand a licence application has been submitted for 26 Newbury Street.

I would like to object to this application. Newbury Street is a very narrow street, in the middle of a quiet residential street. The street is currently a mix of small offices and residential buildings. The prospect of having a restaurant/bar in the middle of this street is absurd.

The area is already served well with pubs, restaurants and bars and none of those in the immediate vicinity of this proposed site have licences beyond 11pm because of the residential nature of this area.

As the proposal is that the establishment will be in the basement of the building this will inevitably mean smokers congregating outside the venue. The prospect of these customers talking, drinking and smoking outside in this quiet residential street until such ridiculous hours as 1.30 or even 2.30am throughout the week is complete madness.

The proposed building is not a suitable venue for a bar or any kind of late night drinking establishment and the hours requested should be rejected. They are not reasonable or acceptable to the local community.

Yours faithfully

Brendan Barns
Founder
London Business Forum
Bartholomew Close

London EC1A 7HP Tel: Hand delivered
May 2016

BERNADETE HONCOCK HOLT 39-40 Barthdonew Crose Landon ECIATIN.

5/5/2016

To Licensing Department City of London Corporation POBOX 270 EC2P ZEJ.



Re Application For License BASEMENT, 26 Newbury Street

OBJECTION

Dear Sirs-

I live in a 162 dential block about 100 M from the above property. Newbury Street is a very narrow street and noise from it reverberates to the juntion at which our block is ortusted. Newbury Street is a street with many residential properties above grand level.

We in Barthsomew Crose, backing onto Knigham Shreet and Newbury Street, are already plagued with noise nuisance night and day. Page 43

I believe that the licenstip of live music to late hours 6 nights per week be this application will have a further incremental effect on the noise distrurbance we already live with We have city of London tetuse ablactions at all hours of the day and right, construction noise (6 days a week) from Borts Square and from Cosseal and pedestran noise from the walkways Mongh from Cretherwell and Southfield/Fabric aves down towards 87. Pauls. Life Music every evening would be too

much in a residential area.

Please note my objection to this application.

yours Bithfully,



JAMES AND WENDY DARKE.
39_40 BARTHOLOMEN CLOSE.
FLAT
EC 1A 7JN.
4TH MAY 2016.

RE. APPLICATION FOR SUPPER LICENCE.
BASEMENT. 26 NEWRURY ST.

DEAR SIR/MADAM

NE LIVE ON THE SECOND FLORR 39-40 BARTHOLDINELL CLOSE AND OUR REDRODMS OVERLOOK KINGHORN ST DIRECTLY OVERLOOKING FLETCHEK CALLERY SERVICES ON THE CORNER OF BUNGHORN STY NEWBURY ST.

THE PROPOSED SUPPER LICENCE AT THE PREMISES OF 26 NEWBURY ST IS ABOUT THE SAME DISTANCE FROM US AS THE HAND IN SHEARS PUB AND SO WE HAVE A GOLD MEASURE OF AFTERWARD MATTLE ENTOTING THEMSELVES FROM LATE AND PARTICULAR PROBLEM WITH THAT OR MOST OF THE OTHER INTERMPTIONS DURING THE NICHT BECAUSE WE ROMANT THE FLAT

WE OPPOSE THE APPLICATION FOR A SUPPER LICENCE FOR

THE HOURS DURING WHICH THIS LICENCE WOULD APPLY SET A NEW PRECEDENT IN THAT THEY OPERATE DURING THE NIGHTIME SEVEN DAYS A WEEK.

THESE ARE VERY NARRAW STREETS AND NOISE TENDS TO BE AMPLIFIED. WE ALREADY HAVE OUR FAIR SHARE OF THIS.

THIS IS FAST BECOMING A HIGHLY RESIDENTIAL AREA AND BURSELVES AND NEW RESIDENDS IN THE BARTS SOLARE DEVELOPMENT HAVE THE RIGHT, WE THINK, TO SUPPORT FROM THE RITY OF LONDON CORPORATION WHO HAVE PLANNED AND ENABLED THIS RESIDENTIAL DEVELOPMENT.

WITH THE BEST WILL IN THE WORLD THE NOISE FROM THIS ESTABLISHMENT WILL SPILL OUT INTO THE STREET DURING THE NIGHT AND THE PRECEDENT BET BY THIS WOULD PRECIPITATE AN ADVERSE CHANGE TO THE CHARACTER OF THE AREA.





Hewitt, Andre

From:

Daniel Quirke

Sent: To: 26 April 2016 17:17 M&CP - Licensing

Subject:

Disappearing Dining Club Limited 26 Newbury Street EC1A 7HU

Dear Sir/Madam

We live in Bartholomew Close and our bedroom window looks directly onto Newbury Street and therefore the issue of opening a nightclub with a licence until 2am especially at weekends is a major concern. We therefore wish to object to the above proposal for a grant of a license on the grounds that is would cause unnecessary disturbance to what is predominately a quiet residential area.

Kind Regards
Daniel Quirke & Nicola Fleming
Flat 39-40 Bartholomew Close
London EC1A 7JN

Sent from my iPad

From:

Mary Hustings

Sent:

04 May 2016 11:53

To:

M&CP - Licensing

Cc:

Ann Holmes; James, Clare; Rounding, Virginia

Subject:

Objection to License application 26 Newbury Street

Dear Sirs

We are writing to object to the application for the grant of a premises license for food and entertainment at 26 Newbury Street EC1A 7HU by Disappearing Dining Club.

This is a residential area of the City and Newbury Street is surrounded by residential blocks. A bar and restaurant with music and serving alcohol late in to the night would be wholly inappropriate, out of keeping with the area, and cause noise and disturbance for residents.

We understand that the Corporation has designated this part of the City as residential.

We also understand that the Corporation's policy is to permit night life activities only in areas of the City which are not residential.

We urge you to refuse this application.

Mary and Alan Hustings

Flat

43 Bartholomew Close

EC1A 7HN

From:

Laurent Veilex

Sent:

19 April 2016 11:22 M&CP - Licensing

To: Subject:

Disappearing Dining Club Limited

Dear Sir or Madam,

I leave in 43 bartholomew close where i own flat . EC1A 7HN I would like to object against the application of Disappearing Dining Club Limited licence simce it would create a lot of noise in a very quiet area. Thank you for your understanding.

Kind regards Laurent Veilex.

Sent from my iPhone

Hewitt, Andre

From:

Peter Bowen

Sent:

19 April 2016 11:00

To:

M&CP - Licensing Peter Bowen

Cc: Subject:

Application for late night licence at 26 Newbury Street

Dear Sir,

I understand that an application has been made for a late night licence for a food and wine bar at 26 Newbury Street EC1A 7HU.

I strongly object to the granting of the licence requested. As the City knows, Newbury Street is in the middle of a quiet, secluded, residential area of considerable historical interest and charm. The additional noise, disruption, unruly behaviour and litter/ordure that a late night drinking hole for large groups will generate in our neighbourhood is completely unacceptable and will destroy the character of the area.

I would also expect our local city councillors to also object to this application, which is clearly out of line with the City's licencing policy.

I hope that this is self-explanatory, but if you would like more information or explanation of my objection, please do not hesitate to contact me at of at my mailing address:

Peter Bowen

43 Bartholomew Close

London

EC1A 7HN

Thank you,

Peter Bowen

Director of Internal Audit

Partnership

t:

http://www.partnership.co.uk



INVESTMENT LIFE & PENSIONS MONEYFACTS AWARDS 2016



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Hewitt, Andre

From:

Raj Mody

Sent:

22 April 2016 14:10

To:

M&CP - Licensing

Subject:

Fwd: Licence application for 26 Newbury Street - objection

I write to object to the licence application for 26 Newbury Street re Disappearing Dining Club Limited.

Newbury Street is a narrow street in the middle of a quiet residential neighbourhood. The combination of its narrowness and building heights means it easily becomes a sound well. A bar will cause significant neighbour nuisance, as customers will inevitably stand chatting and smoking outside the venue, and cause noise, when they leave. The proposed use of the property is also likely to extend to Newbury Street, Middle Street and Bartholomew Close, exacerbating the already significant problem, in Cloth Fair, of taxis idling, whilst awaiting pick ups at anti-social hours.

I do not understand why a food and wine bar would wish to stay open till well past 11pm/midnight. I suspect the stated use is a way of avoiding the need to seek planning permission for a bar.

So far as I am aware, this property obtained change of use from a bar (use class A4) to offices (Use class B1) in 2009. As I understand it, whilst permission would be needed to revert to A4, it is not required to change to A3 (restaurant).

There has been considerable residential development in this area in recent years and, in my view, 26 Newbury Street is not a suitable venue for any kind of bar, but is wholly inappropriate for a late night drinking establishment.

My preference would be that there should be no bar at all but, if it is allowed, opening hours should only be between 11am and 11pm.

I would be grateful if you would acknowledge receipt of this objection.

Kind regards

Raj Mody

Flat

43 Bartholomew Close, EC1A 7HN

From:

Ann Holmes

Sent:

19 April 2016 06:28

To:

M&CP - Licensing

Subject:

26 Newbury Street

I write as a Common Councilman for Farringdon Within, to object to the licence application for 26 Newbury Street.

Newbury Street is an extremely narrow street, in the middle of a quiet residential neighbourhood. The combination of its narrowness and building heights means it easily becomes a sound well. A bar will cause significant neighbour nuisance, as customers will inevitably stand chatting and smoking outside the venue, and also make noise, when they leave. The proposed use of the property is also likely to extend to Newbury Street, Middle Street and Bartholomew Close, the already significant problem, in Cloth Fair, of taxis idling, whilst awaiting pick ups in the early hours of the morning.

I have difficulty understanding why a food and wine bar of the kind described - i.e. essentially a restaurant - would wish to stay open till 01.30 during the week, and 02.30 at weekends. I can't help but wonder whether this stated use is a way of avoiding the need to seek planning permission for a bar.

So far as I am aware, this property obtained change of use from a bar (use class A4) to offices (Use class B1) in 2009. As I understand it, whilst permission would be needed to revert to A4, it is not required to change to A3 (restaurant).

There has been considerable residential development in this area in recent years and, in my view, 26 Newbury Street is not a suitable venue for any kind of bar, but is wholly inappropriate for a late night drinking establishment.

My preference would be that there should be no bar at all but, if such is allowed, opening hours should only be between 11am and 11pm.

I should be grateful if you would acknowledge receipt of this objection.

Many thanks

Ann Holmes CC

Flat

, 43 Bartholomew Close, EC1A 7HN

Sent from my iPad

From:

Clare James

Sent:

14 April 2016 09:52

To:

M&CP - Licensing

Subject:

Application to grant a premises licence- Disappearing Dining Club Limited, 26

Newbury Street EC1A 7HU (Ward Farringdon within)

Dear Loreen

Re:- Disappearing Dining Club Ltd, 26 Newbury Street -application to grant a premises licence

I am writing in my capacity as Common Councilman for the Ward of Farringdon Within in which these premises lie. I should also state that I am a Liveryman of the Fletchers Company, which has an interest in Farmers and Fletchers Hall in Cloth Street round the corner from the location of the premises in question.

I support the views of many of the local businesses and residents in objecting to this application. Newbury Street is a narrow lane in the heart of a quiet residential area of the City, where noise is amplified and reverberates. It seems to me to be a totally unsuitable location for premises of this nature and certainly not with a late night premises licence as is being applied for. Almost certainly, dispersal from functions ending as late as 2am will cause significant noise disturbance for residents in the vicinity and there may also be noise and pollution over a number of hours over the course of an evening from users of the establishment who come out onto the quiet street to smoke and chat. This will affect not just those residents in Newbury Street, but also those in the City Apartments in Cloth Street and, depending on the direction of dispersal, those residents in Cloth Fair, Bartholomew Close and Aldersgate Street. There is also likely to be significant problems with debris from late time economy as experienced already in other parts of the Ward.

I am aware there are other establishments in the form of a number of Livery Halls in the vicinity providing facilities for corporate functions. However, I know that Farmers and Fletchers Hall has a licence up to midnight only and has a policy for events to end no later than 11pm. The licensing application being considered now has very different, extended hours.

In addition, the Committee should be aware of the noise disturbance and pollution caused by taxis with engines idling in Cloth Fair which has been a problem for some time. Locating such premises in Newbury Street will only exacerbate this problem as taxis gravitate to the location to pick up customers departing from a function in the early hours of the morning.

Kind regards

Clare James
Common Councilman for the Ward of Farringdon Within
c/o Members' Room
Guildhall
clare.james@cityoflondon.gov.uk

----Original Message-----From: Williams, Loreen

Sent: Tuesday, April 12, 2016 11:18 AM GMT Standard Time

To:

Subject: Application to grant a premises licence- Disappearing Dining Club Limited, 26 Newbury Street EC1A 7HU (Ward Farringdon within)

Dear all.

Please find attached a premises licence application received recently by our Licensing section. If you have any further queries, please do not hesitate to contact the Licensing Team on 020 7332 3406 or via email: licensing@cityoflondon.gov.uk

In addition please use this link to view the application form online.

Kind Regards

Loreen Williams
Operational Support Officer
Markets and Consumer Protection
City Of London

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From:

richard regan

Sent:

14 April 2016 22:47

To:

M&CP - Licensing

Cc:

Rounding, Virginia; Ann Holmes; Graeme M. Smith; Vincent Keaveny

Subject:

Late night License Disappearing Club 26 Newbury Street

Dear Sirs

I wish to object strongly to the granting of a licence to the Disappearing Club at 26 Newbury Street as notiled .

This is a Residential area with ample Licensed Premises and 11pm is quite late enough to allow noisy Patrons to

drink in yet another Bar.and to leave at a reasonable time !am is quite unreasonable and our experience in he Ward had demonstrated that such extended Licensing Hours are extremely disturbing for Residents who quite reasonably want a good nights sleep!. please confirm receipt of this Objection.

R D Regan OBE Deputy for the Ward

From: Rounding, Virginia
Sent: 03 May 2016 23:10
To: M&CP - Licensing

Subject: Application to grant a premises licence - Disappearing Dining Club, 26 Newbury

Street (Ward of Farringdon Within)

I write in my capacity as a Common Councilman for the Ward of Farringdon Within to object to the granting of the above licence.

I base my objection on the Licensing Objectives, particularly iii) the prevention of public nuisance.

The narrowness of Newbury Street, which leads inevitably to noise funnelling up and around the buildings, and its location in a residential neighbourhood (there are residential apartments in several of the buildings in the street, and more have received planning permission), means that public nuisance will be inevitable if a premises licence is granted here. We have seen the kinds of problems that emerge in a street with a similar topography in terms of its narrowness - i.e. in Carter Lane, in the south of the Ward. Noise from patrons leaving the premises in the early hours of the morning will inevitably lead to disturbance for residents - & residents in nearby Cloth Fair have already been victims of disturbance from taxis and other vehicles parking there during the night, for months & months, & a latenight licence in Newbury Street would only exacerbate the problem.

In addition, Newbury Street is not well-lit & is slightly off the beaten track. It could easily become unsafe, or at least unpleasant, for residents returning home late at night, if people are encouraged to congregate there because of the presence of a late-night drinking establishment.

My preference would be for this licence not to be granted at all. If it were to be granted, then I would strongly urge that the late-night element should not be granted - i.e. that sale of alcohol should end by 22.30 every night of the week - & that there should be no off-sales, & no permission given for people to be outside the premises, drinking or smoking.

Please acknowledge receipt of this objection.

Virginia Rounding

Hewitt, Andre From: Rector SBG Sent: 05 May 2016 20:30 To: M&CP - Licensing Subject: Disappearing Dining Club Dear Sir/Madam, I wish to make a representation in opposition to the grant of the licence requested for the Disappearing Dining Club in Newbury Street. Newbury Street is a narrow street that is increasingly residential, with planning consent granted for the conversion of some offices into flats. Because it is narrow and the buildings are relatively high, any noise made in the street is amplified. I note that the applicant is not asking for an off licence; this is a good thing, but smokers will inevitably make their way out into the street, even if they cannot take their drinks with them and even ordinary conversation and laughter will cause a nuisance at night time. The hours requested in this application will inevitably give rise to significant disturbance to residents and cause a public nuisance. Taxis and mini cabs collecting customers will cause noise and congestion and exacerbate the problems already experienced in Cloth Fair. This means that the premises, despite having previously been licensed, is in fact unsuitable for this sort of operation. I would urge the authority to consider not granting a licence at all. If it is granted, the terminal hour for the sale of alcohol, for recorded music and for late night refreshment should be no later than 11.00 p.m. on any night with the premises closed at 11.30 p.m.. Yours sincerely, Martin Dudley The Reverend Dr Martin Dudley FSA FRHistS CC Rector of Great Saint Bartholomew (Registered Charity number 1163024) The Priory Church of Saint Bartholomew the Great The Hospital Church of Saint Bartholomew the Less

The Parish Office is located in Church House.

Telephone: Postal address:

www.greatstbarts.com

Page 56

Visitors should come by way of the West Porch and ask the doorkeeper to contact the Office.

Hewitt, Andre

From:

Keaveny, Mr Alderman Vincent

Sent:

06 May 2016 08:06 M&CP - Licensing

Subject:

Premises licence application: 26 Newbury Street, London EC1A 7 HU

Dear Sirs,

I am writing as Alderman for the Ward of Farringdon Within to object to the granting of a premises licence in respect of the above-referenced property.

Newbury Street has become in recent years a largely residential area. It is a narrow street, the layout of which carries a significant risk of noise disturbance to those living in the vicinity of a licensed premises from music and from customers smoking outside the premises and leaving late at night. It is not a suitable location for a venue that will offer late night refreshment and entertainment.

I note in particular the application, if granted, would permit the premises to open until 2.30am, Thursday to Saturday, and 1.30am, Sunday to Wednesday. Late opening hours of that nature are completely inappropriate for a restaurant venue in a residential enclave of the City. If the application is granted I would ask that the premises should be permitted to operate until 11.00pm at the latest.

I should be grateful if you would acknowledge receipt of this objection.

Thank you.

Vincent Keaveny

Vincent Keaveny

Alderman for the Ward of Farringdon Within Members' Room PO Box 270 Guildhall London EC2P 2EJ

Mobile:

From:

Sid Cordier

Sent:

05 May 2016 00:39

To:

M&CP - Licensing

Subject:

Subject: Application to grant a premises licence - Disappearing Dining Club, 26

Newbury Street (Ward of Farringdon Within)

Dear Sirs

I wish to register my strong objection to the grant of a premises licence to the Disappearing Dining Club at 26 Newbury St, EC1A 7HU. The granting of a licence will add to the level of public nuisance already suffered by local residents.

Members of the licensing committee should be aware that the level of noise and nuisance already endured by the residents of Cloth Fair and Middle Street caused by night time parking is a huge problem and should not be added to. Please see below a copy of of the resolution for the Wardmote which was duly proposed and seconded and has been forwarded to the Court of the Common Council.

"It is a matter of considerable concern that, over the past few years, residents of Cloth Fair have been disturbed nearly every night of the week by vehicles – principally black cabs – parking outside their houses for several hours at a time. Disturbance and nuisance are caused by idling engines, doors slamming, conversations between drivers, and coming and going of drivers (to the nearby 24-hour café), and by some people using the alleyways and porches around Cloth Fair as spaces to urinate in. This is a narrow street, with residents' rooms – including bedrooms – being very close to the carriageway, and undisturbed sleep is impossible in these conditions. The fact that the parking in Cloth Fair is currently governed by single yellow lines, allowing parking between 7pm and 7am, has made it virtually impossible to do anything about this problem, which residents have been raising with their Councilmen for several years.

The City of London Corporation is therefore urged (i) to implement measures on an urgent basis to prevent vehicles parking in Cloth Fair between the hours of 11pm and 7am, Monday to Sunday inclusive and (ii) to consider and consult on the range of options available for parking and vehicle access in Cloth Fair, taking account of the interests and reasonable requirements of residents, businesses and visitors to Cloth Fair and its vicinity.

The siting of a late night Dining Club in Newbury Street is totally inappropriate for a residential area and will be a public nuisance. I request that the committee do not grant this licence.

Please acknowledge receipt of this objection. Yours sincerely

S H Cordier

S H Cordier Tel: e.mail This page is intentionally left blank

Appendix 5 Neo Bar The Chamber Bank Of Shipping Station 865 EAT Piano Bar Farmers & Star Anis LURU 180 Fletchers Hall The Long Lane Disappearing Dining Club The Hand & Shear 181 Founders Hall Rising Sun Moore Stephens LLP The Worshipful Company of Information Technologists The Priory Church of St. Bartholomew the Great Address : Print Scale : Scale 1:750 1:1@A3 Disappearing Dining Club (ref 1015), May 2016 26 Newbury Street, Drawn by: M.J.B. London, EC1A 7HU. LONDON Drawing No : MARKETS AND CONSUMER PLAN PREPARED BY THE CARTOGRAPHIC CAD & RESEARCH SECTION OF THE CONSTRUCTION PROJECTS DIVISION 5-C-39360 **PROTECTION** Environmental Health and Public Protection

Page 61

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Section

PO BOX 270, GUILDHALL,

LONDON, EC2P 2EJ. Tel: 020 7332 3227 Fax: 020 7332 3536

P.G.Bennett, MA (Cantab) FRICS

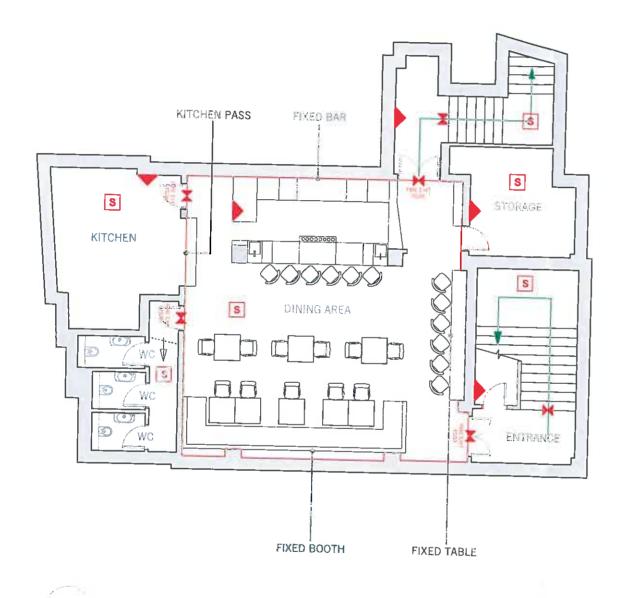
City Surveyor

CITY SURVEYOR'S DEPARTMENT

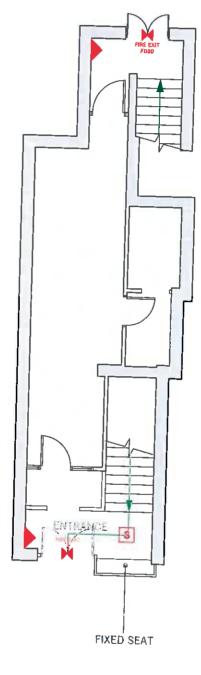
Tel: 020 7332 1507

Disappearing Dining Club, 26 Newbury Street, London, EC1A 7HU

Map Reference	<u>Name</u> <u>Maximu</u>	m Permitted Hours for Alcohol Sales
1. (66)	Priory Church of St. Barts	NO ALCOHOL SALES
2. (727)	Worshipful Company IT	NO ALCOHOL SALES
3. (844)	Moore Stephens LLP	Mon – Sun: 07:00 – 00:00
4. (102)	Rising Sun	Mon – Sat: 10:00 – 23:00
5. (413)	Enoteca	Mon - Sun: 11:00 – 01:00
6. (181)	Founders Hall	Mon – Sun: 07:00 – 00:00
7. (431)	Hand & Shears	Mon – Sat: 10:00 – 23:00
8. (415)	Ye Olde Red Cow	Thu - Sat: 07:00 - 00:00
9. (851)	Kurumaya	Mon – Fri: 10:00 – 20:00
10. (78)	Piano Bar	Thu - Sat: 10:00 - 02:00
11. (180)	Farmer & Fletchers Hall	Mon – Sun: 08:00 – 23:59
12. (865)	EAT	Mon – Sun: 10:00 – 22:00
13. (171)	Neo Bar	Fri – Sat: 12:00 – 01:00



0.001.A Basement Floor Plan 1:100 @ A3



Ground Floor Plan 0.001.B 1:100 @ A3

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The location and type of any fire safety and other fire safety equipment is shown as it is at present. This may be varied from time to time with the agreement of the fire offices or after fire risk assessment.

S AREA COVERED BY SMOKE DETECTORS



AREA COVERED BY ESCAPE LIGHTING



CARBON CATHOLICE FIRE EXTRIQUISHER



FIRE COOR SOMEWITE PROFESTION



DELINATES THE AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE



- ESCAPE ROUTE

EXISTING OFFICE SPACE TO REMAIN UNCHANGED

STATUS: TENDER

K A I Interior Design & Consultancy Unit B2

1B Mentmore Terrace London Fields E8 3DQ London

CLIENT:

STUART LANGLEY DISAPPEARING DINING CLUB

26 NEWBURY STREET, LONDON, EC1A 7HU LICENSING PLAN

DRAWN: 1:100 @ A3 | 04/04/16 | MMR PROJECT NO: REVISION: 558 0.001

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