



# **LICENSING (HEARING) SUB COMMITTEE**

---

**Date: TUESDAY, 24 JULY 2018**

**Time: 3.00 pm**

**Venue: CHAIRMAN'S ROOM 1 -  
COMMITTEE ROOMS**

**APPLICANT: Beverly Hurley**

**PREMISES: Gremio De London Ltd, 26A  
Savage Gardens, EC3N 2AR**

# CONTENTS

Hearing Procedure	(Pages 1 - 2)
Report of the Director of Markets & Consumer Protection	(Pages 3 - 8)
i) Application for Review	(Pages 9 - 16)
ii) Photographs in support of review application	(Pages 17 - 18)
Appendix 2: Premises licence including conditions and plans	(Pages 19 - 30)
Appendix 3: Representations from responsible authorities	
i) Environmental Health	(Pages 31 - 38)
ii) Planning	(Pages 39 - 42)
iii) Licensing	(Pages 43 - 44)
iv) London Fire Brigade	(Pages 45 - 48)
Appendix 4: Representations from Other Persons	
i) Pepys Street RTM	(Pages 49 - 56)
ii) Gillot (Crutched Friars RA)	(Pages 57 - 58)
iii) Marianne Fredericks CC	(Pages 59 - 64)
iv) Mark Field MP	(Pages 65 - 66)
v) Alan Perrin	(Pages 67 - 68)
vi) Nigel Lall	(Pages 69 - 72)
vii) R Robinson	(Pages 73 -



		74)
viii)	Geoff Boyd	(Pages 75 - 76)
ix)	Mark Leverick	(Pages 77 - 80)
x)	Lopa Sarkar	(Pages 81 - 82)
xi)	Ivan Morozov	(Pages 83 - 84)
xii)	Mark Stewart	(Pages 85 - 86)
xiii)	John & Lynn Wood	(Pages 87 - 88)
xiv)	Jayne Evans	(Pages 89 - 94)
xv)	Keith Mansfield	(Pages 95 - 98)
xvi)	Paul Pavlou	(Pages 99 - 100)
xvii)	Resident	(Pages 101 - 102)
xviii)	Luida Mahalski	(Pages 103 - 104)
xix)	Anthony Mahalski	(Pages 105 - 106)
xx)	Frank & Margaret Robotham	(Pages 107 - 110)
xxi)	Timothy Jordan	(Pages 111 - 114)
xxii)	Adrian & Carol	(Pages 115 - 130)
xxiii)	Nicholas Jepson	(Pages 131 - 134)

xxiv) Anthony Agoro (Pages 135 - 136)

xxv) Mark Rowan (Pages 137 - 138)

Appendix 5: Licence holder representation (Pages 139 - 142)

Appendix 6: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales (Pages 143 - 144)

## **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.<sup>1</sup>
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.

---

<sup>1</sup> 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.

<b>Committee:</b> <b>Licensing</b>	<b>Hearing Date:</b> <b>26 June 2018</b>	<b>Item no.</b>
<b>Subject:</b> <b>Licensing Act 2003 -      Application for the review of a premises licence</b>		
<b>Name of Premises:</b> <b>Gremio de Fenchurch</b> <b>Address of Premises:</b> <b>26 A Savage Gardens, EC3N 2AR</b>		
<b>Report of:</b> <b>Director of Markets and Consumer Protection</b>		<b>Public / <del>Non-Public</del></b>
<b>Ward (if appropriate): Tower</b>		

## **1    Introduction**

- 1.1 To consider and determine, by public hearing, the application for a review of a premises licence under the Licensing Act 2003, taking into account the representations of interested parties and responsible authorities detailed in paragraph 4, and the policy considerations detailed in paragraph 7 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 under s.51 of the Licensing Act 2003, for the review of a premises licence has been made by **Beverly Jane Hurley** and was received by the Licensing Authority on 11 May 2018 in respect of the premises:

**Gremio de Fenchurch**  
**26A Savage Gardens**  
**EC3N 2AR**

on the grounds of the prevention of public nuisance and public safety. A copy of the application for review is attached as Appendix 1.

Photographs supporting the review are attached as Appendix 1(i).

### **3 Licensing History of Premises**

- 3.1 The premises historically traded as a restaurant and was licensed for the sale of alcohol on the first floor until 23:00 on Mondays to Saturdays and until 22:30 on Sundays. The premises licence was surrendered by the licence holder in May 2016 and the premises has remained closed since then.
- 3.2 A new licence was granted to Gremio De London Limited following a public hearing on 22<sup>nd</sup> June 2017. The licence permits the following licensable activities:

Supply of alcohol	11:00 - 00:00 Mon to Weds 11:00 - 01:00 Thurs 11:00 - 02:00 Fri and Sat 12:00 - 00:00 Sun
Recorded music	12:00 - 00:00 Sun to Weds 12:00 - 01:00 Thurs 12:00 - 02:00 Fri and Sat
Late night refreshment	23:00 - 00:00 Sun to Weds 23:00 - 01:00 Thurs 23:00 - 02:00 Fri and Sat

Opening hours for the premises are:

10:00 - 00:30 Sun to Weds

10:00 - 01:30 Thurs

10:00 - 02:30 Fri and Sat

It should be noted that due to refurbishment works taking place at the premises, the licence has not been used since it was granted.

A copy of the current premises licence, conditions and plan are attached as Appendix 2.

#### **4 Representations from Responsible Authorities**

- 4.1 There representations from four responsible authorities; Environmental Health, Planning, Licensing and the Fire Authority. All four representations support the review application.
- 4.2 The Environmental Health, Planning and Licensing Responsible Authorities are concerned that the use of the external terrace area for licensable activity will cause a public nuisance due to its extreme proximity to residential properties. They also believe there is the potential for noise break out from the openable windows and doors on to the terrace.
- 4.3 The Fire Responsible Authority is concerned that the means of escape from the premises are inadequate for the proposed use therefore compromising public safety.
- 4.4 The representations from the Responsible Authorities are attached as Appendices 3(i) to 3(iv).

#### **5 Representations From Other Persons**

- 5.1 There are twenty-five (25) representations from other persons supporting the review application. Twenty-one (21) of those representations are from individual residents; one representation is from a management company representing 90 leaseholders at 1 Pepys Street; one representation is from a residents association representing 5 residential properties on Crutched Friars; one representation is from a ward member; and one representation is from the MP for the Cities of London and Westminster. All representations support the review application and have concerns that once trading, the premises will undermine the licensing objective of the prevention of public nuisance. The representations are attached as Appendix 4(i) – 4(xxv).

#### **6 Representation from the Licence Holder**

- 6.1 The licence holder has submitted a representation against the review of his licence. A copy of that representation is attached as Appendix 5.

## **7 Policy Considerations**

- 7.1 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**

- 7.2 The following sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application (2017 Policy).

Paragraphs 65 – 71 set out the Corporation's policy on the public safety licensing objective which has been engaged in this review application.

Paragraphs 72 – 86 set out the Corporation's policy on the prevention of public nuisance licensing objective which has been engaged in this review application.

Paragraph 75 states, 'Residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23:00 and 07:00'. It also addresses the need to strike a fair balance between the benefits to the community of licensed venues and the risk of disturbance to local residents and workers.

Paragraph 86 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.

Paragraphs 115 - 121 state the Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as outlined in paragraph nine.

### **Statutory Guidance**

- 7.3 The following sections/paragraphs of the statutory guidance issued under s182 of the Licensing Act 2003 are particularly applicable to this application (revised April 2018):

Chapter 11 provides specific guidance on reviews. Paragraphs 11.16 to 11.23 set out the powers available to the licensing authority where it



considers that action is necessary to promote the licensing objectives. Paragraph 11.20 stating that any remedial action, ‘...should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review’.

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.’

## **8 Map of area and nearby premises**

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

## **9 Summary**

- 9.1 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.

## **10 Options**

- 10.1 The sub-committee must, having regard to the application and any relevant representations, take such of the following steps (if any) as it considers necessary for the promotion of the licensing objectives:
- i) modify the conditions of the licence (this includes altering or removing any existing condition or adding any new condition);
  - ii) exclude a qualifying activity from the scope of the licence;
  - iii) remove the designated premises supervisor;
  - iv) suspend the licence for a period not exceeding three months;

v) revoke the licence

In the event that the Sub-Committee decides to take either of the steps set out in i) and/or ii) above, it may provide that the modification or exclusion is to be permanent or temporary. If temporary, it shall have an effect for only such period that it may specify (not to exceed 3 months).

Any decision of the Sub-Committee will not have effect until the end of 21 days following notification of the decision to the appellant by the licensing authority. In the event of an appeal against the Sub-Committee's decision, the decision will be suspended pending the determination of the appeal.

## **11 Recommendation**

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

Prepared by            P Davenport  
                                Licensing Manager  
                                peter.davenport@cityoflondon.gov.uk

## **Background Papers**

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
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		<a href="#">Statutory Guidance</a>



**Application for the review of a premises licence or club premises certificate under the  
Licensing Act 2003**

**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.

I Beverly Jane Hurley

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description	
Gremio De London, 26A Savage Gardens, London EC3N 2AR	
Post town London	Post code (if known) EC3N 2AR

Name of premises licence holder or club holding club premises certificate (if known)
Gremio De London Ltd, 77 Malham Road, London SE23 1AH

Number of premises licence or club premises certificate (if known)
LN/200506202

**Part 2 - Applicant details**

I am

Please tick ☐ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A or (B) below)

YES



(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT **NOT APPLICABLE**

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes 🗳️🗳️

- ☐
- ☐ YES
- ☐ YES
- ☐

Please state the ground(s) for review (please read guidance note 2)

THIS APPLICATION RELATES TO:

- a) The prevention of public nuisance
- b) Public safety

PRELIMINARY MATTERS

Having read the DCMS 'Guidance for Interested Parties Applying for a review' (March 2010) I note that there is some question as to whether a Licensing Authority should entertain an application for a review within 12 months of a previous decision on a licence. This application is not in any way repetitious of representations made at the time or which could have been made at the time.

Firstly De Gremio failed to advertise their application as required by the Licensing Act (and the Regulations made under the Act). There was no notice on LIGHT BLUE paper outside the premises as the law requires, nor was there a notice in a newspaper circulating in the VICINITY of the premises as the law also requires. I was unaware of the application and therefore unable to make representations. I fully realise that the City of London cannot review its own decision of 22 Jun 2017 to grant a licence, but these matters are relevant as to why the Licensing Authority should, less than a year later, consider a review.

Secondly having seen inside the premises in recent weeks they do not appear to me now as they were described in De Gremio's application or the licence subsequently granted.

PREVENTION OF PUBLIC NUISANCE

I am one of over 100 residents who live within the immediate vicinity, and my flat is immediately next to the main part of De Gremio's tapas bar on the first floor.

The plan submitted with the licence application shows the ground floor with an area marked as "Terrace". This has actually been a derelict area for at least the past decade, with old sheds, rubble and general debris overgrown with weeds. The area is completely surrounded on other sides by residential flats - over a hundred in total. It has therefore always been totally quiet, with

no disturbance to the residents in the properties surrounding the area. It is part of the **Fenchurch Street Conservation Area**, and the only noises are the occasional quiet rumble of slowly departing trains for a few seconds. Although 26A Savage Gardens has had a license in the past this derelict area never formed part of that license.

Any use of any part of this area for people eating, drinking, talking and smoking, food and alcohol being served, tables and glasses being cleared and so on, until midnight from Sunday to Wednesday, until 1am Thursday and until 2am Fridays and Saturdays will de facto create a public nuisance. The terrace will, according to the application, have chairs and tables for 60 people at any given time, and as the terrace is surrounded by much taller buildings, the sound will also reverberate and generate noise upwards, affecting all those whose residencies look out over it.

The narrow steep stairs leading down to the terrace from the first floor start at a decked platform at first floor level, which is just a few feet outside my bedroom window. This is where both kitchen and serving staff and all members of the public will leave and return to the bar/restaurant, and is large enough for customers to also stand, drink, talk and smoke.

A large brand new glass archway has been made into the old solid brick wall belonging to Network Rail, and this has two glass doors opening onto the same platform. In addition, all the considerable sound and heat insulation that was inside the restaurant that previously occupied the railway arches has been removed back to the brickwork, I witnessed the thickness of this as it was being removed from the premises, and when I visited, the site foreman told me it provided additional space of at least 3' all round. These two measures will exacerbate noise escaping from the inside of the bar area, especially when the doors will be open in the summer and when customers enter and exit to go outside to smoke, eat and drink, as well as from the recorded music.

The platform and terrace area is illuminated by two very bright floodlights at the top of this archway, which already provide light pollution directly into my bedroom at night time.

The drawing attached to the application showing the first floor shows a small bar area, with a slightly larger kitchen area. In fact, the bar now goes round all three sides of the central internal wall, approximately three times larger than shown on the drawing, and clearly indicating that drinking is the prime purpose of De Gremio.

The first floor drawing does not indicate the new large glass archway, and there are now three sets of opening doors on the first floor level decked area. The doors shown to the left of the ladies toilet area are just a few feet from my bedroom window (and the roof light to the flat below mine), both of which are in the grey area simply marked as "Neighbour".

All the above are in direct contravention of my reasonable expectation (as set out in paragraphs 27 and 75 of the City of London's Licensing Policy) of no undue disturbance to my sleep between the hours of 11pm – 7 am, and will have a significant impact on my living and working amenity. This is a totally different environment to the De Gremio in the crypt of a church in Brixton (where the nearest residences are at least 20 metres away from the Church that houses the bar.)

This is a totally different environment to the De Gremio in Brixton (where the nearest residences are at least 20 metres away from the Church that houses the bar.)

The Premises will adversely affect the residential amenity of the more than 100 flats in the immediate vicinity of the licensed premises of which at least 30 directly abut the licensed area. I, and other neighbours, am already adversely effected by the floodlights at the premises. Noise whether music escaping from the arches, people talking on the newly erected platform (a few feet from my bedroom window) or people on the currently derelict area will be further public nuisance.

There are a number bars in the immediate vicinity of this property, most of which close at 11pm or shortly thereafter. At the end of an evening's drinking, between 11-12, many people leaving the area frequently walk up the pedestrian part of Savage Gardens. They shout and sing (and when under the railway arch immediately outside De Gremio, this magnifies that noise), urinate and vomit against that wall, and on our doorstep on several occasions, and leave litter all the way up the street. Late opening hours granted to De Gremio will mean that they will gravitate to 26A, and continue to be able to drink until the early hours of the morning. Signage asking patrons to leave quietly is obviously irrelevant to the public nuisance of patrons and would-be patrons arriving noisily at the premises, particularly after 11.00pm.

As set out above I was disenfranchised from making representations regarding the licence application. I would have made many of these points then, had I been given the opportunity. The property had been empty and unused for a long time, as it had apparently been closed by the Licensing Authority, and the first I knew about anything was when work started on the premises and caused significant disturbance during the day and at night when labourers were sleeping there. I have had no notification about any planning applications for the work that had been already carried out either.

A few weeks after the works started I visited the property and was amazed to see the size of the new bar/restaurant area, which was a significant increase on the old Orpheus restaurant, (which didn't open at the weekends), and requested to meet the owner. Despite several emails, this didn't happen until early March, and it was at this time that I first discovered the existence of a new licence.

When I met Anthony James Thomas, who I understand to be a director of the premises licence holder Gremio de London Ltd, I expressed my strong concerns about the impact of that, the noise, the glass arch and exits and the plans for the terrace, especially as 26A, 26 and 25 Savage Gardens are in a Conservation Area.

I subsequently wrote to the Licensing Authority and Building Regulations, and later Environmental Health and Planning also became involved, as I understand it none of these authorities had been contacted by the licence holder.

#### PUBLIC SAFETY

As above I note the narrow steep stairs leading down from the platform at first floor level to the terrace. These appear to me to be 'industrial' in nature and wholly unsuitable for public use in a situation where people are imbibing alcohol.

According to the Plans (in the application / annexed to the Licence) the passageway from the terrace to the street entrance is the fire escape route, but these plans do not show the air conditioning plant of various shapes and sizes that narrow the passageway in an irregular manner. Also there are supports for the platform above that occupy space shown on the plans as the fire escape route.

It appears that Fire Safety legislation requires fire escape routes to be kept free of obstructions. The premise licence was granted 22 Jun 2017 and the passageway / escape route is not clear of obstructions. The Premises Licence should be revoked in regard of the obstructed escape route alone.

Furthermore the platform above the passageway / escape route appears to be constructed of domestic decking that in the event of a fire might not take the weight of people evacuating from the bar area. In the event of the platform collapsing the passageway / escape route could become completely obstructed.

On 15 August 1980, 37 people died in a fire at El Hueco, an unlicensed bar at 18 Denmark Place in Soho. We are fortunate in London that we have not seen major loss of life in any drinking establishment since, but we can never afford to become complacent.

Please provide as much information as possible to support the application (please read guidance note 3)

I enclose:

Photograph A, B and C – views of the derelict area. Photograph A also clearly shows the new archway that has been made in the original solid brick wall.

Photograph D – New decking area and doors

Photograph E – my bedroom window and part of the rooflight in the bedroom of Flat A, 26 Savage Gardens.

These have all been taken this year.



Please tick ☐ yes

Have you made an application for review relating to the premises before

**NO**

☐

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them.

Please tick ☐ yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

**YES**

☐

I understand that if I do not comply with the above requirements my application will be rejected

**YES**

☐

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date

11/05/2018

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) [Redacted]

Notes for Guidance

A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.

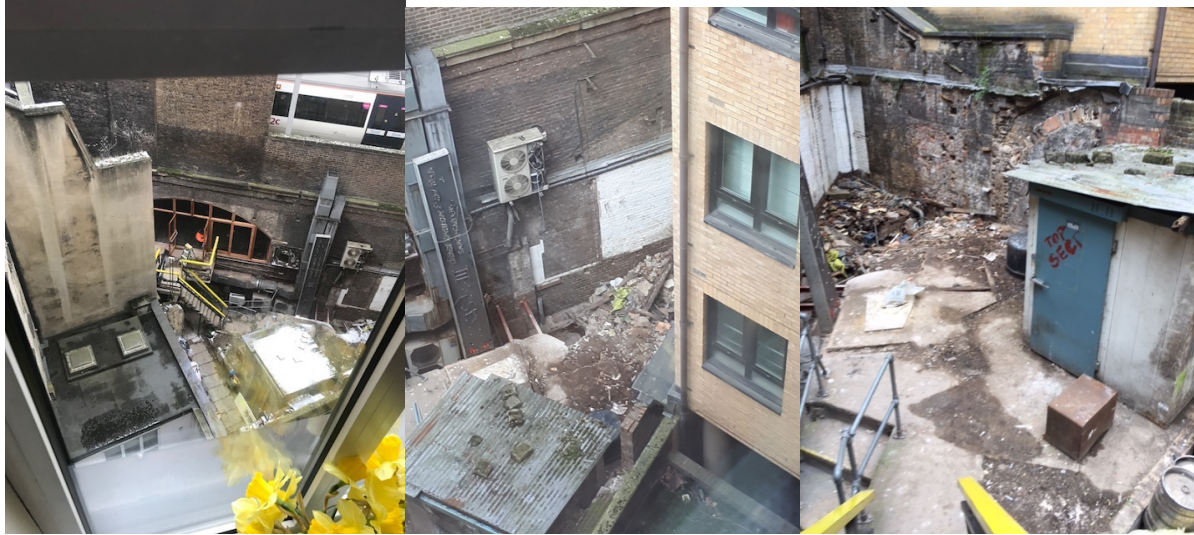
The ground(s) for review must be based on one of the licensing objectives.

Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

The application form must be signed.

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.



Photos A-C – views of the derelict area.



E - My bedroom window and part of rooflight in flat below, decking area and door.



D - New first floor decking area and doors

This page is intentionally left blank



**Licensing Act 2003  
Section 24  
Premises licence**

Licensing, City of London  
PO Box 270 Guildhall, London EC2P 2EJ

**Premises licence number**

**LN/200506202**

**Part 1 - Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description**  
Gremio De London, 26A Savage Gardens

**Post town**  
London

**Post code**  
EC3N 2AR

**Telephone Number**

**Where the licence is time limited - the dates**

**Licensable activities authorised by the licence**

**Alcohol Sales, Recorded Music, Late Night Refreshment**

**The times the licence authorises the carrying out of licensable activities**

**Alcohol Sales**

Sunday	12:00 - 00:00	-
Monday	11:00 - 00:00	-
Tuesday	11:00 - 00:00	-
Wednesday	11:00 - 00:00	-
Thursday	11:00 - 01:00	-
Friday	11:00 - 02:00	-
Saturday	11:00 - 02:00	-

**Recorded Music**

Sunday	12:00 - 00:00	-
Monday	12:00 - 00:00	-
Tuesday	12:00 - 00:00	-
Wednesday	12:00 - 00:00	-
Thursday	12:00 - 01:00	-
Friday	12:00 - 02:00	-
Saturday	12:00 - 02:00	-

**The times the licence authorises the carrying out of licensable activities cont'd**

**Late Night Refreshment**

Sunday	23:00 - 00:00	-
Monday	23:00 - 00:00	-
Tuesday	23:00 - 00:00	-
Wednesday	23:00 - 00:00	-
Thursday	23:00 - 01:00	-
Friday	23:00 - 02:00	-
Saturday	23:00 - 02:00	-

**The opening hours of the premises**

**Opening Hours**

Sunday	10:00 - 00:30	-
Monday	10:00 - 00:30	-
Tuesday	10:00 - 00:30	-
Wednesday	10:00 - 00:30	-
Thursday	10:00 - 01:30	-
Friday	10:00 - 02:30	-
Saturday	10:00 - 00:30	-

**Where the licence authorises supplies of alcohol - whether these are on and/or off supplies**

On the Premises

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Gremio De London Ltd  
[REDACTED] Malham Road  
London  
SE23 1AH

**Registered number of holder, for example company number, charity number (where applicable)**

10166100

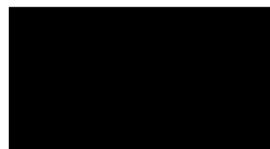
**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Maxwell Alderman  
[REDACTED] Perry Hill  
London  
SE6 4EZ

**Personal licence number and issuing authority of personal licence held by designated premises supervisor - where the premises licence authorises for the supply of alcohol**

LN/000002437 - Greenwich

Date granted 22nd June 2017



## **Annex 1 - Mandatory conditions**

### **Alcohol**

1. No supply of alcohol may be made under the Premises Licence –
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
    - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
    - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

(a) a holographic mark or

(b) an ultraviolet feature.

6. The responsible person shall ensure that –

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence



- (ii) The designated premises supervisor (if any) in respect of such a licence, or
  - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 - Conditions consistent with the Operating Schedule**

**Annex 3 - Conditions attached after a hearing by the licensing authority**

**The following conditions/resolutions were agreed by the City of London's Licensing Sub Committee at a hearing held on 22<sup>nd</sup> June 2017**

1. The premises will install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises will be covered enabling frontal 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.
2. 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 between 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.
3. When the premises is carrying on licensable activities after 00:00 hours, at least 2 registered door supervisors are to be on duty from 21:00 until customers have left the premises.
4. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
5. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
6. The Licence holder shall make available a contact telephone number to neighbouring properties and the City of London Licensing Team to be used in the event of complaints arising.
7. A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the City of London Corporation.
8. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

- 9. Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.**
- 10. There shall be no licensable activities on the terraces after midnight.**

**Annex 4 - Plans**

**Ground Floor Plan**

**Reference: SG 400 G1 Licensing**

**Date: 16.05.2017**



TERRACE

Neighbour

Neighbour

Neighbour

SAVAGE GARDENS

Entrance from  
Savage Gardens

GROUND FLOOR PLAN - SCALE 1:100

M 1:100

0 1 2 3 4 5 6 7 8 9 10 [m]

Fire Safety Symbols



LICENSING

antic

Do not scale. Use of ground level only. All dimensions to be checked on site.  
All drawings to be read in conjunction with engineering drawings. Any discrepancies  
between drawings to be reported to the Architect before any work commences.  
The Architect's office is not responsible for the health & safety of anyone working on the site.  
as a result of any fire alarm.  
These drawings should not be used for any other purpose without the written consent  
of the Architect.  
The Architect's office is not responsible for the health & safety of anyone working on the site.  
as a result of any fire alarm.  
The copyright of this drawing is held by Antic London Ltd, not to be used for any purpose without consent.

Antic London  
77 Mahan Road  
Forest Hill  
London SE20 9JL

DRAWN by  
Antonio Paya  
ARCHITECT

Date:  
16.05.2017  
Drawing  
Drawing n.  
Scale

Address:  
24A Savage Gardens, Tower Hill  
London EC3N 3JF  
GROUND FLOOR plan  
90 400 G1 Licensing  
8 1/100



FIRST FLOOR PLAN - SCALE 1:100

M 1:100



antic

NOTES:

- All work to be carried out in accordance with current Building Regulations.
- All dimensions and levels to be checked on site before commencing any work and verify the existence of any errors, omissions or discrepancies.
- The drawings to be read in conjunction with contract documents, project working drawings, specifications and all amendments thereto and any other drawings, details and specifications.
- The company is acting on behalf of Antic London, 77 Maltham Road, Forest Hill, London.

Antic London

Antic London  
77 Maltham road,  
Forest Hill  
London, SE23 1AH

Address :  
25A Barge Gardens, Tower Hill,  
LONDON EC3N 3AN  
Date:  
15.04.2017

Drawing  
Drawing no.  
Scale

LICENSING

FIRST FLOOR plan  
50 400 02 Licensing  
1:100 @ A3

This page is intentionally left blank



**Minas, Aggie**

---

**From:** Marshall, Siobhan  
**Sent:** 31 May 2018 12:49  
**To:** M&CP - Licensing  
**Cc:** Pye, Rachel  
**Subject:** Gremio EH review representation 2018  
**Attachments:** Gremio EH review representation 2018.docx

Good Afternoon,

Please find attached the Pollution Teams representation, in support of the licence review of Gremio de Fenchurch at 26a Savage Gardens, London.

Kind Regards  
Siobhan

Siobhan Marshall  
Environmental Health Officer  
Pollution Team

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

Tel: [REDACTED]  
Mob: [REDACTED]

Email: [REDACTED]  
Web: [cityoflondon.gov.uk/noise](http://cityoflondon.gov.uk/noise)

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

Should you wish to provide feedback on the service you have received, please follow this link:  
[surveymonkey.com/r/PHPP\\_Noise](https://surveymonkey.com/r/PHPP_Noise)

## **Representation from Environmental Health: Pollution Control Team**

### **Gremio De London, 26A Savage Gardens**

#### **Introduction**

An application has been made by a City resident to review the premises licence of Gremio De London, 26A Savage Gardens. The review application dated 11<sup>th</sup> May 2018 has been made on the grounds that the premises will cause public nuisance to the neighbouring residential occupiers.

On behalf of the Environmental Health Responsible Authority, I would like to make a representation in support of the residents' review.

The Environmental Health Responsible Authority is of the opinion that the public nuisance licensing objective will be adversely affected.

This representation would have been made to the original application received by the City of London on 28<sup>th</sup> April 2017, however the officers assessing the application were misled by the statement 'the terrace to the rear of the property is surrounded by commercial properties and as such will not need to be time limited...' and as such were not aware of the extreme close proximity of residential receptors.

The discussion below sets out the reasons for the support for the residents' review.

#### **Discussion**

Gremio is a 'Spanish Offering' with an internal bar and restaurant area and an outside terrace area. The premises are licensed for the sale of alcohol, recorded music, and late night refreshment as follows:

Monday –	11:00 - 00:00
Tuesday –	11:00 - 00:00
Wednesday –	11:00 - 00:00
Thursday –	11:00 - 01:00
Friday –	11:00 - 02:00
Saturday –	11:00 - 02:00
Sunday –	12:00 - 00:00

The outside terrace area is intended to have a capacity of 50 to 60 with tables and chairs and is permitted to have licensable activities until midnight every day of the week. The Environmental Health responsible authority is concerned that this will cause public nuisance.

Noise associated with the licensed use is not part of the current character of the area and the residents of Pepys Street and Savage Gardens will have direct line of sight of the external eaters and drinkers. There is some train noise from Fenchurch Street Station, however the dominant source of background noise being the from mechanical plant and extraction, as the demand for air conditioning and kitchen extraction fluctuates throughout the evening so too shall the volume of these patrons competing with the already high level of background noise from this source. Such disturbance is not in accordance with the licensing objective to prevent public nuisance.

Whilst on site on 19<sup>th</sup> April 2018, noise monitoring was conducted to measure ambient noise levels in the area, from the terrace and from the fire route deck.

<b>Location of Monitoring</b>	<b>LAeq3min</b>
Fire Route Deck	64dBa
Terrace area	63.1dBa

At that meeting, to be heard attendees had to raise our voices quite considerably, to contend with the plant and ventilation noise already present within the area.

Concern is also raised related to noise outbreak from openable doors and windows onto the terrace.

### **Conclusion**

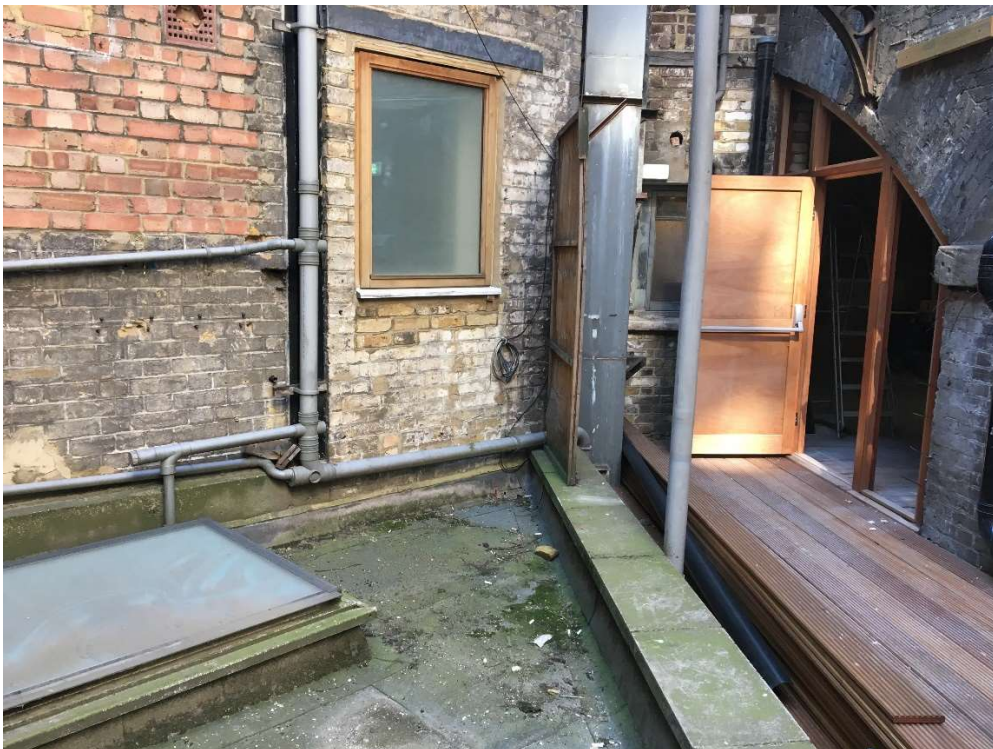
The Environmental Health Responsible Authority is of the opinion that the use of the external terrace areas for licensable activity and smoking in extreme close proximity to residential receptors and noise outbreak from openable windows and doors will cause public nuisance.

### **Recommendation**

The Environmental Health Responsible authority requests the Committee to consider modifying the license to restrict use of the external terrace area for licensable activities at all times and add a condition which prevents patrons of the premises using the terrace area at any time. A condition requiring doors and windows to be kept closed is also requested.

### **Supporting Information**

The following photographs illustrate the proximities of the residential receptors.



**Photograph 1** - View of fire escape from Gremio bar area, renewed decking for the fire route, frosted window to residents' bedroom and roof light into another residential property window.



**Photograph 2** - Again shows the decking area / fire route from the bar area, the residents bedroom window and the new doors which have been installed into the archway, which consist of 2 sliding doors and a set of central fire doors. This photo also shows the stairs to be used in the event of a fire, or to access the 'terrace' as detailed in Image 1.







**Photograph 3** - is a panoramic image of the current condition of narrower tapered end of the 'terrace'. In order to make this area safe work needs to be undertaken to level the land.



**Photograph 4** - is a panoramic view of the wall looking south toward the residential properties at 1 Pepys Street and Savage Gardens, behind a disused storage shed.





**Photograph 5** – this photo shows the windows from 1 Pepys Street overlooking the ‘Terrace’ area, there are 90 residential units within this block of flats.



**Photograph 6** – this photo shows the residential properties overlooking the ‘Terrace’ area from 25 Savage Gardens, there are 5 residential properties within this block.





**Photograph 7** – this photo gives an indication about the amount of mechanical plant situated within the ‘Terrace’ area, underneath and to the right of the new doors in photograph 2.



**Photograph 8** – this photo is of the Fire route underneath the Fire Route decking as shown in photograph 1, this route exits out towards Savage Gardens.

The white open door is Fire escape from the kitchens at the Bavarian Beer house.

This photograph demonstrates the level of mechanical plant situated in this area, adding to the ambient noise levels.



## Minas, Aggie

---

**From:** Stothard, Gideon  
**Sent:** 07 June 2018 17:48  
**To:** M&CP - Licensing  
**Subject:** RE: Application for licence review - Gremio De London, 26A Savage Gardens EC3N 2AR (Tower ward)

Good afternoon

I am emailing this representation in support of an application for the review of a premises licence at 26A Savage Gardens EC3N 2AR under the licensing objective **prevention of a public nuisance**.

### Relevant Planning History

Planning permission was granted on 06/02/1969 (app. no. 4489K) for "Change of use of the 1st floor from warehouse to licensed restaurant (area involved 3,500 sq. ft.) at Arches 9a, b, c, d & e, Crutched friars". Plans accompanying the application show that this relates to the internal area of 26A Savage Gardens. There is no planning permission for the yard adjoining 26A Savage Gardens (which is regarded as a separate planning unit). There have been no applications for change of use of either 26A Savage Gardens or the yard since.

The yard to the rear of 26A Savage Gardens (land bounded by 25, 26 and 26A Savage Gardens, 1 Pepys Street, Coopers Row and the railway arches) was included within the licenced area on the plans submitted with the 2017 licence application. A search of our records has returned no planning history for the yard.

### Planning Use

On the 21 April 2005 the 1987 Use Classes Order was amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005. Those uses previously falling within Class A3 (Food and drink) which included restaurants, cafes and bars were reclassified into Class A3 (Restaurants and Cafes), Class A4 (Drinking establishments) and Class A5 (Hot food takeaways). If a premises were in use as a mix of these classes on 21 April 2005, as defined by the Use Classes Order, the premises could continue to be used as such without requiring planning permission. On the basis of available evidence as to how the premises has been operating post 1969 and pre-21 April 2005, the indication is that the property has been used for the sale of food and drink for consumption in the building, and therefore falls within class A3.

There is little evidence regarding any use of the external yard. There is some limited evidence that part of the yard has been minimally used as a smoking area accessible via the fire escape from 26A Savage Gardens. There were previously a couple of small outbuildings in the yard, possibly in use as storage for one of the retail units backing onto the yard (26A Savage Gardens, 9 Crutched Friars or 9A – 9B Crutched Friars) to a very limited extent. The owner of the land, Network Rail, described the yard as in poor condition, and that it had not been maintained for many years. Based on the evidence available, it is considered that any use of the yard in connection with the restaurant until commencement of the recent building works has been very limited (i.e. de minimus) and not sufficient to be give rise to any established A3 or A4 planning use of the yard, nor to alter the position that it remained a separate planning unit. The yard therefore has no authorised use in planning terms.

### Objections

I am submitting this representation to support the review of the license granted to Gremio de London under the licensing objective prevention of a public nuisance.

The rear yard is bounded by 9 residential flats within 25 and 26 Savage Gardens to the west and 90 flats in 1 Pepys Street to the south, a large number of which have windows overlooking the yard. The openings to 26A Savage Gardens (which have recently been enlarged and enhanced) and the metal platform forming the fire escape at first floor level (which is proposed to be used as access to the lower terrace) are in close proximity to the residential units. The western most door opens directly adjacent to the nearest unit at 26 Savage Gardens, whilst the raised terrace directly adjoins a first floor flat roof of no. 26 Savage Gardens, (which houses a skylight serving a ground

floor flat) and is in extremely close proximity to a bedroom window of the first floor flat of no. 26. The windows to the rear of no. 25 Savage Gardens and 1 Pepys Street are set back slightly from the yard area behind a wall rising to first floor level but are still in close proximity to the unit and yard. Windows located at first floor and above in the residential premises directly overlook the yard. There are therefore significant members of the public affected by activities in the yard.

Local residents have an expectation that noise will diminish particularly as the evening progresses. In this case the use of the yard will have a detrimental noise impact upon the many surrounding residential properties, both throughout the day and into the evening. The rear yard is expected to hold 50-60 people. Where there are congregations of people, particularly when eating and drinking, it is common for there to be a build-up of noise. The City's Noise Strategy 2016 – 2026 specifically identifies that a significant proportion of noise complaints are generated by "cafes, pubs and bars" and identifies the key source from "leisure uses" as "people and music". Furthermore the yard is enclosed on all sides which will have the effect of amplifying any noise.

In addition to noise from people in the yard, there is potential for the noise generated from within the premises escaping through the enlarged openings whether open or closed and the resulting noise being clearly audible from within the residential units beyond. This is particularly a problem in quiet locations where there are less background noises. The significant increase in the size of openings on the rear elevation would increase the potential for noise to escape unless significant soundproofing was installed and the doors and windows kept shut. This would appear to be impractical as the doors would be in constant use to access a rear smoking area and to access the yard below and therefore it is likely there would be noise seepage whenever the door is used.

The license for the proposed yard restricts the hours of use to midnight at the latest. While this may limit some harmful effects of the yard the new doors between 26A Savage Gardens and the yard would likely be kept open, particularly within the warmer months. This will mean there will still be significant potential for noise transfer between 26A Savage Gardens and the neighbouring properties into the early hours.

The raised outdoor terrace is likely to be utilised by smokers and people standing and drinking, particularly in summer months. The proximity of residential windows to the proposed raised terrace means that there is a high chance of smoke spreading into the residential properties, which would not be acceptable, and for customers to be standing and chatting in close proximity to residential premises giving rise to a noise nuisance. There would also be the potential for overlooking issues for the first floor flat at 26 Savage Gardens and for the flats at the lower floors of 1 Pepys Street.

In both the City of London's Development Plan and Statement of Licensing Policy the onus is on developers to demonstrate that proposals will not create a public nuisance, and where there will be a nuisance to provide mitigation measures. The issues raised do not appear to have been sufficiently addressed in order that the licensing objective is not undermined.

#### Other Comments

It should be noted that the proposed use of the yard and the physical alterations associated with enabling that use constitute a material change of use and operational development requiring planning permission. No application for planning permission has been submitted to the Development Division and the use and development are therefore unauthorised. The Planning Enforcement Team are currently conducting an investigation into this matter. Any application for planning permission would need to be considered on its merits and cannot be pre-determined.

Kind regards

**Gideon Stothard**

Town Planning Assistant (DM and Enforcement)

Department of the Built Environment

Tel: [REDACTED]

[www.cityoflondon.gov.uk/plans](http://www.cityoflondon.gov.uk/plans)



---

**From:** Williams, Loreen

**Sent:** 18 May 2018 12:18

**Subject:** Application for licence review - Gremio De London, 26A Savage Gardens EC3N 2AR (Tower ward)

Dear All,

Please find attached an application for licence review, 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](mailto:licensing@cityoflondon.gov.uk)

Objections or comments are to be made by **Friday 8<sup>th</sup> June 2018**.

Kind Regards

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

This page is intentionally left blank

**Minas, Aggie**

---

**From:** Hewitt, Andre  
**Sent:** 07 June 2018 09:46  
**To:** M&CP - Licensing  
**Cc:** Pye, Rachel  
**Subject:** Gremio Review  
**Attachments:** Gremio Review.docx

Please find attached a statement from the Licensing Authority in support of the Premises Licence review for Gremio, 26a Savage Gardens.

**A P Hewitt LLB (Hons) MLoL**  
Licensing Officer  
City of London  
[REDACTED]

---

**Gremio, 26a Savage Gardens, London EC3N 2AR**

**Application for a Review of a Premises Licence: 11 May 2018**

The City of London Licensing Authority hereby makes a representation in support of the above application.

The Licensing Authority has concerns that the Licence Holder will not manage the premises in accordance with the Licensing Objectives. Specifically, there is concern that the venue's proximity to residential properties will give rise to public nuisance.

The Premises Licence was granted on 22 June 2017 following a hearing before the Licensing Sub-Committee. The licence has not yet been utilised but a number of residents have already expressed unease that they will be disturbed by noise emanating from the site. Further, the Licensing Authority has subsequently formed the view that two false statements were submitted as part of the original application. Namely, the rateable value was incorrectly stated and the rear terrace was described as surrounded by commercial properties. These procedural inadvertences suggest that the licensee takes a reckless approach to complying with the relevant legislation.

Consequently, the Licensing Authority is not confident that the premises will be operated in the correct manner. It would invite the Committee to impose a number of restrictions on the licence to minimise the risk of disturbance to neighbours. The terrace could be removed from Annex 4 (Premises Licence) as an area providing licensable activity and a condition may be imposed preventing patrons using the terrace at any time. There could also be a condition requiring doors and windows to be closed at all times except for access and egress.

The site has traditionally been run as a restaurant with a terminal hour of 11pm. The Committee may wish to consider reducing the current times permitted for licensable activity. This would minimise noise nuisance from patrons dispersing from the premises in the early hours.

**Licensing Authority**

City of London  
PO Box 270  
Guildhall  
London  
EC2P 2EJ  
020 7332 3406

City Of London Licensing Department  
PO Box 230  
Guildhall  
London EC1V 2 EJ

The London Fire Commissioner is the  
fire and rescue authority for London

Date 7 June 2018  
Our Ref 00-0000

Dear Sir/Madam

### LICENSING ACT 2003

**Premises: Gremio de London Limited -26A Savage gardens London EC3N 2AR  
LN/200506202**

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

With reference to the review of licence **the Commissioner wants to make a representation** to the Licensing Authority in relation to this application on grounds of Public Safety .

The applicant has been informed that the Commissioner will be making a representation to the Licensing Authority.

The items that are of concern to the Commissioner are detailed on the attached schedule.

- The premises is accessed via a set of double doors in to a lobby area then ascends a staircase and turns in to a club type area- low ceilings due to it being a mezzanine area.
- The premises is built inside a railway arch .There are two sets of fire doors at the rear both leading on to a single stair that has irregular stair treads risers and goings.
- Restricted secondary escape route on to a raised terrace area with only a 600 wide access leading to a staircase that leads down and turns towards the front of the premises . ( information from submitted plans) The new external terrace area has temporary support Acro props that support the main structure these are intruding in to the escape route .
- The escape route has been included in the licensable area and this area is not a sterile area , with extract cooking ducting that is not protected as well as numerous air condition units that are not protected and some are open .See yellow Guide places of entertainment section C3 Recommendations are set out C3.01, c3.02 and C3.03 , the travel distance for this second escape route is over 18 m to a final place of safety even though two directions of travel have been provided they merge before final exit .`

- The escape passage way then proceeds towards the initial entrance lobby where the two flows meet again .
- The secondary escape route is **not** under the sole control of the one tenant on the top floor ,(two other doors one of which is a fire escape door from Ladbroke , the other is an access door from the Bavarian Beer House who often have the door open in to the escape passageway and do store items outside there back door.)
- I have inspected the ground floor premises in the past and witnessed the poor state of the escape route .
- The passage way is cluttered with air conditioning units and other equipment ,also quite dark with trip hazards etc.
- The premises also have a large outside area that is going to be decked out ,its only one meter from residential premises, the decking in this location will present a fire hazard within the light well of the premises and is in close proximity to residential premises , this area will no doubt be used as a smoking area and as such no procedure or management of the outside area has been mentioned in the application. Several; fire have occurred within the London Fire Brigade area as a result of discarded smoking materials under decked areas.
- I have discounted the largest fire doors and this leaves the single escape route which if made slightly wider could provide escape for 220 persons on a 1050 wide escape route however. The narrowing of the escape route and more importantly the merging escape routes the London Fire Brigade I believe the figure should be a lot less.( when it was a restaurant they only had around 80 people in the premises )
- In using the yellow guide “ Places of entertainment” table 6 refers to escape routes and minimum widths , after the section stating ground floor premises, it goes on to say all other premises Not less than two exits should be provided each 1050 mm and a safe capacity is recommended as 150 .( this would also include staff )

Please advise me, at your earliest convenience, of the date and time of the Licensing Committee Hearing.

Should these matters be resolved to the satisfaction of this Commissioner at least 2 days prior to the Licensing Committee Hearing the representation will be withdrawn.

Any queries regarding this letter should be addressed to the person named below. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

**for Assistant Commissioner (Fire Safety)**  
Directorate of Operations

[Redacted Signature]



Reply to Nigel Bedford    Direct T [REDACTED]

This page is intentionally left blank

## Pepys Street RTM Company Limited

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



14 May 2018

Dear Sirs

### **Alcohol and Music License – 26a Savage Gardens (LN/200506202)**

As a Director of the Right to Manage company that is responsible for the management of ■ Pepys Street, I represent the 90 leaseholders, approximately 90% of whom are non-resident, so also represent their tenants.

Having seen your notice dated 11 May 2018 regarding an appeal application made by Bev Hurley relating to your granting of an alcohol and music license to Gremio De London at 26a Savage Gardens, I would like to make the following points.

For your convenience, I have referenced where appropriate, the paragraphs from your Licensing Policy (LP) which I feel are pertinent.

1. I have personally lived at ■ Pepys Street since 2005 and as a Director of the RTM Company, know the building and the surrounding area well.
2. Gremio De London are planning to form an outside customer terrace to the side of their premises (under the railway arches) in what is currently a **derelict** area. This area, which will be accessed via new doors, is wholly surrounded by residential properties just a few feet away from residents' windows. Twenty-seven of the apartments at ■ Pepys Street overlook this **derelict** area, so will be directly affected by the noise, which will invariably arise from this area. (LP 38) (Photograph 1)
3. I note in the Applicant's application (page 24) to your Licensing authority that he states that the above **derelict** area is surrounded by commercial premises. This is an outright untruth and anyone visiting the premises would immediately see that residential properties surround the area. (A fact that could easily have been ascertained by Licensing before the issue of a license had they bothered to check.) (Photographs 2 & 3)
4. Throughout my time at ■ Pepys Street (now over twelve years) that derelict area has **never** been used by members of the public, so this is a major change to what is a conservation area. (Photograph 2)

Email: ■■■■■■■■■■

■■■■■ Pepys Street  
London  
EC3N 2NU

5. The inevitable noise into the early hours due to talking by excited and inebriated customers that will emanate from the terrace in this **derelict** area will be intolerable for those residents attempting to sleep just feet away. As such, this will cause a public nuisance due to noise and for some, will be affected by fumes from smoking since such an area is more likely to be used by smokers. According to the plan, the Applicant proposes to have chairs and tables for sixty customers within this area. (LP 38, 85 & 86e)
6. Whilst this external terrace is in use to the early hours seven days a week it will also be lit which will also cause considerable nuisance to residents trying to sleep within yards of it. (LP 38)
7. There are already a number of licensed premises within the immediate vicinity which close between 11 pm and midnight, so these new premises will be a magnet for already inebriated customers to assemble and cause even greater nuisance to the those whose apartments face onto Savage Gardens, such as my own, as they arrive and leave the premises in the early hours. (LP 80)
8. I am also reliably informed by those who have seen inside the premises and spoken to the builders, that the Applicant has removed noise cladding around the internal walls to maximise the internal space – a fact that was not shown on his original application.
9. In addition, the Applicant has installed a large window and three doors that lead onto a narrow wooden platform and stairs that go down to the proposed terrace. In addition to the external noise, these large windows and doors will allow noise to emanate from within the premises, thus causing considerable disturbance to the nearby residents. (LP 76) (Photographs 1 & 5)
10. By using the proposed external terrace, the safety implications are considerable.
  - a. The decking leading from the premises to the terrace are wooden so liable to burn in the event of a fire. (Photograph 5)
  - b. There are several air conditioning units and other electrical equipment on the wall beside this platform and the proposed terrace. (Photograph 2 & 3)
  - c. There is no external escape from this derelict area since it's surrounded by buildings, so the only exit would be back up the stairs onto a wooden platform and into the premises, which may already be engulfed in flames.
11. Until the building work commenced, I and the other residents of ■ Pepys Street were not aware of the original application since the Applicant failed to follow the correct procedures as clearly stated within the Regulation.
  - a. He did not exhibit the Application on blue paper outside the building in question, so it was 'hidden' amongst other scrappy notices from the old premises and did not stand out as an important notice.
  - b. He advertised the Application in the Islington Tribune which is a local paper **not** circulated in this immediate area or seen by any resident.

As such it appears that the Applicant tried to hide his application from those who'd be immediately affected, which is why I and no other residents made any representations against the original application.

To sum up, if this License is allowed to stand, it will cause considerable public nuisance to residents within the immediate vicinity and be a likely cause of serious injury and possible death to those who use the proposed external terrace. At the very least, the License should be revoked and if re-issued, should **exclude** the use of the external **derelict** area and the **removal** of the large window and doors leading onto it to limit the noise that will undoubtedly emanate from the internal premises.

Yours faithfully



Alan Martin  
Director

**Photographs looking from apartments at ■ Pepys Street**



**1 - New first floor window**



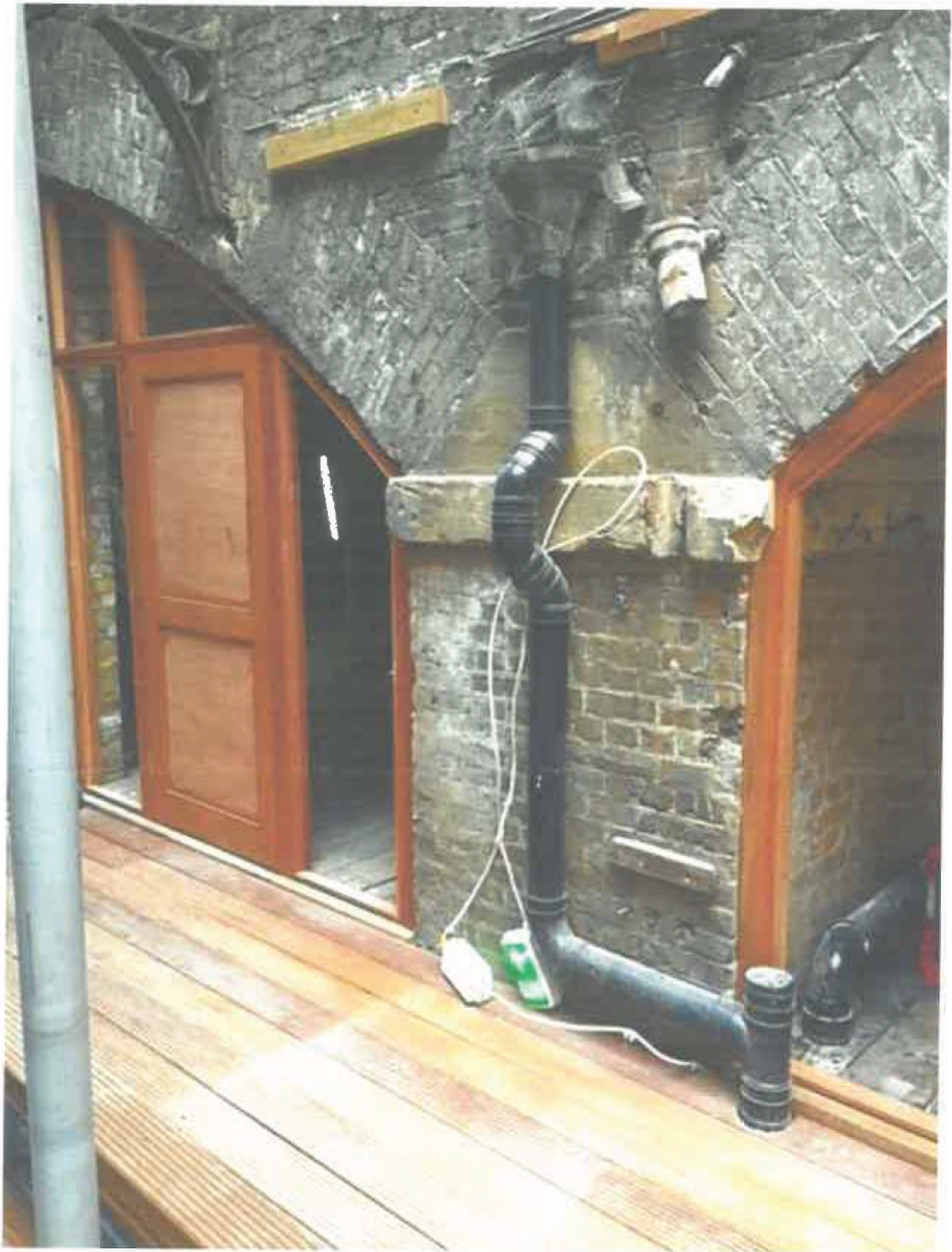


2 & 3— Derelict area & nearby electrical equipment



4 – Derelict area backing onto ■ Pepys Street





5 – New first floor decking and doors leading onto proposed terrace

This page is intentionally left blank

██████████  
██████████ Crutched Friars  
London  
EC3N 2AE



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

5 June 2018

Dear sir

**Review of the Premises Licence of Gremio De London, 26A Savage Gardens**

I am writing on behalf of the members of the ██████████ Crutched Friars Residents' Association to submit the association's representations to the review of the Premises Licence granted under the Licensing Act 2003 to Gremio De London Ltd, 77 Malham Road, London SE23 1AH, for the premises Gremio De London, 26A Savage Gardens, London, EC3N 2AR ('Gremio').

We understand that the grounds for the application for review relate to concerns about public safety and the prevention of public nuisance, two of the four Licensing Objectives set out in the Licensing Act 2003. Our representations relate to the prevention of public nuisance.

If the review of the granting of the Premises Licence is unsuccessful, we believe there will be an increased risk of public nuisance in the Crutched Friars/Savage Gardens area which will hinder rather than promote one of the Licensing Objectives. However, we understand that evidence for such a belief will only become manifest once the premises are open.

Given this, we are making our representations in terms of cumulative impact as set out in paras. 109-14 of the City of London Licensing Policy 2017.

We are unaware as to whether the Crutched Friars/Savage Gardens area is one for which there is a current cumulative impact policy. Nevertheless, as set out in para. 109 of the Licensing Policy, you recognize that residents may experience the cumulative impact of licensed premises in a particular area, 'even where there is no current cumulative impact policy'.

The main licensed premises in the area in question, currently open, are the Cheshire Cheese, the Bavarian Beer House, the Crutched Friar, and Roma/Laurel Lounge, all on or facing Crutched Friars. According to para. 27 of your Licensing Policy, 'residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23.00 and 07:00'. Residents of 39 and 41 Crutched Friars already suffer noise disturbance on Monday to Friday from customers either drinking outside or leaving the first three premises listed above. Customers of these premises often leave after 11pm and their noise when so doing constitutes a public nuisance. This will only be exacerbated by the opening of Gremio.

In addition, we understand that Gremio's application provides for, inter alia, the supply of alcohol and late-night refreshment up to 2am and 2.30am, respectively, on both Friday and Saturday. On Saturdays, the residents of [redacted] and [redacted] Crutched Friars suffer noise disturbance from customers leaving Roma/Laurel Lounge, which is permitted to serve alcohol until 4am under a series of Temporary Event Notices. This nuisance is worsened by the increased number of cars parked on Crutched Friars on Saturday nights/Sunday mornings and paper litter and drinks bottles and glasses found on the street on Sunday mornings. The opening of Gremio will add another late-night venue to the area that will be open on Saturday night/Sunday morning, thus exacerbating the public nuisance.

We believe that if the review of the granting of the Premises Licence to Gremio is unsuccessful there will be a serious impact on the area, and that our representations thus deserve serious consideration in terms of the negative cumulative impact the proposed opening will have.

Yours faithfully

[redacted]

Dr David Gillott  
Chairman, [redacted] Crutched Friars Residents' Association

On behalf of:  
Philip Dutton, [redacted] Crutched Friars  
Jessica Wong, [redacted] Crutched Friars  
Thomas Travers, [redacted] Crutched Friars  
Michael Will, [redacted] and [redacted] Crutched Friars

## **Marianne Fredericks CC**

### **Licensing Act 2003**

### **The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005**

### **Revised Guidance issued under section 182 of the Licensing Act 2003**

### **City of London Licensing Policy**

-o-o-O-o-o-

## **GREMIO de LONDON Ltd 26A SAVAGE GARDENS**

-o-o-O-o-o-

I am writing in support of Ms Beverly Hurley's application to review the premises licence at the above location. In addition to the Prevention of Public Nuisance and Public Safety I also wish to raise Crime and Disorder concerns.

I am a Common Councilman for the Ward of Tower in which the premises are situated.

I live in the Ward, above a busy public house, some 2 or 3 minutes walk from Savage Gardens.

I was elected to the Court of Common Council of the City of London in 2008 and have served continuously since. I was appointed, by the Court, to the Licensing Committee in 2009, served as Chairman in 2013 - 16 and Deputy Chairman 2011 - 2013 and 2016 - 2017. I serve on various other committees including Planning and Transportation and its Street & Walkways Sub Committee which deals with Highway matters; Children and Community Services which covers Housing, Education and Social Services; Policy and Resources which is responsible for governance arrangements, strategic priorities, agreeing policy, allocating overall resources and overseeing the City's security and emergency planning arrangements, as well as various other committees and governorships.

At the time the original application was made I was looking after an elderly former colleague and arranging his admission to hospital. I missed an email advising me of applications.

The applicants failed to post the legible **pale blue** A4 notice **prominently** at the premises as required by Regulation 25(a) and Section 17(5).

The applicants failed to place a notice in a newspaper circulating in the **vicinity** of the premises as required by Regulation 25(b) and Section 17 (5).

If the applicants had advertised their application in accordance with Regulation 25 as required by Section 17 then it is almost certain that a constituent would have raised the matter in sufficient time for me to prepare a representation within the prescribed period.

## **Public Nuisance**

I have carefully read Ms Beverly Hurley's representation regarding public nuisance and I agree fully with what she has said and adopt it as mine.

I enclose a copy of the hotel's representation from last year. Although this was before the Licensing Sub-Committee last year, it forms part of the broader picture now and the Sub-Committee conducting the review should not disregard it. As I understand the hotel's ground floor bar on Savage Gardens is licensed to 11.00 pm, but out of respect for their residential neighbours they do not allow people with drinks outside after 10.00 pm.

## **Public Safety**

I have read Ms Hurley's representation carefully and reflected upon what she has said about the Denmark Place fire and complacency and I agree wholeheartedly and again adopt all of what she has said regarding public safety as my own.

## **Crime and Disorder**

I understand that the phrase 'light touch regulation' appeared in the white paper that proceeded the Bill that subsequently became the Licensing Act 2003. Her Majesty's Government and subsequently Parliament realised that the vast majority of those who owned, managed and worked in the Licensed Trade were honest and decent men and women earning a living in a lawful and responsible manner. The matters that have come to light regarding the original application (viewed in conjunction with the failure to advertise the application) cast doubt in my mind upon the trustworthiness of those involved with Gremio de London.

### **The Original Application**

On 28 April 2017 Maxwell John Alderman acting on behalf of Gremio de London Limited submitted an application for a premises licence at 26A Savage Gardens. The application form was falsified in three material respects.

### **A. Rateable Value / Fee Payable**

The rateable value stated on the application was £6,700 which meant the applicants only paid £190 to make the application. The true rateable value of the premises is at least £63,200 which meant that the fee that should have



been paid to make the application would have been at least £315. More disturbingly the rateable value box is on the second page of the application form immediately below the premises address and may have given officers the impression that the application was for very small premises and as a result have become a very low priority.

The figure of £6,700 is the rateable value of a small games room within the premises, but it is difficult to perceive any reasonable basis on which Mr Alderman could have thought it was the rateable value of the premises that Gremio were seeking a licence for.

Mr Alderman is involved in the management of numerous pubs and bars and according to the sole director of Gremio, Mr Anthony James Thomas, when I spoke to him on site on Friday 13 April 2018, Mr Alderman deals with the licence applications of which there are (again according to Mr Thomas) 7 or 8 a year. Rateable values vary across London but not dramatically. Mr Alderman knew the figure was incorrect.

Secondly, when the premises were advertised 'To Let' by Grant Mills Wood on behalf of Network Rail a rateable value of £58,700 was stated.

Thirdly, whether the Valuation Office Agency database is searched by postcode or by street and town the rateable values of £6,700 "Bst 26a, Savage Gardens, London, EC3N 2AR" and £56,500 "Pt Gnd Mezz & 1st Fs 26a, Savage Gardens, London, EC3N 2AR" both appear.

## **B. Surrounding Properties**

It is inconceivable that the applicants were unaware of the immediately adjacent residential properties when they claimed in regard of the currently derelict area "The terrace to the rear of the property is surrounded by commercial properties and as such will not need to be time limited though it will be regularly monitored and well lit." Mr Alderman consented to act as Designated Premises Supervisor (DPS), which means either he knew about the residential neighbours or he was consenting to the DPS of licensed premises he was wholly unfamiliar with.

During my meeting with Mr Thomas on 13 April 2018 he expressed the opinion that this false statement did not matter because it was known at the Licensing Sub Committee that the derelict area was surrounded by residential properties (Mr Alderman admitted at the hearing 22 June 2017 that the derelict area was, in fact, surrounded by residential properties). This is not case, responsible authorities were taken in by the false statement during the 28 day consultation period and therefore missed the opportunity to make representations.

## **C. Plans submitted 28 Apr 2017**

These plans show a walkway above escape route, which was not constructed until earlier this year.

Section 17(3) requires an application for a premises licence be accompanied by a 'a plan of the premises to which the application relates,'. Any doubts as the meaning of the phrase "a plan of premises" can be resolved in the normal way by reference to the rest of the Act. Section 29 provides a mechanism by which planned premises can obtain a licence. As paragraph 8.87 of the Home Office guidance explains:

"Where premises are being or are about to be constructed, extended or otherwise altered for the purpose of being used for one or more licensable activities, investors may be unwilling to commit funds unless they have some assurance that a premises licence covering the desired licensable activities would be granted for the premises when the building work is completed."

Paragraph 8.89 of the guidance provides that an application can be made under S.17 where *inter alia* "clear plans of the proposed structure exist", but paragraph 8.89 must be read in conjunction with paragraph 8.90 that states:

"In such cases, the licensing authority would include in the licence the date upon which it would come into effect."

The applicants asked for a licence starting 1 July 2017, but in the event were granted a licence on the 22 June 2017 starting the same day. That was the day of the Licensing Sub-Committee, which I attended, and there was no indication from the Mr Alderman that the plans were proposed rather than extant.

Section 17(2) is clear that applications under Section 17 are subject to the Regulations made under Section 54. The application form for a premises licence is Schedule 2 of the Regulations and requires an applicant to state (at Part 3 of Schedule 2) when they want the licence to start.

#### **D. Plan drawn 16 May 2017**

The 'Ground Floor Plan' purports to show (in red) fire safety signs and equipment and by direction arrows the means of escape. It is also clearly marked 'LICENSING'. In that it omits plant, including air conditioning units and the flue from a neighbouring property, it gives the impression that the escape route is significantly wider than it actually is, but far worse than that it hides the fact that persons attempting to make their escape along this passageway would be impeded by irregular obstructions. If the London Fire Brigade had been aware of the irregular obstructions along the escape route I should have thought that they would have made a site visit and submitted an objection to the grant of licence.

Deceit in obtaining the licence is not a ground for revoking the licence, but alcohol and dishonesty are a toxic mix. Given the above matters, the Licensing Authority cannot have the usual confidence that the premises licence holder and the designated premises supervisor will make reasonable



efforts to comply with conditions or licensing laws. The City of London and the various responsible authorities all recognise that on occasions mistakes are made and licensed premises fail to comply with laws and / or conditions but they know that the vast majority of those involved in the licensed trade in the Square Mile are honest and decent people and therefore work with the trade to resolve matters. There are, however, limits and Gremio's actions in regard of the application, the application fee, the plans and the failure to advertise the application casts further doubt on whether they can be fully trusted to operate the premises in a lawful and orderly manner. The Licence should therefore be revoked on Crime and Disorder grounds.

In the event that the Licensing Sub Committee has doubts regarding this matter then they may wish to note that on 19 July 2017, less than a month after Mr Alderman had to admit to the City's Licensing Sub Committee on 22 June 2017 that his statement "The terrace to the rear of the property is surrounded by commercial properties and as such will not need to be time limited though it will be regularly monitored and well lit." was untrue, he copied and pasted the same words into an application to the London Borough of Lambeth, where it was also untrue (There is a park to the rear of the Lambeth premises). In fact every single word of Mr Alderman's response to the query "Describe the steps you intend to take to promote the four licensing objectives:" (section 18 of 21 of the premises licence application form) is a copy and paste of his Savage Gardens application. I enclose a copy of the application in regard of Arch 77 Albert Embankment. Mr Alderman's actions display a complete contempt for the four licensing objectives.

## Further Matters

### Grant of Licence

There is a commonly held, but entirely erroneous belief that if a person or company makes an application for a premises licence then unless somebody objects the grant of a licence is automatic.

The reality plainly set out at Section 18(1)(a) is that unless an application for a premises licence is made in accordance with section 17 and (as set out at Section 18(1)(b)) the applicant has complied with the requirements set out at Section 17(5) then the power of a Licensing Authority to grant a licence does not crystallise.

This is clear in the Revised Guidance issued under section 182, which states at paragraph 1.15 (General Principles) that:

**If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from responsible authorities or other persons, the licensing authority must grant the application,..**  
(Emphasis added)

and also at paragraph 34 of the City of London's Licensing Policy

**The City of London Licensing Authority only has discretion on whether to grant applications for new premises licences or variations to licences, or to impose conditions on granting or varying licences, if representations relevant to the licensing objectives are made by 'responsible authorities' or by 'other persons'. If no representations are received and the application has been lawfully made, the Licensing Authority must grant all applications for premises licences.**  
(Emphasis added)

As set out above Gremio's application was not in accordance with S.17 and the S.17(5) requirements were not complied with and regardless of other concerns set out below, the premises licence should not have been granted.

The unlawful manner in which the application was made and the licence was issued are not grounds upon which the licence can be reviewed, but nor can the applicant's actions in obtaining the licence be disregarded.

### **Premises Leaseholder**

Section 2 Licensing Act states that "A licensable activity may be carried on under and in accordance with a premises licence."

I met with Mr Anthony James Thomas a director of Gremio de London Limited at 26A Savage Gardens on 13 April 2018. He told me that subsequent to obtaining the licence in June 2017 they, by which I understood him to mean Gremio de London Ltd, had leased the premises from Network Rail. It transpires that it was not Gremio that leased the premises, but another company of which Mr Thomas is a director of, namely Tooting Tram and Social Limited. I enclose the Land Registry Title and Plan, which is a public document. It is not clear which company is responsible for the works that have been carried out at the premises, nor who would be carrying out licensable activities. Despite Tooting leasing the premises last year there has not to my knowledge been any application to transfer the licence.

I see and hear various references to the 'Antic Group', but it would appear that since 2012 there has been no such entity, but merely a variety of oddly named companies that appear to somehow involve Mr Thomas and / or Mr Alderman.

## Minas, Aggie

---

**From:** Mark Field [REDACTED]  
**Sent:** 30 May 2018 10:46  
**To:** Davenport, Peter  
**Cc:** Breese, Robert  
**Subject:** Enquiry from Mark Field MP (Case Ref: ZA19371)

Dear Peter,

**Re: Gremio De Fenchurch, 26A Savage Gardens, London, EC3N 2AR, LN/200506202**

I trust this message finds you well.

As I am sure you are well aware, a number of constituents from the City have expressed their deep concern and upset regarding the granting of an alcohol and music license to the above named premises.

I am, of course, aware that such matters are decided upon solely by the local authority and I should not wish to wade unnecessarily into matters beyond my remit. Nevertheless, I am naturally keen for my constituents' views to be well represented, which is why I write to you in support of their application for the review of Gremio De Fenchurch's alcohol and music licence.

Based on constituents' correspondence, I am led to believe that Gremio De Fenchurch was able to secure its license after submitting a not entirely truthful application and that it also plans to utilise a once derelict outside area as a terrace, which has led to reasonable concerns about the levels of noise which will be created by customers and the inevitable nuisance this will cause for the 100 residence living in the vicinity.

Given the strength of feeling amongst residents and the evidence in support of their position, I would hope that the City gives serious and careful consideration to their concerns and to the application for review. Naturally, I am sure all parties will work together on this matter to come to a fair resolution.

Thank you for your assistance with this matter and I look forward to hearing from you shortly.

Kind regards,  
MARK

This page is intentionally left blank

■ Kelmscott Road  
Battersea  
London  
SW11 6QY

15<sup>th</sup> May 2018

Dear Sirs

I have owned Flat ■ Pepys Street since 2002 and will move back into the residence with my young family from August of this year.

I am writing in response to your appeal application notice in respect of 26A Savage Gardens for which I understand you have granted an alcohol and music license for a late-night Tapas. I therefore wish to register my support for the appeal made by Bev Hurley.

1. In particular I am concerned that the proposed nightspot will result in a significant increase in late night noise levels and will compromise local safety when inebriated people are rolling out of the bar in the early hours of the morning. (see paragraph 38 of your Licensing Policy)
2. Use of an area which is currently derelict, and which has never been used for public use during my ownership of the property, will cause extreme disruption to those flats that back onto that area. The installation of a large window and doors onto this area will also allow noise from the bar to breakout into that area. (see paragraph 76 of your Licensing Policy)
3. Noise from patrons arriving from other local bars and leaving late at night will also cause disruption to those of us whose flats side onto Savage Gardens. (see paragraph 80 of your Licensing Policy)
4. Since smoking is no longer allowed within premises, smokers will congregate in the currently derelict area causing a health nuisance, as well as noise from chattering, to those whose flats back on to this area. (see paragraph 85 & 86 of your Licensing Policy)
5. I also believe this proposal is totally out of keeping with the local area and is not consistent with the status of a conservation area.

I would therefore ask that the licencing team please reconsider the decision to award a (very) late night licence so that the character of the local area can be maintained as a safe place where we can both live and work in peace.

Yours sincerely

■

Alan Pemin



This page is intentionally left blank

**Breese, Robert**

---

**From:** nigel <[REDACTED]>  
**Sent:** 23 May 2018 21:51  
**To:** M&CP - Licensing  
**Subject:** Objection to Application for Germio De London 26A Savage Gardens EC3N 2AR



Application for licence review.pdf

156.1 Kb

To who it may concern,

I have lived at [REDACTED] Pepys Street for almost two years and in the recent months I have witnessed a great deal of construction occurring in my backyard. I noticed the application posted on the door of the construction site and I would like to lodge an official objection to the licensing and planning of the application for Germio De London at 26A Savage Gardens EC3N 2AR.

I live on the [REDACTED] floor of [REDACTED] Pepys Street at the rear of the building and have a direct view at the rear of the proposed club/restaurant. The rear of their building is a mere 10 or so meters from my bedroom window as well as my living room. In fact the only place in my flat where I cannot see the rear of this building is my bathroom. In the attached document it is noted that the applicant seeks permission to have a late night establishment serving alcohol, food and playing music for up to 60 in the rear yard. This is quite distressing as this rear yard is shared with me. Currently that space is unused and extremely quiet. I can leave my living room window open in the summer for fresh air as well as my bedroom and do not have any issues. If there will be people late at night eating, drinking and smoking on this area there is no way I will be able to open my windows. In fact I won't even be able to open my blinds as people will be able to see directly into my flat. The space they want for their rear patio is so close to my flat I will be able to hear people even if they are speaking at a normal volume. Add to this music and 60 people and it will be unbearably loud.

My understanding is that this contravenes my reasonable expectation (as set out in paragraphs 27 and 75 of the City of London Licensing Policy) of no undue disturbance to my sleep between the hours of 11pm and 7 am. Furthermore, outside of those hours the constant sound of music, people and smoke will have a negative effect on my ability to enjoy my flat. I am not certain if this is or is not an environmental hazard for me but with the amount of smoke and noise pollution it will not be good for my health. Attached is a picture of the rear of the yard from my window so you can see how close it is to my flat. Any type of outside activities will have a direct negative impact on my life. Anyone living in the surrounding buildings will be negatively impacted.

Beverly Jane Hurley is in a similar position as myself and everything she has said in the attached document is true for myself as well. Instead of repeating it all I am attaching it as part of my official objection.

Please let me know how I can appear in person to object to this application as it cannot go forward as described while so many people will be negatively affected.







thanks,  
nigel



This page is intentionally left blank

Flat [REDACTED] Savage Gardens. London, EC3N 2AR  
[REDACTED]

City of London Corporation, Licensing Section  
Walbrook Wharf  
78-83 Upper Thames Street  
London EC4R 3TD

21<sup>st</sup> May 2018

Dear Sirs

Re: Review of the Premises License granted to Gremio de London Ltd. for 26a Savage Gardens, London EC3N 2AR

I write pursuant to the Notice of Application under S.51 of The Licensing Act 2003 and as an owner/resident of the above residential property.

**We object to the granting of a license** to serve alcohol at 26a Savage Gardens for the following reasons:

- This is a residential area. We have resided in Savage Gardens since 2012
- There are at least 14 licensed premises within 150 metres of Savage Gardens; there is no requirement for further licensed premises
- We have previously been denied the opportunity to comment on the 'Gremio' application since the Islington Tribune is NOT circulated to Savage Gardens, and the original notice of application was inadequately displayed
- There are occasions when late night disturbances are caused by customers of The Cheshire Cheese at 48, Crutched Frairs. These can result in physical violence, and it is not unusual to find broken bottles and glasses in Savage Gardens 'the morning after the night before'. Further, vomiting in the street and in Savage Gardens by inebriated clients of nearby licensed premises is not uncommon.
- The level of noise from a 'Gremio' license would add further to the disturbance already suffered by residents of Savage Gardens
- There are additional concerns relating to Public Health resulting from excessive noise and the smoking of cigarettes and other substances that will inevitably occur from the granting of a license to 'Gremio'
- There is reason to believe that 'Gremio' have broken planning regulations in converting the open basement areas of 26a Savage Gardens, and one questions whether 'Gremio' are fully able to comply with Fire Regulations and Environmental Health requirements

Yours faithfully

[REDACTED]  
R N G Robinson



This page is intentionally left blank

Tel: [REDACTED]

Email: [REDACTED]

[REDACTED] Pepys Street  
London  
EC3N 2NU

City of London Corporation  
Licensing Section  
Walbrook Wharf  
78 – 83 Upper Thames Street  
London EC4R 3TD



17/5/18

Dear Licensing

**Review of the premises licence granted to Gremio de London Ltd, [REDACTED] Malham Road, London SE23 1AH for the premises Gremio de London 26A Savage Gardens EC3N 2AR**

I am the joint owner of [REDACTED] Pepys Street, London EC3N 2NU and since purchasing the flat in 2005 it has been my permanent and only home. I am writing to urge the Licensing Authority to review the premises licence issued to Gremio de London for 26A Savage Gardens. I have two main concerns regarding public nuisance:

**Firstly** the disturbance to residents of 1 Pepys Street from the use of a piece of hitherto derelict land at the back of the property.

In Gremio de London's application for a Premises Licence the applicant under the section The Prevention of Public Nuisance have stated:

"The terrace to the rear of the property is surrounded by commercial properties and as such will not need to be time limited though it will be regularly monitored and well lit."

That is a blatant untruth and I am amazed that City of London officials didn't check this statement. The facts are:

- the north side of the 'terrace' is the railway arch which houses a betting shop fronting onto Crutched Friars
- on the west side immediately adjacent to this 'terrace' are the apartments in 26 Savage Gardens and next door there are more apartments at 25 Savage Gardens
- on the south side immediately adjacent to the 'terrace' is 1 Pepys Street, a block of 90 apartments
- on the east side there are more of the apartments at 1 Pepys Street overlooking the 'terrace' and the Bavarian Beer House, 9 Crutched Friars.

In all the years I have lived in this block I never knew the previous business, Orpheus Restaurant to use this derelict area at the back of 26A Savage Gardens now referred to as a 'terrace' by Gremio de London. Having customers out on this 'terrace' until 1:30 on Thursday nights/Friday mornings and 2:30 on Friday nights/Saturday mornings drinking and chatting will be an appalling public nuisance for the residents of this block whose apartments back onto the 'terrace'.

I note in their application that Gremio de London say the recorded music will be inside but as they have installed windows and doors on the north side opening onto this outside area, which is small and completely hemmed in, then residents in the apartments backing onto the 'terrace' face night time disturbance not only from customers using the 'terrace' but also from the music on nights when the terrace is occupied and the windows and doors are open.

**Secondly** the disturbance to residents of ■ Pepys Street from customers of this proposed Tapas bar/restaurant leaving the premises via Savage Gardens after midnight on Thursday's Fridays and Saturdays. My partner and I live on the west side of ■ Pepys Street facing the Doubletree Hilton hotel. The pedestrianised part of Savage Gardens runs between the two buildings. The only other buildings in this part of Savage Gardens are 25, 26 and 26A Savage Gardens.

On Thursdays, Fridays and Saturdays we already experience some late night disturbance from groups of people walking down Savage Gardens. Many of them appear to have been drinking and sometimes their noise wakes me between 1:00 – 3:00. Having customers of a tapas bar, which is so close to us, leave in the early hours of the morning on the late nights is something I dread.

Granting this licensing application to Gremio de London seems to me a huge mistake and the fact that none of us in ■ Pepys Street or 25 and 26 Savage Gardens objected when the licensing application was first made is because none of us were aware of it. The applicant had failed to display a notice using the required blue paper and they had advertised the application in the Islington Tribune which is a paper I've never ever seen in this area.

I feel badly let down by our Ward Councillors and by City officers who seem to have accepted the licensing application without question and with no regard for the residents, living on three sides of 26A Savage Gardens, whose quality of life is likely to be seriously compromised if this application is allowed to go through.

Please, please review this licensing application.

Your sincerely

Geoff Boyd

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

Mark Leverick  
[REDACTED] Pepys Street  
London  
EC3  
May 17, 2018



**Review of Premises Licence (S51 Licensing Act 2003)**  
**Gremio De London, 26A Savage Gardens, London, EC3N 2AR**

I have owned Apartment [REDACTED] Pepys Street, London, EC3 since 2002. It was an investment Property for rental and ultimately a City Property for our retirement.

I am writing to protest in the strongest possible terms about the egregious and unconscionable decision to grant a License to what is effectively a late night drinking establishment, with music and developing a previously and long standing derelict area – Having lived and worked in the City for 20 years and visited regularly since I know this to be approximately 35 years of silence stretching back to the Orpheus Club back in the 80's and the long since closed restaurant at the premises.

Aside from the fact that the area needs no more drinking establishments and certainly NOT late night establishments (3 hotels and 2 bars already occupy the area) the total disregard of residents and their right to the peaceful enjoyment of their property is simply untenable, and the City of London should protect such rights

1. This proposal, its considerable amendments to the Arch, the intent to play music, its utilization of derelict land adjacent to our apartments will impact rentals, Property Values and quality of life
2. We were denied the opportunity to comment when the application first appeared because the Applicant failed to follow the correct procedure regarding colour of notice (should have been on blue paper) and publication in a local paper (the applicant used the Islington Tribune which is not circulated in this area or read by local residents.)
3. The nuisance is self evident – noise, foot traffic, alcohol, smoking, safety, hours of operation, music, proximity to our property, attraction of drinkers from other bars with earlier closing times, the inevitable anti social behaviors associated with alcohol consumption – fights, bodily expulsion of waste or overindulgence, malicious damage etc. etc. None of which appears to have been taken into account, specifically the outdoor noise which is concentrated and channeled in an area that has never previously been used as a public area and the noise



emanating from the new large window and doors that the Applicant has installed in the previously closed arch of the railway arches and the self evident loss of sound proofing, not to mention the fact that the outdoor area is inevitably to be used as a smoking area adjacent to the apartments, bedrooms, windows (again, combined with the associated noise)

There is simply no acceptable reason why this Application (and the associated issues with such Application of which, albeit late, you are hopefully now fully aware) should be granted.

I ask that the City do what should have been done in the first place, and deny this application in its entirety and put their residents interests first. Please do the right thing NOW

Yours faithfully



Mark Leverick

Correspondence Address:  Vista Way, Port Washington, New York, 11050, USA

Photos A-C – views of the derelict area.





- New first floor decking area and doors



**Breese, Robert**

---

**From:** Lopa Sarkar <[REDACTED]>  
**Sent:** 28 May 2018 13:44  
**To:** M&CP - Licensing  
**Subject:** 26A Savage Gardens Appeal  
**Attachments:** View out window.JPG; Application for licence review.pdf

Hello,

I would like to submit my letter to object to the licencing of 26A Savage Gardens.

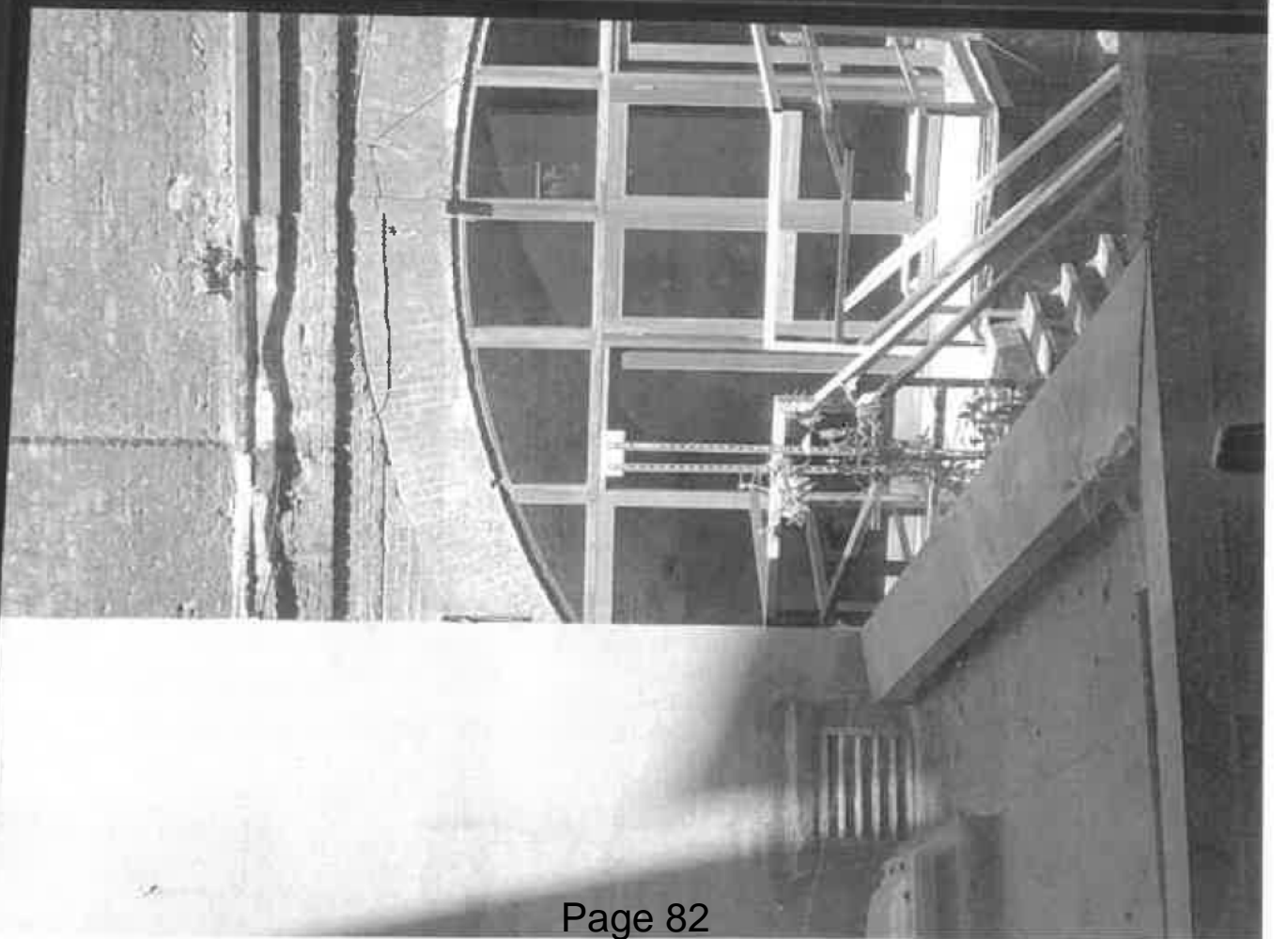
I live at [REDACTED] Pepys Street. Attached is a picture of the view out of my window. As you can see the restaurant looks directly into my flat. Whether I am in the main room or my bedroom - I look into the restaurant and they look into my flat. We only have windows on the walls facing the restaurant. If there was to be a patio outside - all the noise and smoke would come directly into our flat. I have a severe smoke allergy. This would be detrimental to my health and well being.

I have been living here since July 2016 - coming on two years. This back area has been a derelict area that entire time. Now when workers are there I have to keep the blinds of my flat down blocking any natural light coming into the flat. Else, the workers and I would be looking at each other at eye level. If this restaurant opens I will not be able to open my blinds as the restaurant is only a few meters away from my windows. Everyone would be looking directly into my flat at all times. I would have zero privacy. Not only can they see into our flat but they can now easily walk over and access our windows. The balcony easily steps onto the back walls which come up right to our windows and would allow someone to easily break in. They would be able to see in to see if someone was home - or to see that a female lives here. I wouldn't feel safe sleeping at night knowing how easily accessible my windows would be to everyone outside - though I would imagine with that noise I wouldn't be able to sleep much regardless.

If this restaurant and back area is built it will be detrimental to all of us who live at 1 Pepys Street and have our flats facing into this quiet back area. The noise and smoke would ruin our homes. After a stressful day at work - our homes should be a place we can come to for peace and quiet. To have strangers looking into my flat all day/night and to have that much noise and smoke would ruin our homes. Please consider all of us who live here at [REDACTED] Pepys Street and our neighbours and consider saying no to this development.

Please will you let me know if there is anywhere else I should be sending this letter of appeal and where I can appear in person to object? Thank you.

Regards  
Lopa





To: City of London Corporation Licensing Section

Walbrook Wharf

78-83 Upper Thames Street

London EC4R 3TD



Re: ~~review application~~

Gremio De London,

26A Savage Gardens,

London, EC3N 2AR

Dear Sir/Madam,

I would like to submit my comment regarding review application notice about De Gremio bar. I was denied an opportunity to comment when the application first appeared because the applicant failed to follow the correct procedure for notifying local resident.

~~I have owned my apartment at [redacted] Pepys street since 2013 and lived in the property since then. I would like to raise my concerns regarding De Gremio Bar opening in the close proximity of my flat.~~

I would like to stress that the level of noise in the area is already high, in particular in early hours on Saturday and Sunday, when people leave bars. Opening a new bar literally in my backyard which plans to play loud music after midnight certainly will not help with noise reduction. I have a small child and I am extremely concerned that loud music played at the property will not allow him to sleep at night. If that becomes a problem I will have to find place to reside.

The derelict area at the back of the property has been there since I've been here and was never used publicly. If I knew that it is used as a dance floor, I wouldn't purchase my flat.

~~I do hope that when making your decision you take into account interests of over 100 residents living in the close proximity of the concerned property.~~

Sincerely,

Ivan Morozov

Flat [redacted] Pepys street [redacted]

London, EC3N 2NU [redacted]

14-May-2018

This page is intentionally left blank



MARK AND ROSA STEWART

FLAT [REDACTED]

1 PEPYS STREET

LONDON EC3N 2NU

28 May 2018

City of London Corporation  
 Licensing Section  
 Walbrook Wharf  
 78-83 Upper Thomas Street  
 London EC4R 3TD



Appeal re granting of licence to Gremio De London, 26a Savoy Gardens

I wish to object to the above licence being granted in respect of this property. I was not previously aware any application had been made until some ugly wooden advert hoardings appeared under the railway arches. I understand the applicant did not follow correct procedures in submit his application.

I have lived at Pepys Street for approximately 10 years. During that time the number of late night premises in the immediate vicinity have increased significantly and residents are often bothered by noisy late-night drinkers.

MARK AND ROSA STEWART

FLAT [REDACTED]

1 PEPYS STREET

LONDON EC3N 2NU

It is not appropriate in my view that this current derelict area immediately east door to our building be transformed for use for public eating and drinking. This will inevitably result in noise disturbance for residents of the block. I note that the development will have new large windows and doors that are likely to contribute to this problem. It is likely that outdoor smokers will mean that residents will need to close windows to avoid the stench.

At present our block is hemmed in on all sides by busy hotels, bars and restaurants. In my view the area has reached saturation point and regard must be had to the interests of the residential occupiers of the area. Please deny the license.

Yours faithfully [REDACTED]

[REDACTED]  
Norwich  
Norfolk  
NR4 6RQ

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



Dear Sirs,

**Letter of Support for Applicant: Review of Premises Licence LN/200506202 Granted to Gremio De London Limited in respect of 26A Savage Gardens, London EC3N 2AR**

We refer to the application for a review of the Premises Licence granted under the Licensing Act 2003 to Gremio De London Limited of 77 Malham Road, London SE23 1AH in respect of the premises at 26A Savage Gardens, London EC3N 2AR.

We understand that the application was made by Beverly Jane Hurley and will be heard on 26 June 2018 at 2.00 pm and it cites as grounds:

- the prevention of public nuisance; and
- public safety,

grounds which we completely support.

Unfortunately we will be unable to attend the hearing; however we are strongly in favour of the application and we believe the Premises Licence should never have been granted. We only became aware of the grant of the licence recently, which is not surprising given that the notice on the premises was defective and the DeGremio's application was advertised in the Islington Tribune, a newspaper that is not even circulated in the area of the premises.

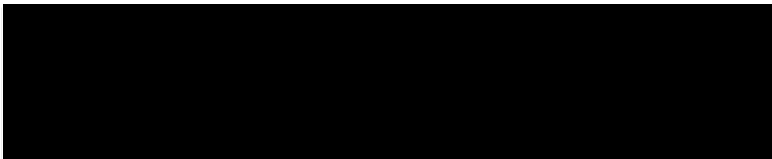
Our interest lies as leasehold owners of Flat [REDACTED] 1 Pepys Street, London EC3N 2NU. Our flat faces Savage Gardens. We purchased that property in July 2005 and for more than seven years used it as our main home in London. John used to be a Partner at the law firm Norton Rose at 3 More London Riverside. The lease currently has 130 years left to run. For personal reasons, John retired early and the flat was let to Bridgestreet Properties (London) Limited in October 2012. They remain the tenants. They sub-let the flat on short-term lets, in many respects running the apartments like a high-quality hotel suite. Many of their tenants are high-earning individuals with highly responsible work (e.g. overseas bankers on secondment to the City) and disturbance late at night including at weekends is likely to have a significant adverse

effect on their willingness to take up a tenancy there, in the end affecting the rental value and the overall prosperity of the neighbourhood. As you will appreciate, any bad experiences such as noise and other nuisance experienced by tenants quickly spread through websites such as TripAdvisor and other social media and are equally likely to have an immediate effect on the perceived quality of the flat. It is of course also a real possibility that we will wish to return to live in our flat in the future.

It is clear from the information now available to us that the area to the rear of 26A Savage Gardens (which has been derelict and not used for public purposes, so far as we know, ever since we have owned our neighbouring property) is likely to be extremely noisy. It is proposed to be used for eating and drinking and is likely to be used as a smokers' area late into the night and the early hours. There are many tall, hard surfaces in the area, including surrounding the currently derelict area itself, the railway arch at the end of Savage Gardens and the walls of the Doubletree Hilton hotel, which will cause any noise to echo and be amplified. Moreover, with the best will in the world, some customers who have been drinking late into the night will make a lot of noise on leaving the premises, creating a real nuisance for neighbours.

We strongly oppose the granting of the Premises Licence and give our support to the application for it to be reviewed.

Yours sincerely,

A large black rectangular box redacting the signature of John and Lynn Wood.

John and Lynn Wood

# Appendix 4xiv)

26d Saurage Gardens

London EC3N 2AR.

1.6.2018

\* Hand written  
as I am currently in  
hospital awaiting emergency  
Surgery.



Dear Sirs.

I wish to comment + object to the proposed opening + extended licensing hours of Smeio de Fenchuch at 26A Saurage Gardens EC3N 2AR.

I have been a resident + owner of [REDACTED] for 8 years.

My property is next door to + directly adjoining the proposed business + my flat will overlook the newly altered area at the rear of the proposed business.

I am currently in hospital as a result of a burst appendix. I hope you will excuse the hand written letter + brevity of my comments. Therein they are nevertheless a strong objection to the proposed business terms + licence, as well as the size + scope of the business.

These are the points I wish to make:

- the Denlict area, at the rear of Smeio... noise, light + smoke disturbances. I cannot see this area from my flat but I can hear clearly. As such I can say that I have never heard this area being used either day or night. The sound from my bedroom which 'overlooks' the denlict area is quiet + dark. I have photographed the view at night + I am happy to share this with the committee. It is basically it is dark + quiet no voices or movement at all. Only sounds of cars pulling over quietly + slowly until around midnight + beginning again at about 6am.

②

if the proposals were to go ahead I fear there will be an intolerable breakfast noise from the area. + The newly constructed platform + developed arches. This will be not only when customers are there i.e. as late as 2am on some days but also in the morning + way after closing cars still clear the area + tray up. There will also be significant noise from deliveries to that area - possibly early in the morning.

The arguments listed above in regard to noise also apply to light pollution in this district + dark areas. Basically it will be very light at all hours + that light will shine onto my bedroom.

I do not feel that the proposed licensing or licensing has taken into account the management of at noise + light disturbance this will severely affect the quality of my life, sleep + enjoyment of my home.

Although not directly related to my year licensing policy, I cannot overlook the severe disturbance by noise of people arriving to the premises. The extended opening hours especially will make Gemio de Enchuch an ideal venue for patrons already drunk from drinking at the local pubs but who want to get even more drunk at Gemio. Even the presence of door staff + a policy preventing admissions will not prevent noise + disturbance from patrons trying to get in to the venue after the pubs shut.

Vermin: mice, rats, birds + general environment hygiene

I cannot stress this point enough: the problem will relate to both the central area at the back and the area at the front immediately in front of my front door.

③  
at the rear of the property, the new terrace is a few inches from  
the roof of my building & on the same level - this is at [redacted] sewage  
gardens. - Rubbish, cigarettes, food, litter, vomit & all sorts will inevitably end  
up on the roof space of my building & directly below my bedroom window  
& directly in front of the bedroom window of [redacted].

It will be hard if not impossible to clean & sanitise this area  
& debris will collect it is inevitable no amount of hygiene practice  
will prevent this. As a result residents, patrons & staff will be exposed  
to vermin & the disease they carry this is completely unacceptable in  
a residential area so close to this hazard. This is a severe public nuisance issue.

The same arguments can be made for the surrounding area to the  
new terrace a Semic. This is composed of cables, industrial style building  
extractor fans etc. These will become places where rubbish food etc  
collect & it will be impossible to clean & a paradise for vermin.

A similar argument can be made for the entry onto Semic. This is  
feet away from my front door. I have many photographs of such  
debris, food, vomit, faeces, bottles & rubbish which I have already reported  
to the Corporation. I am happy to share these with the committee as evidence  
of what is happening now & as an indication of what we can  
expect (ie increased levels) if the new business is allowed to operate  
under the current arrangements.

Safety: especially safety of the proposed venue & public safety  
in general

The derelict area is a mass of cables, electrical wires, fans etc

Page 91  
This poses a significant risk of electrocution to customers & staff. They also



(4)

pose a falling or tripping risk. - especially to people in a crowded area trying to get in or out, smokers & people wishing to use the loos.

The cramped, underheated, & shambolic nature of this area, it has remained derelict since I can remember, also poses a serious fire risk when used according to the business proposals. It is clear that many people, some drinking or drunk would be a disaster in the event of a fire at the premises. There appears to be no clear fire exit except through the cluttered walk way & out through the main door. How will fire officers evacuate & control a fire in such a tiny cluttered & unsuitable area? Furthermore how will I as a direct resident be protected in such terrifying circumstances? The thought of smokers, ~~and~~ igniting rubbish & grease from food trapped, as set out in the 'vermin' section is even more frightening.

Finally I fear that an establishment offering extended drinking hours will lead to even more incidents of 'night life crime' & antisocial behaviour in the vicinity. I realize that Gremio is not responsible for the behavior of patrons when they leave, however nightlife crime & antisocial behaviour are considered a priority area by City of London police. It seems uncompensable to permit business & licensing terms which can only increase the risk of these incidents.

I feel very strongly that I as a resident was not given the chance to air my strong objections to the proposed business & license the first time around as it was not published.

⑤

Again I apologise for a handwritten letter. I am in hospital + on a lot of pain.

I would have liked to have sent photographic evidence with my letter but I cannot do this. However I am happy to show anything with the committee at the hearing or by email my email address is ~~xxxxxx~~

[REDACTED]

Yours faithfully

[REDACTED]

Dr Jayne EVANS

This page is intentionally left blank

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



26 May 2018

Dear Sir/Madam

**Review of application for Gremio De London, 26A Savage Gardens, London EC3N 2AR**

I am writing to object to the above licensing application. It would be devastating for many hundreds of residents of the City were this to go ahead. It remains a cause of incredible upset and anger that the original application was put through despite the intentional flouting every element of the application procedure in what was surely a deliberate attempt to deceive the licensing authorities and prevent residents from making representations.

I live in the ■ Pepys St (EC3N 2NU) building which adjoins 26A savage Gardens with my own quiet residential flat directly overlooking the derelict area shared between the buildings (see photo from my apartment).



I consider it an act of architectural vandalism that the beautiful closed brick arch has been destroyed, replaced by the window onto the derelict area and my building, as shown in the

picture. The other side of the archway under the bridge has been plastered by a gigantic advertisement hoarding proclaiming the arrival of this dreaded bar in our quiet street (for scale this is many metres high and wide):



We live in a quiet conservation area. When I open my windows (which I have to do and is currently a moment of joy) all I tend to hear is the cawing of seagulls. In all my time at 1 Pepys St no one has ever ventured into this derelict space between the properties, allowing my building to be an oasis of calm.;

As you may see from the first photograph, the space is walled on all sides so acts as a sound well and amplifier, funnelling noise up to my flat and the other flats in all of the surrounding buildings that overlook the proposed development.

By breaking through the historic bridge archway wall the sound from the proposed bar will permeate this space and shatter the peace and quiet that we residents rely on. It will destroy our lives.

Paragraph 12 of The City of London Statement of Licensing Policy 2017 states (my emphasis):

“The City of London is unlike the vast majority of other licensing authorities in that the ratio of residents to the number of persons coming into the City of London to work and socialise is quite small. **It is however vital that their residential amenity is protected and this is emphasised in the City’s Core Strategy** which aims ‘To protect existing housing and amenity and provide additional housing in the City, concentrated in or near existing residential communities...’.”

Granting a licence to this bar which is effectively sited *in our building* would fly in the face of this.

Paragraph 27 states "residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23.00 and 07:00." But given the exceptional current quiet nature of our area it is my belief that even the granting of a licence until 23:00 will shatter the peace and quiet of the surrounding residencies, ending the calm that residents currently enjoy.

The licensing guidelines are full of statements about **public nuisance**. The curse of drug taking, evidenced by the detritus of myriad discarded nitrous oxide gas cannisters, is already encroaching into surround areas such as Trinity Square and outside Proud Cabaret on Mark Lane. It fills me with dread that any approval will inevitably open up a venue on (and inside) our very doorstep for further antisocial behaviour.

The previous gorgeous bricked arch proved an incredibly effective barrier preventing any noise from Crutched Friars leaking through into the derelict square that borders all the residencies. Of course if the licence were to be granted, noise would come pouring through this vast expanse of window disturbing the residents. It is my hope that as well as refusing the licence, the archway can be restored in a manner befitting the conservation area in which it sits, in order to prevent future noise leakage.

There has been some talk that the bar intends to actually make use of the derelict area. Please no! If this were to happen with access to some secret courtyard, that would become the destination of choice for revellers, meaning there would be continual coming and going. You cannot allow smoking, chatter, noise, music, revelry, antisocial behaviour, and more, all effectively within our building.

Of course with smokers in this open air space there is immediately a hugely increased fire risk. Living on the top floor of Pepys Street and so very mindful of the dreadful recent fire in Grenfell Tower, I and other residents would be living in constant fear of the same thing happening in our building.

This is not to mention that any use of the derelict area will lead to the overlooking of many of the surrounding residential properties, all of which have the right to privacy in the evenings in their own homes.

Any appeal must also take this into account also recognizing the untruths told by the original applicant and minuted at the original hearing where the applicant was asked about disturbance to residential properties and responded to the hearing that his Brixton tapas bar was surrounded by residential properties and had never had any problems. Paragraph 6 from the minutes of that hearing reads:

"The Applicant felt that the premises would bring vibrancy to the area and compared it to Gremio de London's operation in Brixton, which is surrounded by residential properties had received no complaints during its 3-and-a-half-years of operation."

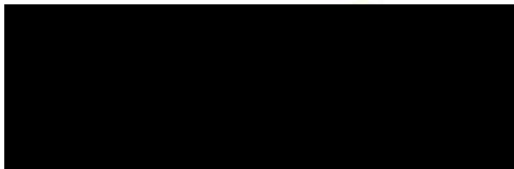
His Brixton bar is Gremio de Brixton is to be found at <https://www.google.co.uk/maps/place/Gremio+de+Brixton/>. You will see it is on land significantly removed from any residential properties, on an extremely large plot cut off by main roads. This plot contains a vast churchyard, with the only building occupying it, standing isolated, being a church. The bar is the basement of this church, far removed from Brixton residences. **It bears not the slightest comparison with this application and was a disingenuous and deceitful response.**

The intention of the original application appears to have been to deceive the licensing authorities and avoid comment from residents. It was not announced in any of the local press, instead being placed in the *Islington Tribune*. There is no alternative other than to see this as a deliberate attempt to hoodwink authorities into mistakenly believing that the regulations had been followed.

Equally, an experienced developer somehow was unable to source blue paper(11) to make his original application stand out as the regulations require in amongst a sea of sheets of white paper surrounding it. He has attempted to dupe the City of London licensing authorities and ensure that residents were unaware of the proposal. It appears that, until this appeal, he succeeded and was able to take the authorities for a ride. It must be a point of principal that the application for a licence is now rejected because the City of London cannot be seen to be so easily and deliberately deceived by this and future applications.

I implore you to listen to the City of London residents whose lives will be devastated if this application is allowed to proceed.

Yours faithfully



Keith Mansfield Flat   
 Pepys St  
London EC3N 2NU



Paul Pavlou  
Pepys Street  
London  
EC3N 2NU

City of London Corporation,  
Licensing Section,  
Walbrook Wharf  
78-83 Upper Thames Street  
EC4R 3TD

Hand delivered



4 June 2018

I am writing to register my objection to the granting of a premises licence to Gremio De London Limited at the premises, 26a Savage Gardens London EC3N 2AR and I am wholly supportive of the application to review it.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of public nuisance and the prevention of crime and disorder.

26a Savage Gardens lies within the City of London, Fenchurch Street Station Conservation Area. The premise is part of a residential corner of the city comprising over 100 homes. 25, 26 Savage Gardens and adjoining 1 Pepys Street houses the majority of these homes, including my own. The vicinity is manifestly residential and 26a is directly connected to and forms part of the structure of those homes. I understand from the plans submitted that the 26a outside derelict area enclosure which our homes back onto is planned for transformation into a terrace area for 60 covers and will be accessed through the proposed night club via a folding glass door which was recently installed by the knocking down of a railway arch wall.

This would be totally detrimental to the licensing's objectives. The derelict area is directly surrounded by homes. The only sound one generally hears emanating from that part is the sound of trains either coming into or leaving slowly from Fenchurch Street Station. These quiet sounds are amplified and echoed by the residential buildings which house our homes and directly surround the derelict area but the sound is of a generally acceptable level. No one anywhere (let alone 100 homes) should have to endure a night club/night spot/late night tapas bar etc. and its outdoor terrace being built in such a space.

The residents in the conservation area already receive a disproportionate amount of noise from existing neighbouring bars. A licence would provide a further source of alcohol and public nuisance at a larger scale within an area already so heavily populated with licensed premises that crime, disorder and public nuisance have already reached problem levels for the local residents. I have video evidence of an unacceptable level of disturbance taking place by

the presence of only 4/5 people loitering outside 26 Savage Gardens during the early hours of a Sunday morning. Just 4/5 people created enough noise to keep me and others awake. Sound in Savage Gardens travels because of the surrounding residential buildings. It's a narrow passage walkway/path. You can hear people speaking on the path. It's no place for a night club/spot and neither is the derelict area.

The word "vibrancy" and "bringing vibrancy" is used in the minutes from the hearing last year. I do not find the use of such a term to be responsible or appropriate when describing plans for the Fenchurch Street Station Conservation Area, a place of historical and cultural relevance that is heavily populated by residents of the City of London as well as tourists and business people staying in reputable hotels looking for a quiet place to sleep.



Parallels were drawn with the proprietor's club in Brixton which is in an old church crypt, surrounded by grounds and across a busy highway (the A3) to the nearest house. Any reading of the google reviews of that establishment will allow one to see that "vibrancy" is one of the aims of the club. Loud music, long queues to the bar etc. all form part of the recorded experiences.

Residents in the compact Fenchurch Street Station Conservation area already suffer noise nuisance and antisocial behaviour. It would be totally unacceptable and a display of complete disregard to those living here to permit this establishment to proceed. It's puzzling how one could think it appropriate to apply for a license in such a place.

Again this quiet corner of the city is manifestly residential. 26a Savage Gardens forms part of the residential buildings which houses most of the residents. Parallels cannot, nor should be, drawn with the proprietor's other establishment in Brixton.

In view of the above, I would urge the Licensing Authority to review the premises license.

Yours faithfully,

  
Paul Pavlou  
Resident  
 Pepys Street

Flat [REDACTED] [REDACTED] [REDACTED]

London [REDACTED]

03/06/2018

Dear sir/madam

**RE: Application for Licence Review – 26A Savage Gardens**

[REDACTED] Having seen the review application, I am concerned and would like to make the following comments:

1. This is in a conservation area.
2. The derelict area has been like this since I have purchased my apartment and is not publicly used at present.
3. There is already a fair bit of noise and disturbance from customers leaving the existing establishments selling alcohol in the area late at night.
4. I have often encountered this to be a safety nuisance when returning late from work.
5. The Double Tree Hotel in the vicinity is already getting a rooftop bar added in.

Allowing the additional bar to be opened is going to cause the following issues:

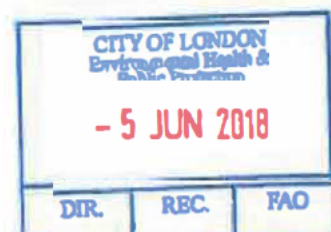
1. Add to the existing late night noise nuisance for residents
2. Add to safety concerns for residents
3. Disturb the residential feel of the immediate area (as we know there is a major tourist attraction not too far away).

I do hope that the application will be rejected to ensure that the area can retain its current look and feel.

Kind regards

[REDACTED]

[REDACTED]



This page is intentionally left blank



■ Mill Street,  
Ludlow,  
Shropshire SY8 1AZ  
1st June 2018

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

Dear Sirs

Re: Review of Licence for Gremio de London, 26A Savage Gardens EC3N 2NU

I write re this proposed Tapas Bar and how it will affect my premises at ■ Pepys Street EC3 2NU, which is occupied by tenants. I was not given the opportunity to comment when this application first appeared because the applicant failed to follow the correct procedure regarding the colour of the notice and publication in a local paper. He chose to put his publication in the Islington Tribune. Not a paper generally read by residents in EC3!

The proposed Tapas Bar with the outside derelict area (which has been derelict and unused for a large number of years), is to be turned into an outside terrace with some 60 tables for customers, which will not fail to emanate large amounts of noise throughout the evening. The size of the bar inside the building indicates the main thrust of the business. This of course will impinge on the rights of local residents to peace and quiet in the evenings. De Gremio failed to indicate that the proposed terrace is surrounded by residential buildings with windows overlooking the site when making its licence application.

Customers leaving the premises late at night through the alleyway to Pepys Street will obviously continue to make unwelcome disturbance, thus disturbing more of the residents in Pepys Street.

I ask you to look long and hard at this licence application and consider the life and impact it will have on the residents who surround this proposed bar.

Yours Faithfully

■

This page is intentionally left blank





■ Mill Street,  
Ludlow,  
Shropshire SY8 1AZ  
1st June 2018

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

Dear Sirs

**Re: Review of Licence for Gremio de London, 26A Savage Gardens  
EC3N 2NU**

This letter is regarding the proposed Tapas Bar and how it will affect my premises at ■ Pepys Street EC3 2NU, which is occupied by tenants.

The proposed Tapas Bar with the outside derelict area (which has been derelict and unused for a number of years), is to be turned into an outside terrace with tables for customers to sit and have their drinks and tapas, which will not fail to emanate large amounts of noise especially as the evening progresses. As this is an enclosed space, the sound will resonate. The size of the bar inside the building indicates the main thrust of the business. This of course will impinge on the rights of local residents to peace and quiet in the evenings. De Gremio failed to indicate that the proposed terrace is enclosed by residential buildings with windows overlooking the site when making its licence application.

Customers leaving the premises late at night through the alleyway to Pepys Street will obviously continue to make unwelcome disturbance, thus disturbing more of the residents in Pepys Street.

I was not given the opportunity to comment when this application first appeared because the applicant did not follow the correct procedure regarding the colour of the notice and publication in a local paper. He chose to put his publication in the Islington Tribune. Not a local to EC3 paper.



I ask you to look long and hard at this licence application and consider the life and impact it will have on the residents who surround this proposed bar.

Yours faithfully,

A large black rectangular redaction box covering the signature of Anthony Mahalski.

Anthony Mahalski

A black rectangular redaction box covering text, likely a title or contact information.

Flat [REDACTED]  
25 Savage Gardens  
London EC3N 2AR



3<sup>rd</sup> June 2018

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

Dear Sir,

Review of Premises Licence LN200506202 granted to Gremio De London Ltd at 26A Savage Gardens, London EC3N 2AR

We are husband and wife, co-owners of Flat [REDACTED] Savage Gardens, having taken occupation 6 years ago in June 2012. You will see that we have exactly the same postcode as the premises in question, a clear indicator of the common space we share with these would-be neighbours, and of the mutual respect for living environment thereby required. We object to the granting of the alcohol licence in the light of this our grounds include noise, nuisance, litter.

Returning from holiday in January of this year, we were shocked to look out of our bedroom window and see advanced building developments in the adjoining building. We had no advance warning of any such change of use, nor had we heard anything of this from our near neighbours. This, with hindsight, is unsurprising, given De Gremio's failure to advertise their application at the outset, via a legally required notice on light blue paper outside the premises, nor via a newspaper distributed in this locality. This initial flagrant disregard of legally required process hardly engenders confidence or trust for their organisation.

Our bedroom overlooks the proposed bar and restaurant - see enclosed photograph taken from that window. De Gremio have built into the railway arch wall, on the left, a very large window with door access. There is absolutely no doubt that, if successful, De Gremio's premises will generate considerable noise into that area, into the early hours. That is between 11pm-7am, during which hours the City of London's licensing policy (paras 27/75) explicitly requires that there be no undue disturbance to sleep.

Along with the accompanying factors - lights and floodlights, platform, increase in litter - the disturbance to residential life is totally unacceptable. When we bought

the flat, the immediate vicinity was, if not beautiful, certainly quite peaceful. The nearby bars in Crutched Friars already generate disturbing volumes of noise as customers make their way past, following closing time, as well as the litter problem, when they leave beer bottles, glasses and food containers outside our flats. To create a late-closing establishment on our doorstep, serving drinks into the early hours, would expressly compound and extend the problems to intolerable levels. The potential for creating a severe vermin problem - in a previously comparatively quiet area of London, near to the Tower of London and other places frequently visited by tourists - is indisputable and causes us great fear and concern (it is further compounded by vomiting and urinating of homebound customers using the archway leading to Savage Gardens as a toilet).

We are in our late sixties and were very careful in choosing a decent, quiet location for our flat. We actually feel bamboozled by the underhand and dishonest way in which De Gremio have pushed through the application, without due regard to their unsuspecting and uninformed neighbours. It is an intolerable state of affairs, we object in the strongest of terms and urge you to put right a situation which should never have been allowed to get to this stage.

Yours faithfully

  
Frank Robotham (Mr)  


  
Margaret Robotham (Mrs)  


Subject: frank robotham shared 1 photo with you

From:

To:

Date: Monday, 4 June 2018, 13:13:28 BST

Photo taken from bedroom window  
of Flat [REDACTED], [REDACTED] Savage Gardens, EC3N 2AR  
Google Photos



frank robotham shared a photo with you



VIEW PHOTO

You received this mail because frank robotham shared these photos with you. If you no longer wish to receive email notifications of shared photos, [unsubscribe here](#).

Get the Google Photos app



Google LLC  
1600 Amphitheatre Pkwy  
Mountain View, CA 94043 USA

Page 109

This page is intentionally left blank

Timothy Jordan

Flat [REDACTED] Savage Gardens

London EC3N 2AR

Phone: [REDACTED]

04 June, 2018



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

Dear Sir or Madam:

**How would you feel to have a beer garden or smoking/drinking area built next to your back garden or bedroom?**

I refer to the Review of Premise Licence, which has been previously granted to Gremio De London Ltd at 26A Savage Gardens, London EC3N 2AR.

I would like to register my objection to the license that has been granted, on the basis that it does not consider the residential nature of surrounding buildings. There is a strong temptation to shine a light on the failure of the previous process to protect the people who will be most impacted by the granting of such a license (evidenced by the fact that more than 90 owner/occupiers in neighboring properties were unaware of any application). However, my preference is to highlight the material impact it will have on my life and the lives of my neighbors.

I purchased my property (Flat [REDACTED] of [REDACTED] Savage Gardens) – a ground floor plus basement conversion in 2012, and have been resident in the property for those almost six years. Over that time, I had no problem with noise, smoke or any other issue emerging from the property in question, as it was predominately occupied throughout daylight hours and business contained to within the inside of the property.

As neighbors of the Gremio de Fenchurch site, we have been made aware of (albeit too late to highlight any concerns) their plans to develop the property that is adjacent to 26 and 25 Savage Gardens (and backing on to 25 Savage Gardens, 26 Savage Gardens and 1 Pepys Street); The plans we have discovered involve changes to the property that make residents concerned about the ability to contain noise, smoke, late night foot traffic,





anti-social behavior and fire escape access/safety. After investigations with local authorities and the proprietor themselves, we have discovered that:

1. Significant insulation is being removed from the property, which was used in the previous restaurant tenancy to contain any noise from patrons inside the property;
2. The operating (licensing) hours are significantly longer than what was there before (until 2:00am – 2:30am on weekends), with the sale of alcohol and use of recorded music. There is concern that the longer opening hours will drive foot traffic from other local establishments that close at 11pm to midnight and will compound some of the issues we face today (including noise and anti-social behavior).
3. It is understood that the derelict area at the back of the property is being converted into a drinking/smoking area. The proximity of this space is incredibly close to approximately 90-100 residential properties, many of which have bedrooms backing onto this area. The pollution from noise, light and smoke generated by this space is likely to be considerable, which we know, as we already experience a small amount of this from the neighboring Fenchurch Street station, which is slightly further away.
4. Both the interior and exterior of the planned restaurant will accommodate a large number of patrons – with doorways that open up to the space that back onto the residential apartments, as well as seating for up to 60 people in this space. The license currently grants permission to play recorded music which would logically filter to the open space, which we know to provide a noise silo that reverberates between the buildings.

We are a resilient community, having already to cope with the problems and antisocial behavior generated by drinking establishments on our doorstep (such as the Bavarian Beerhouse, Sky Bar, Cheshire Cheese, Keepers Lounge, Isis Bar, Crutched Friar); as well as venues that are slightly further afield that capture a late night crowd (often cutting through from late night bars such as Dirty Martini and Revolution to access Fenchurch Street station or other transport options).

It is an extremely common occurrence to be greeted by scenes and smells outside our properties, generated by the patrons of these establishments. Public urination on the outside of our buildings and the adjacent Doubletree Hotel is very common, as is vomiting on our doorsteps. It is also not unusual to get groups of people leaving these bars - congregating outside in the street and talking loudly and smoking, which pollutes the flats – particularly unpleasant when trying to sleep.

I have no issue with Gremio de Fenchurch restaurant opening up at 26A Savage Gardens, however there needs to be sensible controls put in place to protect the residents who will be directly impacted by the development. It is not unreasonable as a resident to expect to be able to maintain the peace

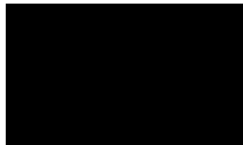




and quiet of their respective properties as purchased and/or occupied; and not suffer from issues created by having a large number of people drinking inside and outside this establishment, and next to our bedrooms in this case.

In particular, I request you review both the use of any external space at the back of the property which will impact the peaceful lifestyle of all residents at any time of the day or night. Additionally, the licensing hours given the residential nature of the neighborhood are unreasonable, and should be significantly reduced.

Sincerely,

A black rectangular redaction box covering the signature of Timothy Jordan.

Timothy Jordan



Minas, Aggie

---

**From:** [REDACTED]  
**Sent:** 08 June 2018 13:43  
**To:** M&CP - Licensing  
**Cc:** [REDACTED]  
**Subject:** Re: Gremio De London, 26A Savage Gardens, London EC3N 2AR

Dear Aggie

Wt refer to your email below and confirm that we are supporting the existing review application made by Beverly Hurley.

Kind regards

Adrian Taylor & Carol Hall

Sent from my iPhone

On 7 Jun 2018, at 4:34 PM, M&CP - Licensing <[licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk)> wrote:

Dear Adrian and Carol,

I have today received your application for the review of the premises licence for Gremio De London at 26A Savage Gardens, EC3N 2AR, submitted by you in the post.

This appears to be a slight modification of a review application already submitted by one of your neighbours and I was wondering if it was your intention to submit a separate review application or if it was your intention to support the review application already submitted.

If you are supporting the existing review application, can you please respond by way of return email before midnight on Friday 8<sup>th</sup> June to confirm.

Kind Regards

Aggie Minas  
Licensing Officer  
Markets and Consumer Protection

[REDACTED]

We are continually seeking to improve our service and obtaining your feedback is a vital part of this process. It would be gratefully appreciated therefore if you could take just a small amount of time to complete this [survey](#).

THIS E-MAIL AND ANY ATTACHED FILES ARE CONFIDENTIAL AND MAY BE LEGALLY PRIVILEGED. If you are not the addressee, any disclosure, reproduction, copying, distribution or other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please notify the sender immediately and then delete this e-mail. Opinions, advice or facts included in this message are given without any warranties or intention to enter into a contractual relationship with the City of London unless specifically indicated otherwise by agreement, letter or facsimile signed by a City of London authorised signatory. Any part of this e-



**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**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.

1 Adrian John Taylor & Carol Violet Hall  
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

**Part 1 – Premises or club premises details**

Postal address of premises or, if none, ordnance survey map reference or description

Gremio De London, 26A Savage Gardens, London EC3N 2AR.

Post town

London

Post code (if known)

EC3N 2AR

Name of premises licence holder or club holding club premises certificate (if known)

Gremio De London Ltd, 77 Malham Road, London SE23 1AH

Number of premises licence or club premises certificate (if known)

LN/200506202

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)



2) a responsible authority (please complete (c) below)

☐

3) a member of the club to which this application relates  
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title  
(for example, Rev)

Surname

First names

TAYLOR  
HALL

ADRIAN JOHN  
CAROL VIOLET

I am 18 years old or over

Please tick ✓ yes  
☒

Current postal  
address if  
different from  
premises  
address

Flat [REDACTED] SAVAGE GARDENS  
LONDON EC3N 2AR

Post town

Post Code

EC3N 2AR

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

CAROL VIOLET HALL  
FLAT [REDACTED] SAVAGE GARDENS,  
LONDON EC3N 2AR

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT NOT APPLICABLE

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes 

- ☒ YES
- ☒ YES
- ☒ YES
- ☐

Please state the ground(s) for review (please read guidance note 2)

THIS APPLICATION RELATES TO:

- a) The prevention of public nuisance
- b) Public safety
- c) Prevention of crime and disorder

PRELIMINARY MATTERS

Having read the DCMS 'Guidance for Interested Parties Applying for a review' (March 2010) I note that there is some question as to whether a Licensing Authority should entertain an application for a review within 12 months of a previous decision on a licence. This application is not in any way repetitious of representations made at the time or which could have been made at the time.

Firstly De Gremio failed to advertise their application as required by the Licensing Act (and the Regulations made under the Act). There was no notice on LIGHT BLUE paper outside the premises as the law requires, nor was there a notice in a newspaper circulating in the VICINITY of the premises as the law also requires. I was unaware of the application and therefore unable to make representations. I fully realise that the City of London cannot review its own decision of 22 Jun 2017 to grant a licence, but these matters are relevant as to why the Licensing Authority should, less than a year later, consider a review.

Secondly having seen inside the premises in recent weeks they do not appear to me now as they were described in De Gremio's application or the licence subsequently granted.

PREVENTION OF PUBLIC NUISANCE

I am one of over 100 residents who live within the immediate vicinity, and my flat is immediately next to the main part of De Gremio's tapas bar on the first floor.

The plan submitted with the licence application shows the ground floor with an area marked as "Terrace". This has actually been a derelict area for at least the past decade, with old sheds, rubble and general debris overgrown with weeds. The area is completely surrounded on other sides by residential flats - over a hundred in total. It has therefore always been totally quiet, with

no disturbance to the residents in the properties surrounding the area. It is part of the Fenchurch Street Conservation Area, and the only noises are the occasional quiet rumble of slowly departing trains for a few seconds. Although 26A Savage Gardens has had a license in the past this derelict area never formed part of that license.

Any use of any part of this area for people eating, drinking, talking and smoking, food and alcohol being served, tables and glasses being cleared and so on, until midnight from Sunday to Wednesday, until 1am Thursday and until 2am Fridays and Saturdays will de facto create a public nuisance. The terrace will, according to the application, have chairs and tables for 60 people at any given time, and as the terrace is surrounded by much taller buildings, the sound will also reverberate and generate noise upwards, affecting all those whose residences look out over it.

The narrow steep stairs leading down to the terrace from the first floor start at a decked platform at first floor level, which is just a few feet outside my bedroom window. This is where both kitchen and serving staff and all members of the public will leave and return to the bar/restaurant, and is large enough for customers to also stand, drink, talk and smoke.

A large brand new glass archway has been made into the old solid brick wall belonging to Network Rail, and this has two glass doors opening onto the same platform. In addition, all the considerable sound and heat insulation that was inside the restaurant that previously occupied the railway arches has been removed back to the brickwork, I witnessed the thickness of this as it was being removed from the premises, and when I visited, the site foreman told me it provided additional space of at least 3' all round. These two measures will exacerbate noise escaping from the inside of the bar area, especially when the doors will be open in the summer and when customers enter and exit to go outside to smoke, eat and drink, as well as from the recorded music.

The platform and terrace area is illuminated by two very bright floodlights at the top of this archway, which already provide light pollution directly into my bedroom at night time.

The drawing attached to the application showing the first floor shows a small bar area, with a slightly larger kitchen area. In fact, the bar now goes round all three sides of the central internal wall, approximately three times larger than shown on the drawing, and clearly indicating that drinking is the prime purpose of De Gremio.

The first floor drawing does not indicate the new large glass archway, and there are now three sets of opening doors on the first floor level decked area. The doors shown to the left of the ladies toilet area are just a few feet from my bedroom window (and the roof light to the flat below mine), both of which are in the grey area simply marked as "Neighbour".

All the above are in direct contravention of my reasonable expectation (as set out in paragraphs 27 and 75 of the City of London's Licensing Policy) of no undue disturbance to my sleep between the hours of 11pm - 7 am, and will have a significant impact on my living and working amenity. This is a totally different environment to the De Gremio in the crypt of a church in Brixton (where the nearest residences are at least 20 metres away from the Church that houses the bar.)

This is a totally different environment to the De Gremio in Brixton (where the nearest residences are at least 20 metres away from the Church that houses the bar.)

The Premises will adversely affect the residential amenity of the more than 100 flats in the immediate vicinity of the licensed premises of which at least 30 directly abut the licensed area. I, and other neighbours, am already adversely affected by the floodlights at the premises. Noise whether music escaping from the arches, people talking on the newly erected platform (a few feet from my bedroom window) or people on the currently derelict area will be further public nuisance.

There are a number bars in the immediate vicinity of this property, most of which close at 11pm or shortly thereafter. At the end of an evening's drinking, between 11-12, many people leaving the area frequently walk up the pedestrian part of Savage Gardens. They shout and sing (and when under the railway arch immediately outside De Gremio, this magnifies that noise), urinate and vomit against that wall, and on our doorstep on several occasions, and leave litter all the way up the street. Late opening hours granted to De Gremio will mean that they will gravitate to 26A, and continue to be able to drink until the early hours of the morning. Signage asking patrons to leave quietly is obviously irrelevant to the public nuisance of patrons and would-be patrons arriving noisily at the premises, particularly after 11.00pm.



As set out above I was disenfranchised from making representations regarding the licence application. I would have made many of these points then, had I been given the opportunity. The property had been empty and unused for a long time, as it had apparently been closed by the Licensing Authority, and the first I knew about anything was when work started on the premises and caused significant disturbance during the day and at night when labourers were sleeping there. I have had no notification about any planning applications for the work that had been already carried out either.

A few weeks after the works started I visited the property and was amazed to see the size of the new bar/restaurant area, which was a significant increase on the old Orpheus restaurant, (which didn't open at the weekends), and requested to meet the owner. Despite several emails, this didn't happen until early March, and it was at this time that I first discovered the existence of a new licence.

When I met Anthony James Thomas, who I understand to be a director of the premises licence holder Gremio de London Ltd, I expressed my strong concerns about the impact of that, the noise, the glass arch and exits and the plans for the terrace, especially as 26A, 26 and 26 Savage Gardens are in a Conservation Area.

I subsequently wrote to the Licensing Authority and Building Regulations, and later Environmental Health and Planning also became involved, as I understand it none of these authorities had been contacted by the licence holder.

#### PUBLIC SAFETY

As above I note the narrow steep stairs leading down from the platform at first floor level to the terrace. These appear to me to be 'Industrial' in nature and wholly unsuitable for public use in a situation where people are imbibing alcohol.

According to the Plans (in the application / annexed to the Licence) the passageway from the terrace to the street entrance is the fire escape route, but these plans do not show the air conditioning plant of various shapes and sizes that narrow the passageway in an irregular manner. Also there are supports for the platform above that occupy space shown on the plans as the fire escape route.

It appears that Fire Safety legislation requires fire escape routes to be kept free of obstructions. The premises licence was granted 22 Jun 2017 and the passageway / escape route is not clear of obstructions. The Premises Licence should be revoked in regard of the obstructed escape route alone.

Furthermore the platform above the passageway / escape route appears to be constructed of domestic decking that in the event of a fire might not take the weight of people evacuating from the bar area. In the event of the platform collapsing the passageway / escape route could become completely obstructed.

On 15 August 1980, 37 people died in a fire at El Hueco, an unlicensed bar at 18 Denmark Place in Soho. We are fortunate in London that we have not seen major loss of life in any drinking establishment since, but we can never afford to become complacent.

#### PREVENTION OF CRIME & DISORDER

With the very close proximity of the bedroom and bedroom rooflight to our flat to the licensed premises, there will be considerable noise coming in through the bedroom rooflight into the bedroom.

Similarly, there is bound to be noise coming into the flat from the stairs adjacent to our flat.

Please provide as much information as possible to support the application (please read guidance note 3)

I enclose

Photograph A, B and C - views of the derelict area.

Photograph A also clearly shows the new archway that has been made in the original solid brick wall.

Photograph D - New decking area and doors adjacent to rooflight bedroom to of our flat A.

Photograph E - Part of rooflight to our bedroom and bedroom window to Flat B, 26 Savage Gardens.

Photograph F - Decking platform right next to bedroom window in roof to our bedroom and entrance to bar/restaurant.

Have you made an application for review relating to the premises before

Please tick ✓ yes

No ☐

If yes please state the date of that application

Day Month Year  

--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

☒

I understand that if I do not comply with the above requirements my application will be rejected

☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

4 June 2018

Capacity

Owners of Flat

Savage Gardens, London EC3N 2AR.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Adrian Taylor & Carol Hall

Queensburg Gardens, Ascot, Berks

Post town

ASCOT

Post Code

SL5 9GG

Telephone number (if any)

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

Notes for Guidance

A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.

The ground(s) for review must be based on one of the licensing objectives.

Please list any additional information or details for example dates of problems which are included in the grounds for review if available.

The application form must be signed.

An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.



PHOTO A



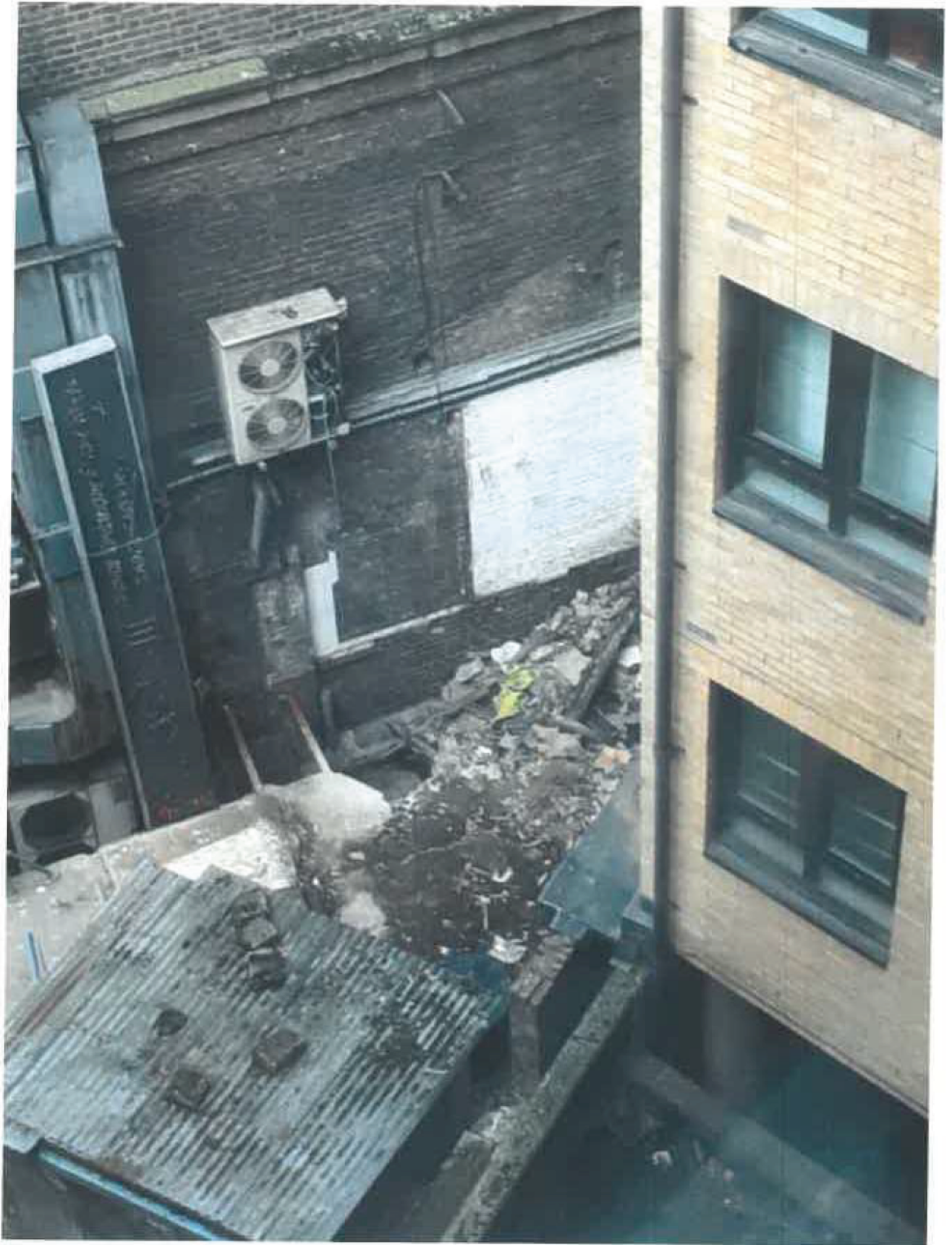




PHOTO C

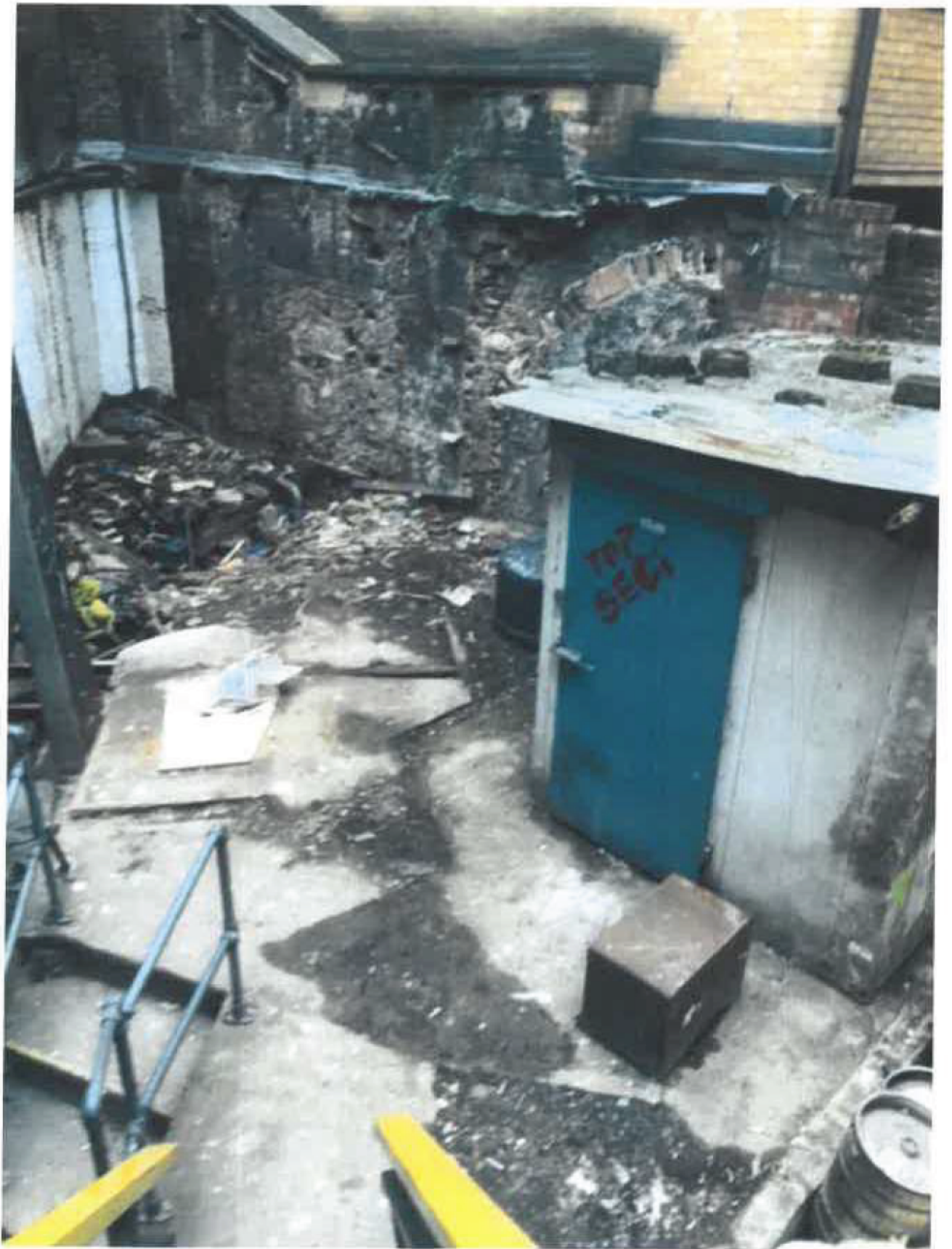




PHOTO D



PHOTO E





· PHOTO F



This page is intentionally left blank



Flat [REDACTED] Pepys Street,  
London.

EC3N 2NU.

6<sup>th</sup> June 2018.

City of London Corporation Licensing Section,  
Walbrook Wharf,  
78-83 Upper Thames Street,  
London.  
EC4R 3TD

Dear Sir/Madam,

Re: Review of Premises Licence: Gremio De London, 26A  
Savage Gardens, London. EC3N 2AR.

As a current resident and owner for over ten years of a flat with a large balcony directly above the Savage Gardens properties that abut the current derelict area, I would like to raise the following concerns as to the impact of this late-night Bar.

1. Whether or not there was intent to avoid local residents' input to the original decision, the original application notice was not correctly presented and having walked past this property on an almost daily basis I would have noticed a blue notice. Furthermore, no mention was made of the application in any "local" or "city" paper.
2. My property on the sixth floor will be above the break out area and late-night customers of the Bar will be talking

- and smoking in an area that funnels the noise and smoke up towards my property (Policy para 35).
3. I am a light sleeper as a result of chronic pain from chest surgery to treat cancer. The current noise levels from Bars and the nearby station are tolerable as they cease around 11pm and little noise occurs after that point until around 6am. The proposed hours of operation will mean that there will be under four hours of low noise in which to sleep which I consider to be a significant public nuisance and contrary to expectations under section 27 and 75 of the City of London's licensing policy.
  4. My three children also stay in the flat at weekends when the hours of operation of the Bar will be at their latest and most impactful on their sleep.
  5. The opening hours and noise/vibration funnelling will severely restrict the use of my terrace, and the ability to leave open the sliding doors to that terrace (Policy para 35).
  6. I understand that the originally disclosed plans depicted a small bar area; the actual works appear to be creating a Bar that does Tapas rather than a Tapas restaurant with a Bar.
  7. The access routes out of the Bar and across the first floor decked area and down to the smoking area are narrow and likely to be unsafe to intoxicated customers.
  8. It is unclear how the routes out of the Bar to the smoking area can be accessed by those requiring a wheelchair or other assistance. Aside from safety concerns this would be an unreasonable access restriction (Policy para 20).



9. The decked area appears to be designed for customers to stand and drink and smoke, and it is likely that music will be audible as customers either open the three sets of doors to access the terrace, or the doors are kept open. There are no visible mechanisms to prevent "noise breakout" into the smoking area/derelict area. No plan has been shared as to how noise can be managed and prevented after 2300 (Policy para 76).
10. Those customers exiting the area when the Bar closes are likely to make further noise as they attempt to leave when the area has limited public transport during the night and is not a thoroughfare that taxis will easily navigate due to the one-way systems and restricted exit points (Policy Para 28 (d) and (e)). No dispersal plans have been shared with local residents to address these concerns.

I look forward to joining with my fellow residents and attending the hearing on this most troubling matter.

Yours sincerely,

A large black rectangular redaction box covering the signature of Nicholas Jepson.

Nicholas Jepson

This page is intentionally left blank

██████████ Logan Place,  
Kensington,  
London W8 6QN

Mr. Peter Dunphy  
Chairman of the review board  
City of London Corporation Licensing Section  
Walbrook Wharf  
78-83 Upper Thames Street,  
London, EC4R 3TD

7/6/2018

Dear Mr. Chairman:

Ref: Appeal application made by Bev Hurley relating to the granting of an alcohol and music license to Gremio De London at 26a Savage Gardens

I am writing in support for this appeal and objection to the licence already issued to Gremio de London.

I have owned my apartment in ██████████ Pepys Street since 2003. I have seen the review application notice and wish to make the following comments.

The derelict area has been like that since I bought the apartment and has never been used publicly.

The proximity of 26a Savage Gardens, which is at the back of my apartment, would make quiet enjoyment of my apartment impossible, as the bedroom of my apartment looks down unto the derelict area.

The breakout noise that is likely to emanate from the new large window and doors that the Applicant has installed in the previously closed arch of the railway arches. And additionally, likely noise and street noise that would be caused by customers leaving in the early hours would make it difficult to sleep at night. There is also a matter of safety. It is a conservation area, and there are safety concerns, given the general nuisance these premises are going to cause.

If this Tapas bar is allowed to operate, especially with the outside terrace as planned, it is going to significantly impact the life of my tenant. My tenant will suffer immense from the nuisances from Tapas Bar.

As with other leaseholders and residence of the building, I was denied the opportunity to comment when the application first appeared because the Applicant failed to follow the correct procedure regarding colour of notice (should have been on blue paper) and publication in a local paper (he used the Islington Tribune which is not circulated in this area or read by local residents.)

Yours

██████████  
Antho ██████████ (Leaseholder)



This page is intentionally left blank

Mr Mark Rowan  
[REDACTED] Savage Gardens  
London  
EC3N 2AR



31 May 2018

Dear City of London Corporation,

**Letter of objection for the Review of Premises License to Gremio De London, 26A Savage Gardens, London, EC3N 2AR**

Having owned my property at Savage Gardens for four years, I would like to register my strong opposition to the proposal by Gremio De London at the above address. I believe the development would have profound detrimental effects on the local residents, surrounding area and environment.

Below are my points of concern for Public nuisance which relates to the current City of London Licensing Policy.

- a) Noise and disorder generated during evening and late night hours.
- b) With the change in the 2007 legislation preventing people from smoking inside premises, public nuisance will be an issue with smokers going outside and beyond the premises.
- c) Increase in Litter and waste around the premises.

Overall, I feel that the proposal will have a negative effect on residents in the area considering that it is currently derelict and I strongly urge you to reconsider the options.

I also believe that residents were unfairly denied the opportunity to comment due to the planning permission not being published.

Yours sincerely,

Mark Rowan

This page is intentionally left blank



**Breese, Robert**

---

**From:** Max <[REDACTED]>  
**Sent:** 08 June 2018 17:39  
**To:** M&CP - Licensing  
**Cc:** Anthony  
**Subject:** Gremio de Fenchurch Application to Review  
**Attachments:** Gremio Representation.pdf

Please find a copy of our representation with regard to the recent review in relation to the proposed Application to Review the license granted to Gremio de London Ltd for the premises at 26 A Savage Gardens.

We will of course attend the hearing and I gather this is likely to be early July.

Max Alderman  
Antic London  
[REDACTED] Malham Road  
London  
SE23 1AH

[REDACTED]

[REDACTED]

## **Representation to Committee following an application to review.**

Following the recent application to review the license at Gremio de Fenchurch Street as the license holder I write to state that:

- 1 The application was correctly advertised in both the local press and posted on the building itself on the 28<sup>th</sup> April 2017 and was up for the required 28 days as stipulated by the legislation, the committee acknowledged this fact in determining the outcome.
- 2 The license was granted on the 22<sup>nd</sup> June 2017 following a committee hearing as the Double Tree Hotel had made a representation with reference to the terminal hour on Friday and Saturdays.
- 3 They were represented by Eversheds, a specialist licensing solicitors, and their main concern was around the terminal hour, however, had there been an error in any of the process they most certainly would have flagged this at the time, they did not.
- 4 During the committee hearing a Ward Member was in attendance and asked if she could speak on behalf of the local residents, the committee rightly declined this as neither she nor the local residents had made a representation.
- 5 Having been declined I confirmed that I was happy for her to speak even though this was in breach of the guidelines.
- 6 The Member spoke passionately on behalf of the residents and as a result of this I agreed that we would add extra conditions in relation to the rear garden space, including stopping the use of the terrace at midnight. The original application had stated that the surrounding area was predominantly commercial and this was an honest mistake on my behalf and clearly the committee took note of this following the Members submission and the license as granted reflects this fact.
- 7 The committee retired to make their decision and on the balance of the evidence provided and the extensive operating schedule included in the application they granted the license.
- 8 As always any of the concerned parties had 21 days to appeal to the local Magistrates Court should they be dissatisfied with any part of the grant of the license, no objection was lodged and it was only at the beginning of this year that any concerns were raised.
- 9 Having had the license granted, a condition of our agreement to lease, we proceeded to complete the lease of the arch from Network Rail and started work on the refurbishment. We proceeded in good faith following the grant and have made a substantial investment to improve this long-established premises.
- 10 During the works various interested parties including neighbours and council officers have attended the site and on more than one occasion Anthony Thomas explained our intentions and the style and feel of the operation.
- 11 Work has stopped on the site at the moment following the intense interest we seem to have generated and the uncertainty that this has created has meant that we have had to postpone our opening from April and we are now unable to set a certain date.

**12 With regard to the grounds for the review I do not believe they can realistically be lodged prior to the site opening.**

**13 Every aspect of the four licensing objectives were clearly and carefully addressed in the operating schedule in line with City of London licensing guidelines submitted with the application**

**14 As an organisation we are responsible for over 50 licensed premises within the Greater London area and as such take our role extremely seriously, the first premise was taken in 1999 and since then we have had an unblemished record on the licensing front without a single review at any site for any reason.**

**Signed:**

A large black rectangular redaction box covering the signature area.

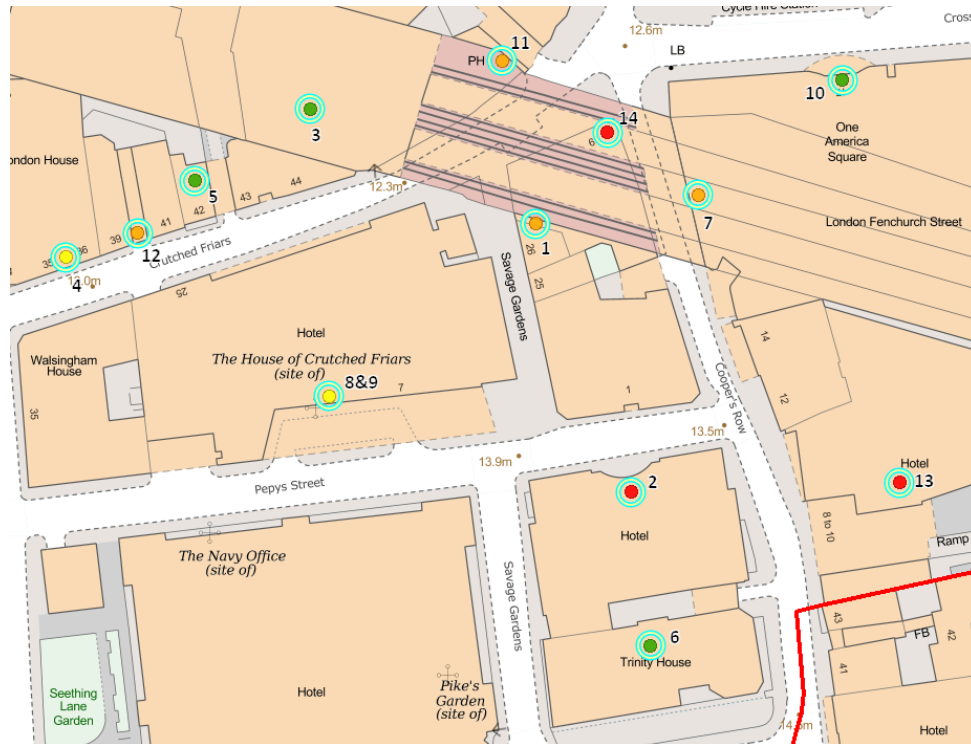
**Max Alderman**

**Operations Director**

**8<sup>th</sup> June 2018**

This page is intentionally left blank

## Premises Location Map



	Trade Name	Alcohol Closing Time	Late Night Refreshment Closing Time
1	Gremio de Fenchurch	02:00	02:00
2	Novotel London Tower Bridge	Midnight	05:00
3	Fen Bar	23:00	Unlicensed
4	Le Paris Grill Restaurant	Midnight	Midnight
5	City University Club	23:00	Unlicensed
6	Trinity House	23:00	Unlicensed
7	Marks & Spencer to Go	Midnight	01:00
8	DoubleTree by Hilton	02:00	02:30
9	Natural Kitchen	Midnight	Midnight
10	Association of British Insurers	21:45	Unlicensed
11	Cheshire Cheese	01:00	01:00
12	The Crutched Friar	01:00	01:00
13	The Grange City Hotel	02:00	05:00
14	Bavarian Beerhouse	02:00	02:30

This page is intentionally left blank