



LICENSING (HEARING) SUB COMMITTEE

Date: FRIDAY, 5 JULY 2019

Time: 2.00 pm

**Venue: COMMITTEE ROOM 1 - 2ND
FLOOR WEST WING, GUILDHALL**

Applicant: Gremio de London Ltd

**Premises: Gremio de Fenchurch, 26A
Savage Gardens, EC3N 2AR**

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LICENSING (HEARING) SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

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

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

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

Committee(s): Licensing Sub-Committee	Hearing Date(s): 29 May 2019	Item no. 1
Subject: Licensing Act 2003 – Variation of a premises license		
Name of premises: Gremio de Fenchurch Address of premises: 26A Savage Gardens, EC3N 2AR		
Report of: Director of Markets and Consumer Protection	Public / Non-Public	
Ward (if appropriate): Tower		

1 Introduction

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

2 Summary of Application

- 2.1 An application made by:
Gremio de London Ltd
 Malham Road
SE23 1AH

was received by the City of London Licensing Authority on 7 March 2019 for a variation of the premises licence in respect of:

26A Savage Gardens
EC3N 2AR

- 2.2 Full details of the application are contained in the copy of the Application Form at Appendix 1. A copy of the current licence can be seen as Appendix 2.
- 2.3 The variation seeks to extend the licensed area to include the premises next door which was formerly occupied by Ladbrokes (9a&b Crutched Friars).
- 2.4 The variation is to change the following activities:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed</u>
Supply of Alcohol	Mon – Wed 11.00–00.00 Thu – Sat 11:00-01:00 Sun 12:00-00:00	No Change
Late Night Refreshment	Sun – Wed 23.00–00.00 Thu – Sat 23:00-01:00	No Change
Recorded Music	Sun – Wed 12.00–00.00 Thu – Sat 12:00-01:00	No Change

- 2.5 The premises will be open to the public between 10:00 and 00:30 Sun to Wed and 10:00 and 01:30 on Thu as before with a reduction in opening hours to between 10:00 and 01:30 Fri to Sat (from 10:00 to 02:30).
- 2.6 The application seeks to alter the supply of alcohol from on the premises only to both on and off the premises. On the 25 April 2019 the applicant amended the application to restrict the sales of alcohol for consumption off the premises to between certain hours. The amendment details can be seen as Appendix 3.
- 2.7 The operating schedule submitted with the application suggests steps intended to be taken in order to promote one or more of the four licensing objectives which are in addition to those already on the current licence. Conditions consistent with this schedule which (modified as appropriate) could be added as conditions on the premises

licence are attached as Appendix 4. This includes details contained in the amendment submitted on 25 April 2019.

- 2.8 The mandatory licence conditions can be found in the Licensing Act 2003, sections 19-21. Also, in the Schedules to The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 (as amended) and The Licensing Act 2003 (Mandatory Conditions) Order 2014.

3 Licensing History of Premises

- 3.1 In 2005 the premises received a licence conversion under the Licensing Act 2003 whilst trading as Orpheus Restaurant, this licence has now lapsed. A new licence was granted on 9 September 2015 which was surrendered in May 2016.
- 3.2 A licence was granted to Gremio De London Ltd on 22 June 2017 after a hearing before the Licensing Sub-Committee following a number of objections. This licence is still current (Appendix 2).

Complaints

- 3.3 A review of the licence was held on 24 July 2018 brought by a local resident and supported by twenty-five other persons who supported the review application. In addition, four responsible authorities also made representations in support of the review.
- 3.4 The decision of the Licensing Sub-Committee was to slightly reduce the terminal hour for licensable activities and add a number of conditions to the licence. The minutes of the review hearing can be seen as Appendix 5.
- 3.5 Following the Sub-Committee's decision, the applicant made an appeal to the Magistrates' Court. Before the matter reached the Court the Appellant and Respondent reached an agreement as laid down in the consent order which can be seen as Appendix 6.

4 Representations from Responsible Authorities

- 4.1 One representation has been received from the Environmental Health Pollution Team. It is stated that if granted the variation will undermine the objective of "prevention of public nuisance".
- 4.2 The representation can be seen in full as Appendix 7.

5 Representations From Other Persons

- 5.1 There are fourteen representations from ‘other persons’ including one from a Common Councilman. All representations are against the application to vary the premises licence.
- 5.2 The persons making representations are of the view that granting the variation will undermine the licensing objectives of ‘the prevention of public nuisance’, ‘the prevention of crime and disorder’ and ‘public safety’.
- 5.3 The representations can be seen in full as Appendix 8(i) to 8(xiv).

6 Policy Considerations

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

City of London Corporation’s Statement of Licensing Policy

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

Paragraphs 79 – 81 address the need of care when controlling noise particularly from those persons leaving a premises.

The boxed comment on page 19 states the need to strike a fair balance between the benefits to a community of a licensed venue, and the risk of disturbance to local residents and workers.

The boxed comment on page 19 also states an overriding policy principle namely, that each application will be decided on its individual merits.

The boxed comment on page 22 considers various factors that should be taken into account when considering whether any licensable activity should be permitted.

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

Statutory Guidance

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

Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.15 states that it is, '...important that in considering the promotion of [*the public nuisance licensing objective, licensing authorities*] focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.' Also, paragraph 2.16 indicates that the prevention of public nuisance could, in appropriate circumstances include, 'the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.'

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

7 Map and Plans

- 7.1 A map showing the location of the premises together with nearby licensed premises is attached at Appendix 9. A key of those premises is included which indicates the maximum permitted hours for alcohol sales in respect of each premises along with the latest terminal hour for any other licensed activity if greater.
- 7.2 Plans of the premises are attached as Appendices 10a and 10b.

8 Public Notices

- 8.1 The statutory blue public notice was duly exhibited at the premises as witnessed by officers on 16 April 2019 (this was the second notice to be displayed due to irregularities with the first notice).

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 representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
- i) grant the variation subject to any conditions consistent with the operating schedule modified to such extent as the Sub-committee considers appropriate for the promotion of the licensing objectives and include the mandatory conditions contained in Ss. 19-21 of the Licensing Act 2003;
 - ii) Reject the application.

For the purposes of paragraph 10.1(i) conditions consistent with the operating schedule are modified if any of them are altered or omitted or any new condition is added.

- 10.2 Where a licensing authority takes one or more of the steps stated in paragraph 10.1 above the applicant, or the holder of the licence and/or a person who made relevant representations in relation to the application, may appeal the decision to the Magistrates' Court. Any appeal must be commenced within 21 days following notification of the decision to the appellant by the licensing authority.

11 Recommendation

10.1 It is therefore RECOMMENDED that your Sub-Committee determine this variation of a premises licence in accordance with paragraph 10 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 2017) Statutory Guidance – ‘Revised Guidance Issued Under Section 182 Of The Licensing Act 2003’. April 2018	MCP	5th Floor Walbrook Wharf Statutory Guidance

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City of London
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@cityoflondon.gov.uk
Telephone: 020 7332 3406

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Maxwell

* Family name

Alderman

* E mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

10166100

Business name

Gremio de London Ltd

If your business is registered, use its registered name.

VAT number

- 171599183

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

108,950

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VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To incorporate the former Ladbrokes Betting shop to the trading space for Gremio de Fenchurch Street, allowing an entrance under the railway arch on Crutched Friars and to provide a small cafe bar and disable toilet at street level. By positioning the main entrance and exit on Crotched Friars rather than Savage Gardens this should alleviate some of the concerns of the local residents raised following the original application. Closing hours of the premises will be half an hour after the end of licensable activities and the facility for off sales has been added.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None proposed

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

I have taken account of your licensing policy and believe that the operating schedule as submitted previously along with the additional measures set out below around prevention of public nuisance will uphold the four licensing objectives.

b) The prevention of crime and disorder

No new measures required.

c) Public safety

No new measures required.

d) The prevention of public nuisance

By moving the main entrance from Savage Gardens to Crutched Friars this will help to reduce the potential noise nuisance from patrons arriving or leaving.

A small area to front of the new entrance will be set aside for consumption of alcohol off the premises, this area will be monitored at all times and will be closed to patrons for the consumption of alcohol at 22:00.

The opening hours of the premises have been amended to end half an hour after the terminal hour for licensable activities each day of the week.

e) The protection of children from harm

No new measures required.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/city-of-london/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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**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 - 01:00	-	
Saturday	11:00 - 01:00	-	
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 - 01:00	-	
Saturday	12:00 - 01:00	-	

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 - 01:00	-
Saturday	23:00 - 01:00	-

The opening hours of the premises

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 - 02:30	-

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
■ 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
■ 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

Latest amendment 19th November 2018

Director of Markets & Consumer Protection

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 22nd 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.

The following conditions/resolutions were agreed by the City of London's Licensing Sub Committee at a review hearing held on 24th July 2018 (subsequently amended upon appeal):

10. All doors and windows at the rear of the premises shall remain closed at all times during the provision of licensable activities save for entry or exit, or in the case of an emergency.
11. The maximum capacity of persons permitted in the premises (including staff) shall be in accordance with the capacity numbers imposed by the London Fire Brigade under the provisions of the Regulatory Reform (Fire Safety) Order 2005.
12. Licensable activities shall not be permitted on the terraces at any time.
13. Customers shall not be permitted to access the terraces at any time except in cases of emergency.

Annex 4 - Plans

Ground Floor Plan

Reference: SG 400 G1 Licensing

Date: 16.05.2017

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Appendix 3

From: Breese, Robert
Sent: 25 April 2019 13:03
To: Newman, Tony
Cc: M&CP - Licensing; DES - EH - Pollution
Subject: FW: AMENDED, application to grant a variation of a premises licence - Gremio De Fenchurch, 26A Savage Gardens & 9A&B Crutched Friars EC3N 2AR (Tower Ward)

Hi Tony,

Please note amendment to application – application will now have a condition stating the following:

There shall be no sale of alcohol in unsealed containers for consumption off the premises outside of the following hours:

11:00 - 22:00 Monday to Thursday
11:00 - 22:30 Friday to Saturday
12:00 - 22:00 Sunday

Thanks

Robert

From: Max [REDACTED]
Sent: 25 April 2019 11:40
To: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>; Anthony [REDACTED]
Subject: RE: AMENDED, application to grant a variation of a premises licence - Gremio De Fenchurch, 26A Savage Gardens & 9A&B Crutched Friars EC3N 2AR (Tower Ward)

Hi Robert

That's fine please amend off sales as suggested.

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

020 8699 1398

From: PLN-PlanningEnforcement <PlanningEnforcement@cityoflondon.gov.uk>
Sent: 24 April 2019 15:34
To: M&CP - Licensing <licensing@cityoflondon.gov.uk>
Cc: Stothard, Gideon <Gideon.Stothard@cityoflondon.gov.uk>; Bacon, Sue <Susan.Bacon@cityoflondon.gov.uk>; Marshall, Siobhan <Siobhan.Crossby@cityoflondon.gov.uk>; Pye, Rachel <Rachel.Pye@cityoflondon.gov.uk>
Subject: RE: AMENDED, application to grant a variation of a premises licence - Gremio De Fenchurch, 26A Savage Gardens & 9A&B Crutched Friars EC3N 2AR (Tower Ward)

Hi,

In the interests of the prevention of nuisance to nearby residential occupiers, we suggest that a licence condition should be imposed limiting off-sales in open containers to the hours of:

11:00 - 22:00 Monday to Thursday

11:00 - 22:30 Friday to Saturday

12:00 - 22:00 Sunday

Kind regards

Tony Newman
Senior Planning Officer
Development Management & Planning Enforcement
Department of the Built Environment


www.cityoflondon.gov.uk

Gremio de Fenchurch – 26A Savage Gardens
Conditions Consistent with the Operating Schedule

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises after 22.00 hours Sunday to Thursday and 22.30 hours Friday and Saturday. Consumption of alcohol in unsealed containers off the premises is restricted to the area hatched in red on the attached plan.

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TUESDAY, 24 JULY
2018

MINUTES OF THE LICENSING (HEARING) SUB-COMMITTEE

HELD ON TUESDAY 24 JULY AT 3.00 PM

APPLICANT: Gremio de London Ltd
PREMISES: 26A Savage Gardens, EC3N 2AR

Sub Committee:

Mr Peter Dunphy (Chairman)
Deputy Kevin Everett
Mr Graham Packham.

Officers:

Leanne Murphy - Town Clerk's Department
Paul Chadha - Comptroller and City Solicitor
David Smith – Director, Markets and Consumer Protection
Jon Averbs - Markets and Consumer Protection
Robert Breese - Markets and Consumer Protection

Given Notice of Attendance:

Applicant:

Mrs Beverley Hurley	
Mr Leo Charalambides	FTB Chambers representing Beverley Hurley & 16 other residents

License Holder:

Mr Max Alderman	Director, Gremio
Mr Anthony Thomas	Business Partner, Gremio

Making representations:

Mr James Rankin	FTB Chambers representing the Responsible Authorities
Mr Gideon Stothard	Planning Authority
Mrs Siobhan Marshall	Environmental Health
Mr Andre Hewitt	Licensing Authority
Mr Nigel Bedford	Fire Authority
Ms Marianne Fredericks CC	Ward Member for Tower
Mr Keith Mansfield	Resident
Mr David Gillott	Resident - Crutched Friars RA
Mr Timothy Jordan	Resident
Mr Geoff Boyd	Resident
Pepys Street RTM	Resident
Mr Mark Field MP	Resident
Mr Alan Perrin	Resident
Mr Nigel Lall	Resident
R Robinson	Resident
Mr Mark Leverick	Resident
Mr Lopa Sarkar	Resident

Mr Ivan Morozov	Resident
Mr Mark Stewart	Resident
Mr John & Lynn Wood	Resident
Ms Jayne Evans	Resident
Mr Paul Pavlou	Resident
Resident	Resident
Mrs Luida Mahalski	Resident
Mr Anthony Mahalski	Resident
Frank & Margaret Robotham	Resident
Adrian & Carol Hall	Resident
Mr Nicholas Jepson	Resident
Mr Anthony Agoro	Resident
Mr Mark Rowan	Resident

In Attendance:

Mrs Beverley Hurley
 Mr Leo Charalambides
 Mr Max Alderman
 Mr Anthony Thomas
 Mr James Rankin
 Mr Gideon Stothard
 Ms Sue Bacon
 Mrs Siobhan Marshall
 Mr Andre Hewitt
 Ms Marianne Fredericks CC
 Mr Timothy Jordan
 Mr Geoff Boyd

Licensing Act 2003 (Hearings) Regulations 2005

A public Review Hearing was held at 3.00PM in Committee Room 1, Guildhall, London, EC2, to consider the representations submitted in respect of an application for a recorded music license in respect of Gremio de London Ltd, 26A Savage Gardens, EC3N 2AR, the applicant being Mrs Beverley Hurley.

The Sub Committee had before them the following documents:-

Hearing Procedure
 Report of the Director of Markets & Consumer Protection
 Hearing Procedure
 Report of the Director of Markets & Consumer Protection

- i) Application for Review
- ii) Photographs in support of review application

 Appendix 2: Premises licence including conditions and plans
 Appendix 3: Representations from responsible authorities

- i) Environmental Health
- ii) Planning

- iii) Licensing
- iv) London Fire Brigade

Appendix 4: Representations from Other Persons

- i) Pepys Street RTM
- ii) Gillot (Crutched Friars RA)
- iii) Marianne Fredericks CC
- iv) Mark Field MP
- v) Alan Perrin
- vi) Nigel Lall
- vii) R Robinson
- viii) Geoff Boyd
- ix) Mark Leverick
- x) Lopa Sarkar
- xi) Ivan Morozov
- xii) Mark Stewart
- xiii) John & Lynn Wood
- xiv) Jayne Evans
- xv) Keith Mansfield
- xvi) Paul Pavlou
- xvii) Resident
- xviii) Luida Mahalski
- xix) Anthony Mahalski
- xx) Frank & Margaret Robotham
- xxi) Timothy Jordan
- xxii) Adrian & Carol
- xxiii) Nicholas Jepson
- xxiv) Anthony Agoro
- xxv) Mark Rowan

Appendix 5: Licence holder representation

Appendix 6: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

1. The Hearing commenced at 3.00 PM.
2. At the commencement of the Hearing, the Chairman invited the Applicant and those making representations to set out their objections against the Premises Licence Holder. Mr Charalambides summarised the grounds for the review and outlined the evidence provided in support of the claims. Mr Charalambides advised that the concerns of the Applicant were supported by a large number of residents and four responsible authorities, which necessitated a review of the premises licence.
3. Mr Charalambides highlighted that the Premises Licence Holder had already made a frank admission of the factual inaccuracies contained in the original application. It was noted that the City of London Corporation's Statement of Licensing Policy made clear that there was an expectation for applicants to carry out a full assessment of the local area for the operating schedule, and therefore it was surprising that the Premises Licence Holder had not recognised the residential buildings behind the premises. Mr Charalambides argued that the Sub Committee never would have approved the original application had they of been

aware that the premises was surrounded by residential not commercial properties as the proposed terraced area overlooks resident's properties and would hold a severe environmental health impact from noise and light disturbance and smoking.

4. Mr Charalambides advised that the City of London Corporation's licensing policy was based on statutory guidance and provided clear instructions of what was expected from applicants in their applications. He noted that S.182 guidance gave a clear expectation that resident's sleep would not be affected during the hours of 23:00 and 07:00 which would affect the residentially populated area. This was reflected in the Statement of Licensing Policy.
5. Mr Charalambides felt the solution to addressing the concerns of all parties was to 1) review the licensed hours and return the premises to restaurant conditions only, i.e. for drinking hours to cease at 23:00 hours on Monday to Saturday and 22:30 on Sunday with 30 minutes to close; 2) no use of the outside terrace except for fire safety; 3) that all windows and doors be restored to their original condition and kept closed to ensure no noise or light disturbance to residents; 4) that the capacity be 150 including staff as per the advice of the Fire Authority. Mr Charalambides concluded that the lack of clarity surrounding the use of the premises as a restaurant or late-night drinking establishment made it very difficult to appreciate the impact and recommended restaurant conditions to preserve the balance in the area which needed to be weighted by community impact. Mrs Hurley was happy with the conveyed view of her legal representative.
6. Mr Rankin advised that he was representing all four responsible authorities, none of which had objected to the original application as there was an expectation that the information provided by an applicant be honest which meant that issues had not been picked up the first time. Mr Rankin drew the Sub Committee's attention to the objection by Environmental Health which detailed public nuisance concerns and noted the photograph supplied marking the close proximity of the Applicant's bedroom window to the door of the premises which now had no wall to provide privacy.
7. Mr Rankin noted that they were not requesting that the licence be revoked, but that restrictions be enforced based on the extreme proximity of residents to the premises and that both terraces be removed. He stated that Environmental Health had carried out sound readings and concluded that public nuisance would be caused and that residents would be affected by the immediacy and nuisance from noise, light and smoking from the terrace. Mr Rankin proposed that the terrace be removed from the licensed area, and that conditions be imposed on the premises licence relating to the opening of windows and doors except in cases of emergency and a requirement that the brick wall that had been removed be reinstated.
8. Mr Rankin also highlighted the objection from the Planning Authority which noted that the change of use of the premises from a restaurant to a bar with terrace areas legally required a change of use license approval which the Premises Licence Holder did not have. Mr Rankin advised that enforcement proceedings might occur based on the works that had already taken place with a request for reinstatement of the wall. He stated that this was the position of the Planning

Authority due to the extreme proximity of the terraces to resident's properties and suggested that the Sub Committee also take this view.

9. Mr Rankin advised that the Fire Authority had identified a number of concerns including fire risks caused by the type of decking used, the shared use of the fire exit, the width of the fire exit, and risks from the cluttered passage out of the premises which had a number of air conditioning units and equipment preventing clear passage.
10. Mr Rankin summarised that the four responsible authorities recommended that the capacity of the premises be restricted to 150 people not 220, prevention of the use of the terraces, that hours be restricted to restaurant hours and that the use of windows and doors be restricted to emergency use only.
11. Ms Fredericks provided background information on the original restaurant which operated at the premises and had a licence until 11pm. This focused on the lunchtime trade and was rarely open later than 7pm. Ms Fredericks drew attention to the original plan provided by the Premises Licence Holder which she advised did not give a correct arrangement of the previous restaurant or the current state of the premises and felt that the Sub Committee had therefore been misled in the first Hearing.
12. Ms Fredericks advised that she had attended the Hearing but was only permitted to speak on behalf of the Hilton Hotel, who had objected, as her own objection was not received by the deadline for submitting representations. Ms Fredericks suggested that inadequate advertising by the Premises Licence Holder during the application process had prevented residents from objecting. She stated that the Premises Licence Holder was duty bound to research the area, local businesses and residents and failed to understand how over 100 flats could have been missed.
13. Ms Fredericks supported the recommendations to pull back the hours to restaurant timings, prevent use of the terrace and to reinstate the wall that had been removed on the basis of public nuisance and security for the residents. She also considered the concerns of the Fire Authority regarding escape from the premises in case of fire and the strength of the upper terrace to be highly concerning and highlighted the importance of a clear dispersal and management policy.
14. Mrs Marshall (Environmental Health) gave context to the sound figures she had obtained at the premises advising that the sound had reached 64db during a three-minute monitoring exercise. She advised that construction sites were given a limit of 65db meaning that significant noise volume would emanate from the terraces in this area and reflect off the enclosed walls. Mrs Marshall advised that ten people had been in the proposed terrace area in April and the noise from their conversations had been noticed by the residents in their flats.
15. The Chairman offered Ms Bacon, Mr Stothard and the residents in attendance the opportunity to speak. They all confirmed they were happy with the summaries presented to the Sub Committee on their behalf.

16. The Chairman asked Mr Alderman and Mr Thomas if they had any questions based on the comments so far. Mr Thomas stated that it was disappointing that the concerns brought today had not been provided 12 months ago as they could have been dealt with at that time. He was also surprised that Mrs Hurley, who lived next door, was unable to see the notice but that a local hotel did and managed to send an objection. Mr Charalambides stated that incorrect coloured notices, publishing in the wrong newspaper and two false statements had prevented an adequate response from residents or the responsible authorities but highlighted that licensing was forward-looking and that fresh circumstances were being considered following an admission of wrongdoing by the Premises Licence Holder.
17. Mr Thomas questioned how none of the responsible authorities had found fault with the initial application but did now. Mr Rankin advised that the authorities relied on the fact that the information in an application was correct.
18. The Sub Committee queried whether the new door inserted next to Mrs Hurley's bedroom window had originally been a functional door. Ms Hurley advised that this had originally been bricked up but there was a small door that was occasionally used by staff.
19. The Chairman invited Mr Alderman and Mr Thomas to set out their case. Mr Thomas introduced his application by explaining that whilst this was a new application, the premises had been licensed since at least 1969 and was largely surrounded by Fenchurch Train Station. He explained that the lease was purchased from Network Rail and most of the agreements for the premises were already in place including the timber clad terrace. Mr Thomas noted that they were not aware that the small window next to the door was a bedroom window.
20. Mr Thomas advised that the plan provided in the papers proved that the current layout predated Gremio and was mostly unchanged except for the back of house area to the kitchen and dining area for seated eating. He also confirmed that there would be a 50/50 share between food and drink at the premises.
21. Mr Thomas highlighted the difficulty in explaining licensable activity which had not yet commenced. He advised the Sub Committee that he and Mr Alderman had operated approximately 50 premises across London since 1999, had a good reputation and had followed the statutory requirements in respect of the notices which he insisted were blue. He explained that previous operations at the premises had been poor and saw this as a prime spot for future proofing, wanting the local residents to be customers. Mr Thomas advised that the work that had taken place to date was mainly to strip out the poor works to the archways from the 1980s and confirmed that the outdoor area to the rear of the premises had been used in the past approximately 15 years ago.
22. It was noted that the business operators were keen to find a solution as they had already invested significantly into this project and works were currently on hold. To alleviate concerns by residents, Mr Thomas offered to close all windows and doors by 10pm, agreed to insert a sound limiter and work with the neighbouring businesses to see if the units and equipment belonging to them and situated in the

rear outdoor area could be removed. He also advised that they were consulting with Network Rail to see if they could use the Ladbrokes site entrance.

23. Mr Alderman advised that the inaccurate information contained in the original premises licence application which stated that only commercial properties surrounded the premises had been a genuine mistake and he had admitted this at the Hearing in 2017 when Ms Fredericks raised this issue. Mr Alderman advised that he had sought advice regarding advertising from the City of London Corporation and that notices were published on blue paper but that the notice on the door had been bleached.
24. Mr Alderman advised that the premises would operate as a tapas style bar and that the whole concept would be changed if they were required to operate as a restaurant offering sit down meals. He therefore hoped to retain operating hours to at least midnight and stated that an appeal would be made if the decision was made to change to restaurant conditions. Mr Alderman hoped to retain use of the terrace and agreed to reducing the hours in which the terrace could be used for licensable activities and enforcement of no smoking on the terrace. He advised that the original plan had been for smokers to congregate at the front of the building but was advised to change this at the last Hearing, noting a change to the operating schedule would be needed to facilitate a different site for smokers.
25. Alderman indicated that he was open to sensible conditions considering the business was not operating yet. He highlighted that this was one of a number of businesses in the area which came with their own issues and had taken on the lease on the basis that the licensing application last year was successful.
26. The Chairman asked if there were any questions based on the comments in support of Gremio de London Ltd. Mr Rankin queried if the business partners had looked at the previous licence or plan of the previous restaurant at the premises. Mr Thomas advised that he was already familiar with the premises. Mr Rankin noted that even the most recent licence at the premises had not included licensing of the terraced areas.
27. Mr Rankin enquired as to whether the Premises Licence Holder would consider forsaking use of the terraced areas altogether. Mr Thomas agreed only to restrict the hours to 9pm. In response to a query regarding reducing the terminal hour, the Premises Licence Holder agreed he would consider this but no lower than midnight plus 30 minutes.
28. Mr Rankin also enquired as to whether a capacity limit of 150 people would be accepted. Mr Alderman advised that they would accept any recommendations from the Fire Authority but that plans were in place to make changes to allow for a capacity of 220 people which would be certified prior to opening the business which was standard practice.
29. The Sub Committee asked whether there would be one or two leases. Mr Thomas confirmed there was one lease.

30. Mr Charalambides noted that Mrs Hurley had advised that foam used for soundproofing in the arches had been removed from the brick. Mr Thomas advised that this was below a railway line and that any noise caused by the business would be significantly less.
31. The Sub Committee requested if the premises licence holder could provide an indication of the expected capacity in the three sections of the premises. Mr Thomas advised that this would be weather dependant but of the 220-person capacity there would be an approximate one third split in each area except in summer where 50-60 people would be expected in the terraced area. The snug area would generally be used for private parties of 10-20 people.
32. The Chairman then invited all parties to sum up their case. Mr Thomas and Mr Alderman stated that they did not deliberately mislead the original Sub Committee as suggested and immediately changed their application when the mistake was brought to their attention. They had never experienced any problems with applications in 19 years of working in this industry and did not understand how some people including Ms Fredericks were aware of the application, but residents nearby were not. Mr Thomas clarified that the site was taken on in good faith and the arches were taken back for restoration purposes. Mr Thomas believed the business would be good for the area and did not understand why they were being treated like irresponsible operators when there was no evidence of this. Mr Alderman noted that there had been more conditions proposed in the original application and they were happy to revisit these to have a more detailed operating scheme.
33. Mr Rankin summarised that an experienced Environmental Health Officer had given a detailed explanation of the concerns regarding the terrace which were missed the first time due to incorrect information in the application. He argued that the terrace needed to be removed and the hours of the business cut back as there were no number of conditions that could solve the problems that would impact the local residents.
34. Ms Fredericks concluded that she had never seen such a comprehensive list of experts providing evidence in one case and gave particular attention to the concerns raised by the Fire Authority. She noted that the original Hearing could not factor all concerns properly as it was based on false information and that this development had been extremely stressful to residents, particularly to Mrs Hurley. Ms Fredericks also stated that the Premises Licence Holder had only secured licensing approval and not planning consent for the terraces. She noted that a variation could be considered at a later date once the business had proven itself with restaurant conditions.
35. Mr Charalambides stated that there was concern that a licence had been given to people that disregarded the rules and found it concerning that Mr Thomas claimed that it was not for them to know and advise what was present in the immediate locality of the premises despite the City of London Corporation's guidelines to research the local area. He advised that the residents were still giving the Premises Licence Holder a chance to operate but did not feel the application clearly explained what the plans were for the business which was led only by

professional interest. Mr Charalambides highlighted that ten people engaged in a business meeting at the premises which caused noise disturbance to the residents. He also noted that despite the clear concerns identified and the investigated and expertly tested evidence, the Premises Licence Holder had no revised operating plan or model of management, no considered response or reference to the City of London Corporation's recommended models. Mr Charalambides therefore concluded that the licensable hours should be reduced to 23:00 hours on Monday to Saturday and 22:30 on Sunday, that the terrace is removed, no use of the doors or windows except in cases of emergency and restaurant conditions be imposed to limit impact on residents.

36. The Sub Committee considered the application and carefully deliberated upon the representations submitted in writing and orally at the Hearing by those making representations and the Premises Licence Holder. In reaching a decision, the Sub Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London's own Statement of Licensing Policy dated January 2017. The Sub Committee placed the licensing objectives relating to the prevention of public nuisance and public safety at the forefront of its considerations.
37. In determining whether a public nuisance would arise, the Sub Committee relied upon the definition of "public nuisance" contained in Halsbury's Laws of England which defines public nuisance as "one which inflicts damage, injury or inconvenience on all the Queen's subjects or on all members of a class who come within the sphere or neighbourhood of its operation. The character of the neighbourhood is relevant to determination of the question of whether a particular activity constitutes a "public nuisance". As such, the Sub Committee were satisfied that the representations made by the Applicant and those parties in support of the application fell within the definition of "public nuisance".
38. The Sub Committee determined at the outset that, based on the evidence placed before it during the course of the hearing, it would not be necessary or appropriate to consider revocation of the premises licence.
39. The Sub Committee noted that this was a new business and, whilst noting that there were other licenced premises in the area, were conscious of the fact that the premises was located in a residential pocket of the City with close proximity to residential property. The Sub Committee accepted the residents' concerns as to the potential for noise disturbance and the invasive nature of the terraced area. The Sub Committee gave careful consideration as to whether it was possible, with the imposition of suitable conditions, for the terraced areas to operate without causing a public nuisance but concluded that, based on the evidence submitted, it was inevitable that a public nuisance would occur if use of the terraced areas was permitted. The Sub Committee were particularly concerned by the significant concerns raised by the Fire Authority which could not be ignored. It was also noted that the terrace areas had never been licensed in the past, forming part of the demised premises but not the premises licence.

40. In light of the concerns raised in respect of public nuisance and public safety, the Sub Committee decided that the use of the terraces for licensable activities could not be permitted and access to the terraces should be prohibited except in cases of emergency.
41. The Sub Committee then went on to consider the other representations made during the course of the Review Hearing and whether or not it was necessary or appropriate to place any further restrictions on the premises licence. The Sub Committee felt there was a viable business model and did not feel that imposing restaurant only conditions was necessary. The Sub Committee concluded that, with the imposition of suitable conditions and a slight reduction in the terminal hour for licensable activities, it would be possible for the Premises Licence Holder to operate the premises in accordance with the licensing objectives. The Sub Committee sought to strike a balance for residents and business.
42. It was the Sub Committee’s decision to amend the permitted hours for licensable activities as follows:

Activity	Current Licence	Following the Review
Supply of Alcohol	Mon-Wed 11:00-00:00 Thurs 11:00-01:00 Fri-Sat 11:00-02:00 Sun 12:00-00:00	Mon-Wed 11:00-00:00 Thu-Sat 11:00-01:00 Sun 12:00-00:00
Late Night Refreshment	Sun-Weds 23:00-00:00 Thurs 23:00-01:00 Fri-Sat 23:00-02:00	Sun-Wed 23:00-00:00 Thu-Sat 23:00-01:00
Recorded Music	Sun-Weds 12:00-00:00 Thurs 12:00-01:00 Fri and Sat 12:00-02:00	Sun-Wed 12:00-00:00 Thu-Sat 12:00-01:00

43. The Sub Committee then considered the issue of conditions and concluded that it was necessary and appropriate to impose additional conditions upon the licence so as to address the concerns relating to public nuisance.
- There shall be no sale of alcohol in unsealed containers for consumption off the premises (MC18).
 - All doors and windows shall remain closed at all times during the provision of licensable activities save for entry or exit, or in the event of an emergency (MC13).
 - That capacity be limited to 150 persons (including staff).
44. The Sub Committee also recommended that the Premises Licence Holder liaise with the Environmental Health, Planning and Fire Authorities to satisfy their conditions as a matter of urgency.
45. The Chairman thanked all parties for their attendance and explained that written confirmation of the decision would follow.

The meeting closed at 5.35 pm

Chairman

Contact Officer: Leanne Murphy
Tel. no. 020 7332 3008
E-mail: leanne.murphy@cityoflondon.gov.uk

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IN HENDON MAGISTRATES COURT

APPEAL UNDER S.181 AND SCHEDULE 5 LICENSING ACT 2003

BETWEEN:

GREMIO DE LONDON LIMITED

Appellant

v

CITY OF LONDON CORPORATION

Respondent

CONSENT ORDER

**UPON agreement between the Appellant and the Respondent, it is ORDERED BY
CONSENT THAT:**

1. The decision of the Respondent's Licensing Sub-Committee of 24th July 2018 (communicated to all parties in a letter dated 30th July) be varied so as to remove the following conditions imposed on the premises licence (premises licence no. LN/200506202) :
 - (a) There shall be no sale of alcohol in unsealed containers for consumption off the premises
 - (b) All doors and windows shall remained closed at all times during the provision of licensable activities save for entry or exit, or in the case of an emergency
 - (c) That capacity be limited to 150 persons (including staff)

2. The decision of the Respondent's Licensing Sub-Committee of 24th July 2018 (communicated to all parties in a letter dated 30th July) be varied so as to impose the following conditions on the premises licence (premises licence no. LN/200506202) :
 - (a) All doors and windows at the rear of the premises shall remained closed at all times during the provision of licensable activities save for entry or exit, or in the case of an emergency
 - (b) That the maximum capacity of persons permitted in the premises (including staff) shall be in accordance with the capacity numbers imposed by the London Fire Brigade under the provisions of the Regulatory Reform (Fire Safety) Order 2005
3. All other restrictions placed on the premises licence by the Respondent's Licensing Sub-Committee in its decision of 25th July remain in effect
4. The Appellant and Respondent shall bear their own costs in connection with this Appeal.

This Order shall take effect immediately, with the premises licence varied as per the above effective from the date of this Order.

We, the undersigned Director for the Appellant company and the solicitor for the Respondent, hereby consent to an order in the above terms.

.....
Michael Coghner
The Comptroller & City Solicitor
For and on behalf of the City of London Corporation

Anthony Thomas
Director
Gremio de London Limited

Dated this day of November 2018

Hewitt, Andre

From: Marshall, Siobhan
Sent: 27 March 2019 16:24
To: M&CP - Licensing
Cc: Whitehouse, Robin
Subject: Gremio de Fenchurch - Major Variation Representation

Good Afternoon,

This department wishes to make a representation to object to the major variation to the above premises licence. The red line on the premises plan does not make clear to what extent outside drinking would be permitted in this area and how it would be controlled by the venue. This department does not feel that outside drinking would be appropriate on Savage Gardens, it is very likely that patrons drinking in this area would give rise to a public nuisance.

Kind Regards
Siobhan

Siobhan Crosby
Environmental Health Officer
Pollution Team

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

Mob: 

Email: siobhan.crosby@cityoflondon.gov.uk
Web: cityoflondon.gov.uk/noise

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

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

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Murphy, Leanne

From: Marshall, Siobhan
Sent: 27 June 2019 15:32
To: Murphy, Leanne
Subject: Gremio Hearing - Supplementary Information
Attachments: Gremio - Crutched Friars Measurements 03.pdf; Gremio - Crutched Friars measurements 02.jpg; Gremio - Crutched Friars measurements 01.jpg

Good Afternoon Leanne,

Further to this departments representation, I would like to draw the sub committees attention to the congested nature of the Crutched Friars area, not only from pedestrians but also as a result of the street scene directly outside the venue, in particular the vehicle parking. I have taken the opportunity of undertaking some measurements outside of the venue leading out onto Crutched Friars to provide a more detailed picture, please may I draw your attention to the attached 3 images.

While there is no specified minimum distance specified to allow pedestrians to pass along the pavement the minimum we would normally permit is around 2m. This would significantly reduce the usable area outside of Gremio.

This department would therefore wish to suggest conditions to prohibit outside drinking on Crutched Friars and Savage Gardens, in order to protect the residential amenity in the area and to reduce the likelihood of highway obstruction. We would also suggest that smokers only be permitted on Crutched Friars and that the numbers be limited to 15 at any one time.

Kind regards
Siobhan

Siobhan Crosby
Environmental Health Officer
Pollution Team

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



Email: siobhan.crosby@cityoflondon.gov.uk
Web: cityoflondon.gov.uk/noise

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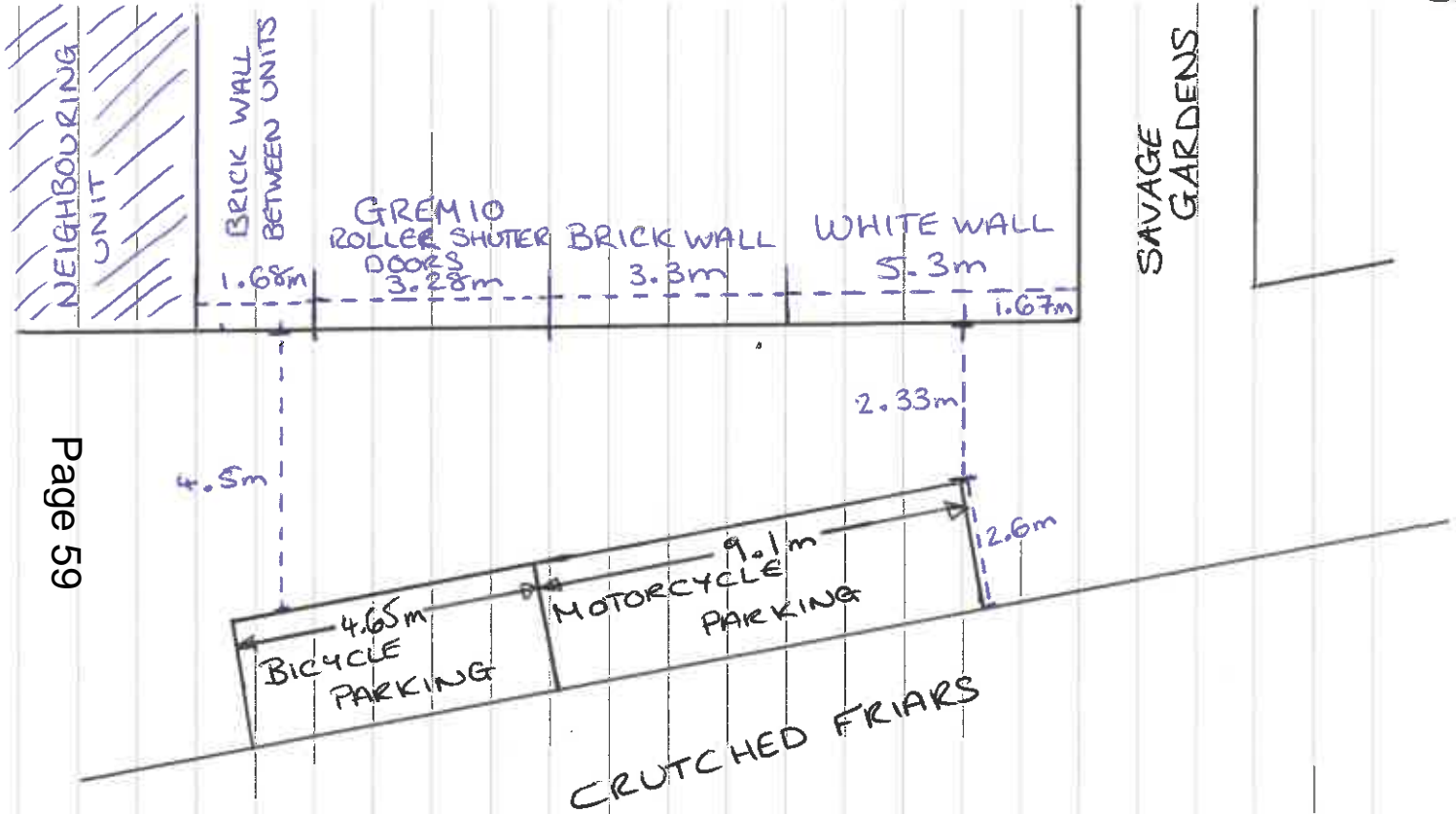
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City of London Corporation Licensing Section
Walbrook Wharf
78-83 Upper Thames Street
London EC4R 3TD

By email to licensing@cityoflondon.gov.uk

26 March 2019

Dear Sir/Madam

Objection to variation of premises licence for Gremio De London, 26A Savage Gardens, London EC3N 2AR

As an adjoining resident, I am writing respectfully to object to the above licensing variation/application. My first question regards the legitimacy of the request. This variation claims to require no new permission to also develop the old Ladbrokes site when surely this should require a brand new approach including a change of use, converting that building into a bar? Otherwise what is there to prevent Gremio moving on to the defunct Bavarian bar next door and adding that to create a huge area?

The plans still describe the internal area that we all adjoin as “terrace” and “courtyard”. It must be stressed that this disused and derelict area is neither terrace nor courtyard and nothing to do with the Gremio property. And any access to this internal area that links our buildings must be resisted at all costs. By trying to claim a right of access as some emergency route this would doubtless become an area for staff (and perhaps customers) to smoke, at enormous risk to the hundreds of residents surrounding this enclosed area. My apartment overlooks the area and my building’s only route of fire escape is down a stairwell beside this disused area. Here’s the view from my flat. After Grenfell, how could residents sleep with the nightly risk of fire this new area will create?



I must reiterate 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. How can this be allowed without any request for permission? Surely the hearing should require the removal of the window and restoration of the original brickwork made good?

Having the gigantic glass window instead of the brickwork will mean a vast increase in noise pollution, amplified by the tall walls surrounding the disused area that effectively will act as a waveguide funnelling the noise into my eighth floor flat (where the only noise at present is the sound of seagulls squawking). My life will be massively disrupted, my peace and quiet in this tranquil haven of the City shattered.

This variation now requests that Gremio be allowed to do “off sales” of alcohol. If people want to buy booze to drink in the street there are myriad nearby supermarkets open late that are away from residential areas such as this one (eg Co Op and Sainsbury’s on Fenchurch Street and Tesco and Sainsbury on Mansell St). There is a growing problem of homelessness and accompanying alcoholism in the immediate vicinity and an off-sales area can only serve as a magnet to attract wider numbers.

These off-sales are intended to be part of the operation of a new café/bar (for which surely a new planning application is required to change the use from the former Ladbrokes site – see above). How large is this area? Gremio requests an area to drink on the street (!!) with no indication on their plans where that area is intended to be. However large the new internal and external areas of the bar are intended to be, they will inevitably bring with it additional noise, disturbance, vomit, gas cannisters from drug use and more. No! I know we City residents are few in number, but I do beg the Committee to protect our way of life from this. We live in a conservation area – does this mean nothing?

A licence to midnight or 1am every single night of the week is going to create unimaginable disturbance for residents in what I must stress again is a quiet residential area. If I recall this is a request to increase licensing hours from the original already outrageous hours and must on no account be allowed.

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.

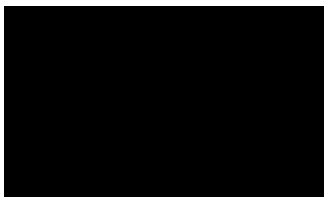
Further, while it is welcome that if there has to be an entrance, it must be required to be on Crutched Friars where it now resides in the revised plans. However, the plans leave open the option of having an entrance among my poor neighbours in Savage Gardens itself, should that be required in the future. You surely cannot allow an application that retains the future right to open up access to a bar between people's residences on Savage Gardens. If there is any bar and therefore access to be allowed, it must be from under the bridge. Not just now but guaranteed for all time. If that cannot be guaranteed, the bar must close.

I recognize that the Cheshire Cheese has grandfather rights that allow for a licensed premises under the bridge, but it would be outrageous to then use that as a precedent on which to base any new application for licensed premises adjoining hundreds of residential properties, as Gremio does. There are 90 residential apartments in my building alone, many of them (as with mine) directly confronted by and connected to this brand new bar/restaurant.

Note the Cheshire Cheese is further away from residential buildings and not directly adjoining and therefore not directly sending noise into the area shared with all the residential properties). And without an illegal window onto residential properties through which noise will travel and residents' privacy will be violated.

I urge everyone involved in making this decision to visit the site in person where you will be horrified to see what these plans mean for local residents in reality.

Yours faithfully



Keith Mansfield



Pepys St
London EC3N 2NU

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26b Savage Gardens, London EC2N 3AR

26th March 2019

City of London Licensing Team
Markets and Consumer Protection
PO Box 270
Guildhall
London EC2P 2EJ

And by email to: licensing@cityoflondon.gov.uk

Application for variation of Licence, Gremio de London Limited

Dear Sir,

This is my representation concerning the above application to extend the alcohol licence to cover the creation of a new small 'cafe bar' with off sales and a disabled toilet in the area previously occupied by Ladbrokes. I live in the first floor flat in the property next door. This part of Savage Gardens is a pedestrian, fully residential area alongside the Hilton Hotel.

There is no mention of what increased capacity this proposed new bar area will provide, but as the floor space is nearly half the upstairs space, one could reasonably assume nearly 50% more people in the area.

My previous objection to the granting and timing of the current licence, together with those of many of my neighbours on Savage Gardens and on Crutched Friars, focused on the significantly increased noise and disturbance, litter and worse, and loss of quiet amenity late at night that would have a seriously deleterious effect on our lives. This was fully accepted by the Licensing Authority, who reduced the hours and forbade the proposed use of the old back yard for the use of food and drink.

It seems to me that the application aims merely to substitute this loss of potential customer space with the new cafe bar, and all the previous objections which are on your record to having such a large, late-night drinking establishment still hold true and should be taken into account. Rather than repeat them all over again here, please refer to the licence appeal documentation.

I therefore respectfully and strongly request that the application to vary and extend the license, which will undoubtedly have the effect of a substantial increase in noise and other disturbance beyond what is already authorised, be disallowed on the grounds of public nuisance.

In particular, the application for the first time to have off-sales is going to further encourage drinking and noise disturbance on the street, under the echoing railway arch. The "small area" referred to for off-sales is not delineated on the plan, and it could be the full width of the frontage onto Crutched Friars, further increasing the capacity of people. I can hear the noise from drinkers outside the Cheshire Cheese and this is further away from Savage Gardens than the Gremio premises. Just because the Cheshire Cheese has grandfather rights does not mean that increasing the level of street drinking is appropriate for a residential area. There is already a considerable amount of litter, and frequently vomit, under the arch, along the pavement, and in front of the doorways of the various residences in Savage Gardens.

Gremio de London do NOT undertake to have this area supervised by two people at all times after 9pm, just "monitored" in some unspecified way. However, as there are stairs going up to the main premises from this proposed new bar, who or what will stop people coming downstairs and taking their drinks outside and causing disturbance at 1 or 2 am or later in the morning if it is not supervised in person, nor stop them wandering a few metres around the corner into Savage Gardens?

For these reasons, I would respectfully and strongly request that no off-sales are allowed on the grounds of public nuisance.

In an earlier submission, Gremio said that they would use this proposed new entrance on Crutched Friars as the only entrance to the premises. This would be welcomed by myself and no doubt others in residential Savage Gardens. However, this commitment was removed from the current application, on the grounds that, should the Ladbroke's lease ever "fall away", they would have a property with no entrance/exit.

This does not prevent the licensing authority, should they grant the variation despite objections, to mandate that, whilst the Ladbroke's lease is held, the Crutched Friars entrance should be the only one used.

It is also my understanding the proposed new bar would require a change of use from a betting shop, so should there not also be a planning application? Gremio's wilful disregard of planning law (and the residential neighbours) to date has still not yet been resolved with respect to the large arched glass window and doors in the brick wall at the rear which they created, nor the new window over the Savage Gardens entrance. I notice that the metal walkway at the rear, also further extended by Gremio to include the front of the glass arch, is still being denoted as "Terrace" on the submitted plans. It never was a "terrace", just a means of kitchen staff access from a store to the old restaurant kitchen. The area of the proposed new bar, like the current premises, is in the Fenchurch Street Conservation Area.

Yours faithfully,



Beverly Hurley

Breese, Robert

From: [REDACTED]
Sent: 27 March 2019 09:56
To: M&CP - Licensing
Subject: URGENT - Objecting to Gremio's licence extension

26b Savage Gardens, London EC2N 3AR

27th March 2019

City of London Licensing Team
Markets and Consumer Protection
PO Box 270
Guildhall
London EC2P 2EJ

By email to: licensing@cityoflondon.gov.uk

Application for variation of Licence, Gremio de London Limited

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Yours faithfully,

Jackline Staats

owner - occupier of [redacted] Pepys street
London, EC3N 2NU

Breese, Robert

From: Timothy [REDACTED]
Sent: 27 March 2019 10:23
To: M&CP - Licensing
Subject: Objecting to Gremio's licence extension

26b Savage Gardens, London EC2N 3AR

27th March 2019

City of London Licensing Team
Markets and Consumer Protection
PO Box 270
Guildhall
London EC2P 2EJ

By email to: licensing@cityoflondon.gov.uk

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Yours faithfully,

Timothy Clarke

owner - occupier of [REDACTED] Pepys street
London, EC3N 2NU

City of London Licensing Team
Markets and Consumer Protection
PO Box 270
Guildhall
London EC2P 2EJ

And by email to: licensing@cityoflondon.gov.uk

■ Beatty Road
Norwich
Norfolk
NR4 6RQ

27th March 2019

Dear Sirs,

Application for variation of Licence by Gremio de London Limited ("Gremio")

This letter is to make representations concerning the above application to extend the alcohol licence to cover the creation of a new small 'cafe bar' with off sales and a disabled toilet in the area previously occupied by Ladbrokes. The area of the proposed new bar, like the current premises, is in the Fenchurch Street Conservation Area.

By way of explanation and background, our interest is as leasehold owners of Flat ■■■■■ 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. The lease currently has 130 years left to run. Currently the flat is let to Bridgestreet Properties (London) Limited, but there is a real possibility that we will wish to return to live in our flat in the future.

Savage Gardens is a pedestrianised, fully residential area alongside the Hilton Hotel. Any noise and disturbance in Savage Gardens has a direct and significant adverse effect on the quiet enjoyment of our flat.

Gremio's application makes no mention of what increased capacity the proposed new bar area will provide, but as the floor space is nearly half the upstairs space, once could reasonably assume nearly 50% more people in the area.

We previously objected to the granting and terms of Gremio's current licence, because of the significantly increased noise and disturbance late at night that would have a seriously deleterious effect on the quiet enjoyment of our property. This was fully accepted by the Licencing Authority, who reduced the hours and forbade the proposed use of the old back yard for the consumption of food and drink.

This application to vary and extend the license, which will undoubtedly result in a substantial increase in noise and other disturbance beyond what is already authorised, should be disallowed on the grounds of public nuisance.

In particular, the application for the first time to have off-sales is going to further encourage drinking and noise disturbance on the street, under the echoing railway arch. The "small area" referred to for off-sales is not delineated on the plan, and it could be the full width of the frontage onto Crutched Friars, further increasing the capacity of people. We do not accept that the grandfather

rights exercised by the Cheshire Cheese should mean that an increase in the level of street drinking is appropriate for a residential area. There is already a considerable amount of litter, and frequently vomit, under the arch, along the pavement, and in front of the doorways of the various residences in Savage Gardens.

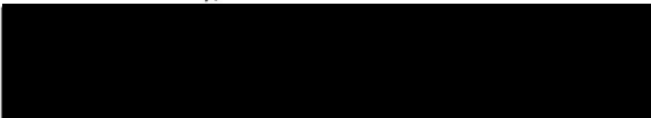
In its application, Gremio has not undertaken to have this area supervised by two people at all times after 9.00 pm, just "monitored" in some unspecified way. However, as there are stairs going up to the main premises from this proposed new bar, who or what will stop people coming downstairs and taking their drinks outside and causing disturbance at 1.00 or 2.00 am or later in the morning if it is not supervised in person, nor stop them wandering a few metres around the corner into Savage Gardens?

For these reasons, we would respectfully and strongly request that no off-sales are allowed on the grounds of public nuisance.

In an earlier submission, Gremio said that they would use this proposed new entrance on Crutched Friars as the only entrance to the premises. This would be welcome, but this commitment was removed from the current application, on the grounds that, should the Ladbrokes lease ever "fall away", they would have a property with no entrance/exit. This does not prevent the licensing authority, should they grant the variation despite objections, to require that, whilst the Ladbrokes lease is held, the Crutched Friars entrance should be the only one used.

It is also our understanding the proposed new bar would require a change of use from a betting shop, so we believe that there should also be a planning application. Gremio's wilful disregard of planning law (and the residential neighbours) to date has still not yet been resolved with respect to the large arched glass window and doors in the brick wall at the rear which they created, nor the new window over the Savage Gardens entrance. The plans submitted with the current application still demote the metal walkway at the rear, also further extended by Gremio to include the front of the glass arch, as a "Terrace", but in fact it should be only a means of access for kitchen staff from a store to the old restaurant kitchen.

Yours faithfully,

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

John and Lynn Wood

Hewitt, Andre

From: Paul Pavlou [REDACTED]
Sent: 03 April 2019 07:14
To: M&CP - Licensing
Subject: Fwd: Gremio De Fenchurch - 26A Savage Gardens/ 9A&B Crutched Friars EC3N 2AR
Attachments: Letter to licensing re variation.pdf; ATT00001.htm

Dear Leanne

I echo the sentiments raised in the attached letter by Alan Martin, the director of the 1 Pepys Street RTM company who represents me and approx 90 other residents and would like to incorporate the letter's content by reference into my representation. I'd like to add that I am concerned that this development will result in approximately half of the ground perimeter of the 1 Pepys Street and Savage Gardens residential block being taken up by late night eating, drinking and I understand in Gremio's case dancing establishments. As has been mentioned in the past, the railway arch creates a very loud echo, amplifying sound upwards as does the narrow cobbled savage gardens street. Increasing the pub/club/bar patron footfall and permitting outside drinking/loitering onto crutched friars and the adjacent savage gardens will create a nuisance. As mentioned in my previous representation only 2 or 3 people loitering in Savage Gardens is enough to create a disturbance to the homes in the immediate vicinity because of how the sound is amplified and echos from the arch and travels upwards between the tall Hilton Hotel and the savage gardens and Pepys street residences. This is a quiet residential/hotel corner of the city. The patrons drinking outside of the Cheshire Cheese pub already create a lot of noise. Permitting more outside drinking within this very small but densely populated residential space would cause disproportionately more.

Kind regards
Paul

Paul Pavlou
[REDACTED]
[REDACTED] Pepys Street
London
EC3N 2NU

Begin forwarded message:

From: [REDACTED]
Date: 27 March 2019 at 17:51:04 GMT
To: <licensing@cityoflondon.gov.uk>
Subject: Gremio De Fenchurch - 26A Savage Gardens/ 9A&B Crutched Friars EC3N 2AR

Application for variation of Licence Gremio de London Limited

Please find attached a copy of a letter that I've sent to you by post in respect of the above application.

Alan Martin
Director
Pepys Street RTM Company Limited

Pepys Street RTM Company Limited

Town Clerk
City of London
Guildhall
London EC2P 2EJ

27 March 2019

Dear Sirs

Application for variation of Licence Gremio de London Limited Gremio De Fenchurch - 26A Savage Gardens/ 9A&B Crutched Friars EC3N 2AR

I am a Director of the Right to Manage company that is responsible for the management of 1 Pepys Street, EC3N 2NU. I therefore represent the 90 leaseholders, approximately 90% of whom are non-resident, so also represent their tenants. The following is in addition to the comments I made in my letter dated 22 March 2018.

I am now writing regarding the above variation of licence which now includes 9A&B Crutched Friars, and which will significantly increase the number of customers within these premises. Since we have twenty-five residential properties overlooking these premises, the leaseholders/residents within these apartments are concerned about the following and we would ask you to take these matters into consideration when dealing with this application.

1. Bear in mind that the apartments facing the rear of these premises are very close to them. The large windows that the applicant installed without planning permission overlook these properties, including their bedrooms. Although we appreciate the Applicant's desire to have daylight into his premises, we strongly request that the glazing of these new windows is covered with a permanent opaque material (**not** blinds that can be opened) to stop customers gazing across into the rooms of the apartments facing them. Bearing in mind that for many hours these premises will be operating late at night, we do not consider this an unreasonable request.
2. Because of the closeness of the above-mentioned apartments, we ask that all windows and doors are kept closed during licensing hours to avoid loud music disturbing these residents, especially at night when they are trying to sleep. It should be noted that most of these occupants are working people, so need a good-night's sleep during the week and peace and quiet at weekends.
3. We understand that the door leading onto the stairs at the rear of the premises is to be used **solely** as an emergency exit. We therefore request that the Applicant ensures that this exit point is **only** used for **emergency** use and does **not** allow customers or staff to stand on the landing, stairs or the ground below for drinking and smoking etc.
4. We note that the Applicant is planning to offer 'off-sales' which is likely to further encourage drinking and noise disturbance on the street, under the echoing railway arch. Although at the front of the premises in Crutched Friars, noise travels late at night and drinkers/smokers

Tel: [REDACTED]

Email: [REDACTED]

[REDACTED] Pepys Street
London
EC3N 2NU

may also be tempted to wander around the corner into Savage Gardens, which would cause even more noise for nearby residents in 1 Pepys Street.

It is our view that there are more than enough 'off-sales' establishments within the local area which is occupied by a significant number of residential properties, so we ask that this variation by the Applicant is **not** granted.

Yours faithfully



Alan Martin
Director

Copy sent by email to licensing@cityoflondon.gov.uk

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Hewitt, Andre

From: [REDACTED]
Sent: 04 April 2019 21:15
To: M&CP - Licensing
Subject: Gremio de London application objection
Attachments: Gremio de London objection letter.pdf

Dear Sirs

Please find attached a letter from Mrs Mason and me setting out our reasons for opposing the licensing application by Gremio de London relating to premises in Savage Gardens and Crutched Friars, EC3.

A hard copy of the letter is in the post to you.

Yours sincerely
Revd Charles Mason

██████████ School Road, Waltham St Lawrence, Reading RG10 0NU

City of London Licensing Team
Markets and Consumer Protection
PO Box 270
Guildhall
London EC2P 2EJ



And by email to: licensing@cityoflondon.gov.uk

5th April 2019

RECEIVED BY EMAIL ON 04/04/19
DESPITE DATE OF LETTER. *Apk*

Dear Sirs

Application for variation of Licence: Gremio de London Limited

We are writing to express our concern about the above application to extend the alcohol licence to cover the creation of a new small 'café bar' with off sales and a disabled toilet in the premises previously occupied by Ladbrokes. The area of the proposed new bar, like the existing premises, is in the Fenchurch Street Conservation Area.

Our interest is as landlords of ██████████ Pepys Street. Our flat is at the rear (north side) of the building, and is therefore one of those that would be most affected if the proposed extension were granted. Having discussed Gremio's activities with our tenants on more than one occasion, we have a personal concern for their wellbeing, and also for our own financial interests – a flat suffering from nuisance is obviously less attractive and harder to let or sell. The area bounded by Pepys Street, Savage Gardens and Coopers Row is a pedestrian, fully residential area.

There is no mention of what increased capacity this proposed new bar area will provide, but as the floor space is nearly half of that upstairs, one could reasonably assume that it will be about 50%.

Previous objections to the granting and timing of the current licence focused on the significantly increased noise and disturbance, the presence of litter and worse, and loss of quiet amenity late at night, all of which would potentially have a seriously deleterious effect on the lives of the many people who live in the immediate vicinity. This was fully accepted by the Licensing Authority, who reduced the hours and forbade the proposed use of the old back yard – directly overlooked by the flats at the rear of 1 Pepys Street – for the consumption of food and drink.

It would appear that the application for the new café bar is an attempt to compensate for the loss of that potential customer space. All the previous objections to such a large, late-night drinking establishment, detailed in the licence appeal documentation and therefore known to you, are still valid and should be taken into account this time also.

We therefore respectfully and strongly urge that on the grounds of public nuisance you disallow the application to vary and extend the licence, which would otherwise undoubtedly have the effect of a substantial increase in noise and other disturbance beyond what is already authorised.

In particular, the application for the first time to have off sales is going to further encourage drinking and noise disturbance on the street, under the echoing railway arch. The "small area" referred to for off sales is not delineated on the plan, and it could be the full width of the frontage onto Crutched Friars, further increasing numbers. Gremio do not undertake to

have this area supervised by two people at all times after 9 pm, just "monitored" in some unspecified way. What then will prevent people coming downstairs and taking their drinks outside, possibly wandering into neighbouring streets and causing disturbance in the small hours? For these reasons we strongly oppose the granting of an off licence.

Earlier, Gremio said that they would use the proposed new entrance on Crutched Friars as the only entrance to the premises, but later withdrew this undertaking in case the Ladbrokes lease was terminated and they were left with a property to which there was no access. But assuming that the variation is granted (which we obviously hope it will not be), it should at least be a condition that the Crutched Friars entrance is to be the only one so long as the Ladbrokes lease is held.

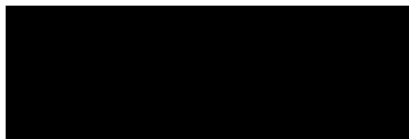
Surely also the proposed new bar represents a change of use from a betting shop, and therefore requires a planning application? None has been submitted, so far as we are aware. Gremio have a poor track record in such matters: their construction of the large arched glass window and doors in the brick wall at the rear, and the new window over the Savage Gardens entrance, are matters still in dispute; and on the plans submitted the metal walkway at the rear, also further extended by Gremio to include the front of the glass arch, is still being denoted as "Terrace". Historically, however, it was never anything other than a means of staff access from a store to the old restaurant kitchen.

Once again, we do earnestly request that you reject this application.

Yours faithfully,



Revd Charles Mason



Mrs Harsha Mason

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Pepys Street RTM Company Limited

Town Clerk
City of London
Guildhall
London EC2P 2EJ



9 April 2019

Dear Sirs

**Application for variation of Licence Gremio de London Limited
Gremio De Fenchurch - 26A Savage Gardens/ 9A&B Crutched Friars EC3N 2AR**

I am a Director of the Right to Manage company that is responsible for the management of 1 Pepys Street, EC3N 2NU. I therefore represent the 90 leaseholders, approximately 90% of whom are non-resident, so also represent their tenants. The following is in addition to the comments I made in my letter dated 22 March 2018 and my recent representation dated 27 March 2019.

I understand the date for representation has been amended due to the applicant not following the correct blue notice procedure, so I am writing again regarding the above variation of licence which now includes 9A&B Crutched Friars, which will significantly increase the number of customers within these premises and which includes 'Off-Sales' of alcohol. Since we have twenty-five residential properties overlooking these premises, the leaseholders/residents within these apartments are concerned about the following and we would ask you to take these matters into consideration when dealing with this application.

1. Bear in mind that the apartments facing the rear of these premises are very close to them. The large windows that the applicant installed without planning permission overlook these properties, including their bedrooms. Although we appreciate the Applicant's desire to have daylight into his premises, we strongly request that the glazing of these new windows is covered with a permanent opaque material (**not** blinds that can be opened) to stop customers gazing across into the rooms of the apartments facing them. Bearing in mind that for many hours these premises will be operating late at night, we do not consider this an unreasonable request.
2. Because of the closeness of the above-mentioned apartments, we ask that all windows and doors are kept closed during licensing hours to avoid loud music disturbing these residents, especially at night when they are trying to sleep. It should be noted that most of these occupants are working people, so need a good-night's sleep during the week and peace and quiet at weekends.
3. We understand that the door leading onto the stairs at the rear of the premises is to be used **solely** as an emergency exit. We therefore request that the Applicant ensures that this exit point is **only** used for **emergency** use and does **not** allow customers or staff to stand on the landing, stairs or the ground below for drinking and smoking etc.

Tel: [REDACTED]

Email: [REDACTED]

[REDACTED] Pepys Street
London
EC3N 2NU

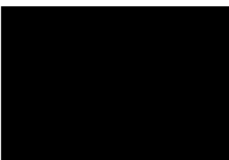
www.onepepys.com
Registered in England & Wales at POD Management
2 Angel Square, London EC1V 1NY

4. We ask that there should be **no use** of the Savage Gardens entrance whilst the premises are open to the public, except in the event of an emergency.
5. We note that the Applicant is planning to offer 'Off-Sales' which is likely to further encourage drinking and noise disturbance on the street, under the echoing railway arch. Although at the front of the premises in Crutched Friars, noise travels late at night and drinkers/smokers may also be tempted to wander around the corner into Savage Gardens, which would cause even more noise for nearby residents in 1 Pepys Street.

It is our view that there are more than enough 'Off-Sales' establishments within the local area which is occupied by a significant number of residential properties, so we ask that this variation by the Applicant is **not** granted.

If a licence is granted to include 'Off-Sales', then we ask that such sales are in **sealed containers only** to reduce the number of customers drinking outside late at night.

Yours faithfully



Alan Martin
Director

Copy sent by email to licensing@cityoflondon.gov.uk

Pepys Street RTM Company Limited

Town Clerk
City of London
Guildhall
London EC2P 2EJ

27 March 2019

Dear Sirs

Application for variation of Licence Gremio de London Limited Gremio De Fenchurch - 26A Savage Gardens/ 9A&B Crutched Friars EC3N 2AR

I am a Director of the Right to Manage company that is responsible for the management of 1 Pepys Street, EC3N 2NU. I therefore represent the 90 leaseholders, approximately 90% of whom are non-resident, so also represent their tenants. The following is in addition to the comments I made in my letter dated 22 March 2018.

I am now writing regarding the above variation of licence which now includes 9A&B Crutched Friars, and which will significantly increase the number of customers within these premises. Since we have twenty-five residential properties overlooking these premises, the leaseholders/residents within these apartments are concerned about the following and we would ask you to take these matters into consideration when dealing with this application.

1. Bear in mind that the apartments facing the rear of these premises are very close to them. The large windows that the applicant installed without planning permission overlook these properties, including their bedrooms. Although we appreciate the Applicant's desire to have daylight into his premises, we strongly request that the glazing of these new windows is covered with a permanent opaque material (**not** blinds that can be opened) to stop customers gazing across into the rooms of the apartments facing them. Bearing in mind that for many hours these premises will be operating late at night, we do not consider this an unreasonable request.
2. Because of the closeness of the above-mentioned apartments, we ask that all windows and doors are kept closed during licensing hours to avoid loud music disturbing these residents, especially at night when they are trying to sleep. It should be noted that most of these occupants are working people, so need a good-night's sleep during the week and peace and quiet at weekends.
3. We understand that the door leading onto the stairs at the rear of the premises is to be used **solely** as an emergency exit. We therefore request that the Applicant ensures that this exit point is **only** used for **emergency** use and does **not** allow customers or staff to stand on the landing, stairs or the ground below for drinking and smoking etc.
4. We note that the Applicant is planning to offer 'off-sales' which is likely to further encourage drinking and noise disturbance on the street, under the echoing railway arch. Although at the front of the premises in Crutched Friars, noise travels late at night and drinkers/smokers

Tel: [REDACTED]

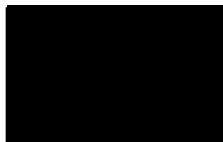
Email: [REDACTED]

[REDACTED] Pepys Street
London
EC3N 2NU

may also be tempted to wander around the corner into Savage Gardens, which would cause even more noise for nearby residents in 1 Pepys Street.

It is our view that there are more than enough 'off-sales' establishments within the local area which is occupied by a significant number of residential properties, so we ask that this variation by the Applicant is **not** granted.

Yours faithfully



Alan Martin
Director

Copy sent by email to licensing@cityoflondon.gov.uk

Hewitt, Andre

From: Bharat Thakker [REDACTED]
Sent: 09 April 2019 14:50
To: M&CP - Licensing
Subject: URGENT - OBJECTION: to Gremio's licence extension
Attachments: Representation on Gremio application[1].docx

I refer to my objection made on 26 March. I understand that a new application has been launched.

This application is incorporating the old Ladbroke unit into Gremio, so the main entrance will be on Crutched Friars. However, they have not added a condition around the use of Savage Gardens entrance - "no use of Savage Gardens entrance whilst open to the public, save for emergency use only", would be a suitable condition. That would promote the prevention of the public nuisance, which was the very reason for securing the Ladbroke unit.

They have also included " Off Sales" which would allow patrons to drink outside on the pavement or take drinks outside whilst smoking. It is possible to have " Off Sales in sealed containers only " as a condition, which would allow patrons to buy a bottle and take home.

However, if I consider that's too risky. At the original hearing and the License review, the Sub- committee added a "no off Sales" as a condition to the license, as they agreed with representations made that off Sales would create public nuisance.

Having two emergency exits and increased toilet provision (extra toilets in the Ladbroke unit) will allow their capacity to increase and this will be set by London Fire Brigade.

Bharat and Damyanti THAKKER

Owners of [REDACTED]
[REDACTED] Pepys Street,
London
EC3N 2NU
United Kingdom

From: Bharat Thakker [REDACTED]
Date: Tuesday, 26 March 2019 at 13:49
To: <licensing@cityoflondon.gov.uk>
Subject: URGENT - OBJECTION: to Gremio's licence extension

PLEASE SEE THE ATTACHED OBJECTION

Bharat and Damyanti THAKKER

Owners of Flat [REDACTED]
[REDACTED] Pepys Street,
London
EC3N 2NU
United Kingdom

26 Savage Gardens, London EC2N 3AR

In respect of: Gremlo De London Ltd

Premises Address: 26 Savage Gardens/ 9A&B Crutched Friars EC3N 2AR

Ward: Tower

26th March 2019

City of London Licensing Team
Markets and Consumer Protection
PO Box 270
Gulldhall
London EC2P 2EJ

And by email to: licensing@cityoflondon.gov.uk

Application for variation of Licence, Gremlo de London Limited

Dear Sir,

This is my representation concerning the above application to extend the alcohol licence to cover the creation of a new small 'cafe bar' with off sales and a disabled toilet in the area previously occupied by Ladbrokes. I live in the first floor flat in the property next door. This part of Savage Gardens is a pedestrian, fully residential area alongside the Hilton Hotel.

There is no mention of what increased capacity this proposed new bar area will provide, but as the floor space is nearly half the upstairs space, once could reasonably assume nearly 50% more people in the area.

My previous objection to the granting and timing of the current licence, together with those of many of my neighbours on Savage Gardens and on Crutched Friars, focused on the significantly increased noise and disturbance, litter and worse, and loss of quiet amenity late at night that would have a seriously deleterious effect on our lives. This was fully accepted by the Licencing Authority, who reduced the hours and forbade the proposed use of the old back yard for the use of food and drink.

It seems to me that the application aims merely to substitute this loss of potential customer space with the new cafe bar, and all the previous objections which are on your record to having such a large, late-night drinking establishment still hold true and should be taken into account. Rather than repeat them all over again here, please refer to the licence appeal documentation.

I therefore respectfully and strongly request that the application to vary and extend the license, which will undoubtedly have the effect of a substantial increase in noise and other disturbance beyond what is already authorised, be disallowed on the grounds of public nuisance.

In particular, the application for the first time to have off-sales is going to further encourage drinking and noise disturbance on the street, under the echoing railway arch. The "small area" referred to for off-sales is not delineated on the plan, and it could be the full width of the frontage onto Crutched Friars, further increasing the capacity of people. I can hear the noise from drinkers outside the Cheshire Cheese and this is further away from Savage Gardens than the Gremio premises. Just because the Cheshire Cheese has grandfather rights does not mean that increasing the level of street drinking is appropriate for a residential area. There is already a considerable amount of litter, and frequently vomit, under the arch, along the pavement, and in front of the doorways of the various residences in Savage Gardens.

Gremio de London do NOT undertake to have this area supervised by two people at all times after 9pm, just "monitored" in some unspecified way. However, as there are stairs going up to the main premises from this proposed new bar, who or what will stop people coming downstairs and taking their drinks outside and causing disturbance at 1 or 2 am or later in the morning if it is not supervised in person, nor stop them wandering a few metres around the corner into Savage Gardens?

For these reasons, I would respectfully and strongly request that no off-sales are allowed on the grounds of public nuisance.

In an earlier submission, Gremio said that they would use this proposed new entrance on Crutched Friars as the only entrance to the premises. This would be welcomed by myself and no doubt others in residential Savage Gardens. However, this commitment was removed from the current application, on the grounds that, should the Ladbroke's lease ever "fall away", they would have a property with no entrance/exit.

This does not prevent the licensing authority, should they grant the variation despite objections, to mandate that, whilst the Ladbroke's lease is held, the Crutched Friars entrance should be the only one used.

It is also my understanding the proposed new bar would require a change of use from a betting shop, so should there not also be a planning application? Gremio's wilful disregard of planning law (and the residential neighbours) to date has still not yet been resolved with respect to the large arched glass window and doors in the brick wall at the rear which they created, nor the new window over the Savage Gardens entrance. I notice that the metal walkway at the rear, also further extended by Gremio to include the front of the glass arch, is still being denoted as "Terrace" on the submitted plans. It never was a "terrace", just a means of kitchen staff access from a store to the old restaurant kitchen. The area of the proposed new bar, like the current premises, is in the Fenchurch Street Conservation Area.

Yours faithfully,

Bharat and Damyanti Thakker

██████████
██████████ Pepys Street,
London
EC3N 2NU
United Kingdom

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Town Clerk
City of London
Guildhall
London EC2P 2EJ



Dear Madam/Sir,

RE: Application for variation of Licence Gremio de London Limited Gremio De Fenchurch - 26A Savage Gardens/ 9A&B Crutched Friars EC3N 2AR

We are leaseholders and residents of █ Pepys Street, EC3N 2NU. We are writing regarding the above variation of licence. We would ask you to take these matters into consideration when dealing with this application.

- 1. We generally would like to express our concern that venue plans to stay open until as late as 1am. We would like to point out to the close proximity of the venue to the residential buildings. While we believe in applicants' willingness to keep noise levels under controls, we are afraid he has no ability to ensure that customers will leave the venue orderly and quietly. We have all reasons to expect that customers leaving the venue will create significant amount of noise late at night if the application is successful in its current form. We believe the best possible solution is to set the closing time at 11pm, in line with closing time of the Cheshire Cheese pub, which is located right opposite the venue. We do not understand why would applicant be eligible for longer opening hours.**
- 2. We noticed that the new application is planning to offer 'Off-Sales'. From what we understand the original hearing and the License review, the Sub- committee added a "no off Sales" as a condition to the license, on the basis 'off Sales' create public nuisance. We see no reason why this condition should not be in place in a new application which now plans to occupy even larger internal area, accommodate more customers, and thus arguably create even more risk of nuisance, in particular at night. We have been living at Pepys street for the last 5 years and can say that there is already enough evidence of excessive noise over weekends, which wakes our two-year old son. We do not see how allowing 'off-sales' doesn't contribute to already existing problem. If a licence is granted to include 'Off-Sales', we then insist that it at least requests that 'off-sales' are in sealed containers only.**
- 3. The application mentions the new venue planning to play loud music during working hours, including late hours. We would like to point out that the venue is located next door to the apartments at the Savage Gardens and Pepys street. Moreover, it is located under the Fenchurch street station in the archway, which amplifies any noise. We therefore insist the venue keep all windows and doors shut during the working hours.**
- 4. We understand that the door leading onto the stairs at the rear of the premises is to be used solely as an emergency exit. We request that the applicant ensures the door leading onto the stairs at the rear of the properties is used as the emergency exit point only. We would like to avoid staff or customers standing at the rear door smoking and/or drinking.**

We sincerely hope that you seriously look into our objections to the application. Both of us are very supportive of businesses, but we are also extremely concerned that business interests are put on top of people living in the area.

Best Regards,

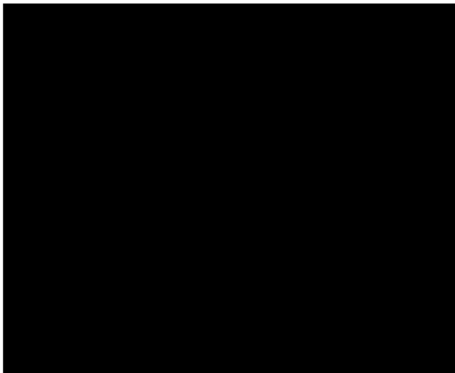
Ivan Morozov and Yulia Kozlova

Leaseholders and Residents

[REDACTED] Pepys street

EC3N2NU

Copy sent by email to licensing@cityoflondon.gov.uk



25- April-2019

City of London Licencing Authority
City of London Licensing,
PO BOX 270,
Guildhall, City of London
EC2P 2EJ



And by email to: licensing@cityoflondon.gov.uk

Re: Application for variation of Licence, Gremio de London Limited.

Dear Sir,

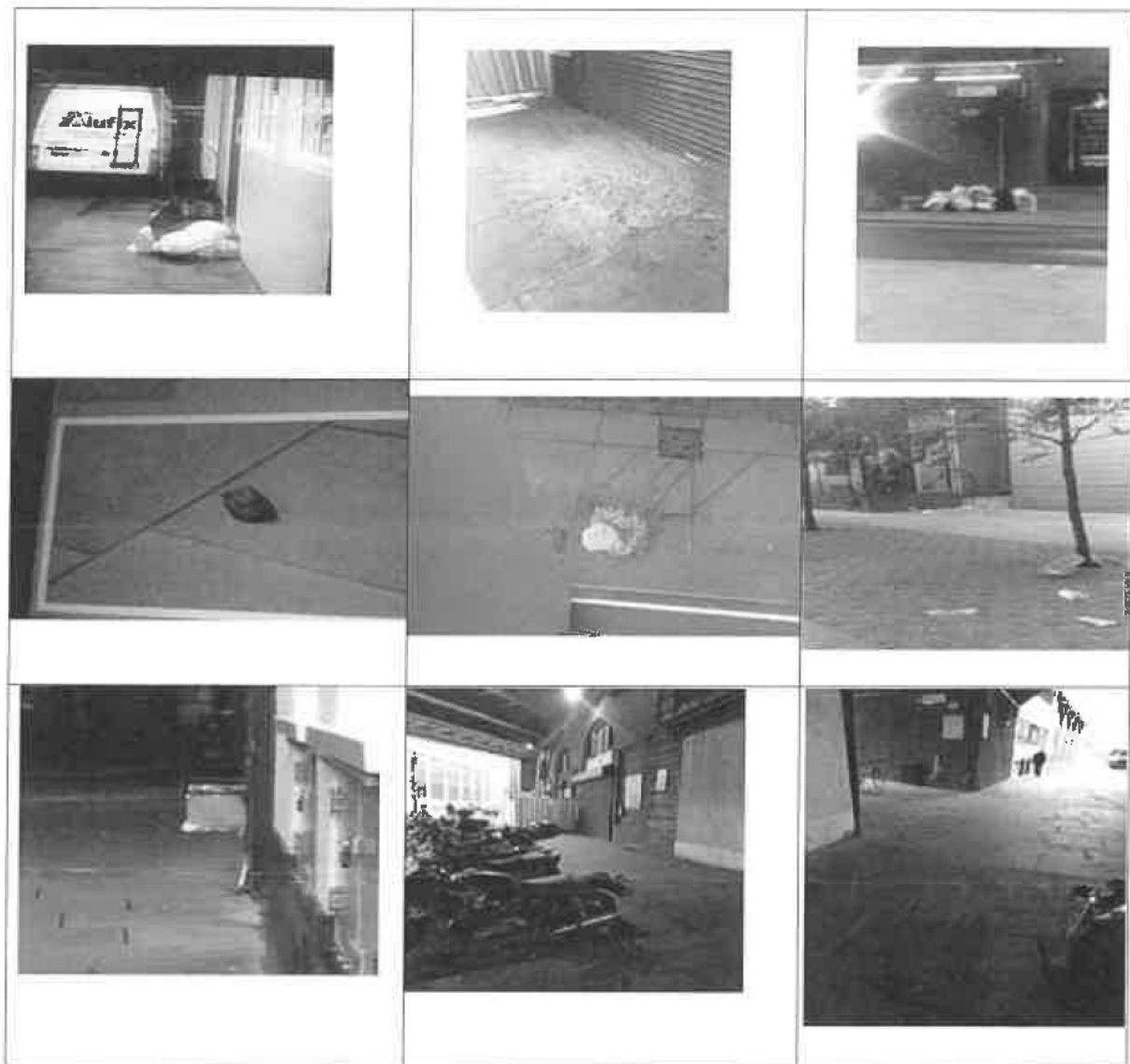
This is my representation concerning the above application.

The area

I have included some recent photos of the area to support my comments and objections.

The section of Savage Gardens closest to the railway bridge and Crutched Frias is in need of regeneration. It suffers from problems with litter; cigarette waste; fly tipping and noise, this on a daily basis and especially at night and at weekends. There are also problems with vermin and bird droppings; human waste, vomit, urine and faeces. This is a constant problem but worse at night early mornings and at weekends. I report these issues on the Love the Square Mile App.

The area has many residential properties, and pedestrians. Savage Gardens is exclusively residential at this point and consists of flats on one side and a hotel on the other. The area under the bridge and leading into Savage Gardens is cramped and dark and oppressive. It has a small, cluttered, busy, pavement space; poor lighting; a push bike park and, at the Crutched Frias side opens directly onto a motor bike park. There are many food and alcohol outlets which open late into the night and at weekends. The area is part of the Fenchurch Street Conservation Area.



I live in the [REDACTED] in the property next door to the Gremio site.

The area is in need of regeneration and I can appreciate that a new business could benefit the area in many ways. However' without adequate licencing control, it has the potential to add to the existing problems as well as create new ones.

My comments and objections are listed as follows:

Prevention of Public Nuisance.

Loss of amenity, noise, litter, disturbance, traffic and light pollution.

There is already a lot of noise, litter and disturbance in this area. This begins in the evenings and carries on until dawn the next day. General noise from the the existing bars and their patrons is very loud. Also, there are fights, shouting, breaking glass etc. I can hear this noise clearly from all parts of my flat. It is both disruptive and very frightening.

Traffic and light pollution are particularly bad in the night and early hours. It appears to come from vehicles waiting with lights on and engines running, whilst waiting for fares.

Litter, commercial and general waste as well as human waste are an enduring problem but particularly bad on Fridays to Mondays. I am in no doubt that Gremio's application for a provision of a café bar, and outside drinking area and 'off sales' provision will exacerbate these problems.

The variation of licence application gives no indication of the customer capacity, no clearly delineate the area of outside drinking or whether there will be the provision of tables and chairs, it is impossible to predict the increase of the public nuisance. However since the area of the café bar alone increases the size of the current licenced premises by 50%, comparable to the area of a licence previously rejected by the licencing authority, a significant increase in loss of amenity could be expected.

Previously, the Corporation forbade the use of the backyard area of 26A Savage Gardens on the basis of loss of amenity to the local area. I was taken to believe that the purchase of the Ladbrokes site would serve to alleviate problems associated with loss of public amenity. I feel that this current application does not do this, as serves to transfer the potential for a significant number of customers from the back to the front and pavement of the building, hence the application should be rejected.

Gremio, in applying for use of an outside space and off sales licence, point to the Grandfather rights of the Cheshire Cheese pub. Just because the Cheshire Cheese has these rights does not mean that they should be an automatic extension to Gremio without taking into account other factors. I feel increase in street drinking arising from a new licence, is not appropriate to for a residential area. In addition the actual site of the Gremio premises is different in nature from the Cheshire Cheese. The proposed Gremio site is on a much thinner and far more congested pavement. It adjoining a motor bike park and the residential part of Savage Garden. Therefore I request this reliance be forebade.

I feel that any 'off sales' licence should be rejected, including off sales in sealed containers. I understand that initially Gremio agreed with representations made that off Sales would create public nuisance. It takes a second to get the top off a bottle and not much longer to get the cork out of a bottle of wine. There is nothing to stop a customer from buying a sealed bottle opening it and drinking it outside. The thought of someone buying a bottle to take home is ludicrous, they will just drink it on the street. The local area already suffers heavily from street drinking and its effects, it does not need an additional outlet for alcohol.

In an earlier submission, Gremio said that they would use the new entrance on Crutched Friars as the only entrance to the premises. This would be welcomed by myself. However, this commitment has been removed from the most recent application. This is on the grounds that, should the Ladbrokes lease ever 'fall away', they would have a property with no entrance/exit. I would like to know if this is a realistic possibility and what situations may lead to this 'falling away'? I don't feel this commitment should be removed on the basis of something which may be very unlikely to happen.

I would also like to know in more detail what Gremio propose to do with the door on Savage Gardens. Will it be for entry and exit of patron and staff in emergencies or at other times? Will it be deliveries into *and* out of the premises, for example for take away food deliveries? Will there be limits on the times it can be used? Will it be supervised and how? At present there is no way to predict or limit the loss of amenity that the use of this door will bring. Gremio do NOT undertake to have the area supervised by two people at all times and not after 9pm, just 'monitored' in some unspecified way. how can anyone know the effect of such a variation without clear details being submitted, studied by all concerned and discussed.

From the plans it appears there are stairs going up to the main premises from proposed new bar in Crutched Frias. Who or what is to stop people coming downstairs and taking their drinks outside at 1 or 2 am or later in the morning? Further if the door is not supervised in person, there is nothing to stop people wandering a few metres around the corner into Savage Gardens? For these reasons, I would respectfully and strongly request these plans are disallowed on the grounds of public nuisance

Finally, The current door to Gremio on Savage Gardens is very old . When it is closed the sound and vibrations travel though to my adjoining property (26 Savage Gardens) It is really disturbing at all times and especially at night. Regardless of the use of the Savage Garden door, I request that this door be updated to a new 'quiet closing' door.

Public Health and Safety

As shown in the pictures above. The area affected by this licence variation is close to and directly under a railway arch. It is very close to the road. The pavement area is cramped, and frequently covered in rubbish, bird droppings and waste. It is narrow and the outside area by the old Ladbroke's site is adjoined to a busy motor bike park.

I feel public safety and public health will be at extra risk from bird droppings; vermin as a result and from general waste as well as disease from human waste. The patrons and staff of Gremio will be further at risk from traffic fumes, from the road and the motor bike park directly in front of the premises.

The provision of an outside drinking area would lead to overcrowding a real danger of accidents. Considering Gremio will be offering a café bar, which could be used by families, disabled facilities which could be used by people of limited mobility, extended drinking hours, off sales drinking and an outside drinking area. I do wonder how the general public and patrons of Gremio; families or those with mobility issues, for what ever reason, will be able to navigate these hazards in a safe way.

Therefore I would like the Corporation to reject the variation on the grounds of public health and safety.

Prevention of Crime and Disorder.

I feel that taken as a whole, Gremio's licence variation will have every chance of increasing the potential for crime and disorder. There are no clear plans as to how and when the doors

will be managed after 9 pm. They have not been clear about the function of the Savage Gardens door. They have requested off sales provision and the provision of an outside drinking area but have not been clear as to its size and exact position. Furthermore, they have not been clear as to the increased capacity proposed by a café bar and disabled facilities. This means there is no way to discern the extent of this increase and hence the potential for a rise in crime and disorder.

In conclusion, the 'utopian detail' presented in the licence variation application, amounts to no meaningful detail whatsoever. Without clarifications and the chance for all interested parties to carefully consider this in detail, I feel that the application should be rejected on all of the grounds stated above.

Other points.

It is also my understanding the proposed new bar would require a change of use from a betting shop, so should there not also be a planning application?

To my knowledge, Gremio have still not yet resolved the issue of the large arched glass window and doors in the brick wall at the rear of the building. Finally, I notice on the submitted plans, that the metal walkway at the rear and extended by Gremio to include the front of the glass arch, is still being denoted as 'Terrace;'. It never was a 'terrace' merely a means of kitchen staff access from a store to the old restaurant kitchen. I think these issues need to be addressed by the Corporation as soon as possible.

Yours Faithfully,

Jayne Evans (████████████████████ Savage Gardens)

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Hewitt, Andre

From: Francois Barker [REDACTED]
Sent: 07 May 2019 20:36
To: M&CP - Licensing
Cc: Fredericks, Marianne
Subject: Application to grant a variation of a premises licence - Gremio De Fenchurch, 26A Savage Gardens & 9A&B Crutched Friars EC3N 2AR (Tower Ward)

Dear Sirs

I am writing concerning the above application to convert a previous Ladbroke retail unit into licensed premises.

As a local resident of One Pepys Street, a building which adjoins Savage Gardens, I am very concerned about this application which is likely to adversely impact the amenity and quiet enjoyment of the local area. If you are minded to allow the application, I would urge you to impose conditions to address these concerns:

- the main entrance will be on Crutched Friars, but there is no condition restricting the use of the Savage Gardens entrance so as to prevent a public nuisance. I would ask that you impose a condition to the effect of "no use of Savage Gardens entrance whilst open to the public, save for emergency use only";

- currently, "Off Sales" are part of the application which would allow customers to drink outside on the pavement or take drinks outside whilst smoking. Given previous behaviour issues, and the clear risk that allowing off sales will create a public nuisance, I would ask that you impose a "no off Sales" condition to the licence. As an absolute minimum (but very much as a second best option), please ensure that you at least impose an "Off Sales in sealed containers only" condition so as to require customers to take home any purchased alcohol.

I hope that I have adequately conveyed my very real concerns. If you need further information, you can contact me as set out below.

Dr Francois Barker, LLB (Hons), Ph.D, Solicitor
[REDACTED]

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Hewitt, Andre

From: Fredericks, Marianne
Sent: 07 May 2019 23:57
To: M&CP - Licensing
Cc: Davenport, Peter; Pye, Rachel; Murphy, Leanne; Marianne Fredericks
Subject: Re -Application to grant a variation of a premises licence - Gremio De Fenchurch, 26A Savage Gardens & 9A&B Crutched Friars EC3N 2AR (Tower Ward)

Re- Application to grant a variation of a premises licence - Gremio De Fenchurch, 26A Savage Gardens & 9A&B Crutched Friars EC3N 2AR (Tower Ward)

7th March 2019

Marianne Fredericks CC
Common Councilman for the Ward of Tower

Dear sirs,

I am making this representation in regard the above company's application to vary their licence at the above location to include the adjacent premises at 9A Crutched Friars formerly occupied by bookmakers Ladbrokes. (The online register is down again so it is not possible see whether 9A is still licensed for gambling.)

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 4 or 5 minutes walk from Savage Gardens.

The proposed variation should afford the opportunity to ensure patrons enter and exit away from the neighbouring residents Savage Garden, albeit there are some residents on Crutched Friars and guests in the Hilton Hotel who might still be affected by noise. Residential amenity and the prevention of public nuisance in regard of Savage Gardens should be secured by a Condition prohibiting the use of the Savage Gardens entrance at any time when the premises are open to the public.

However I object to the addition to the license for "off Sales" given that two previous Licensing Sub-Committee hearings have agreed with the concerns from residents and the City's Environmental Health Department that off Sales would undermine the licensing objective of the "prevention of public nuisance".

That other premises in the City have off sales under 'grandfather rights' is irrelevant to this application.

The Licensing Sub-Committee that granted Gremio's licence on 22 June 2017 imposed the following condition:

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. (MC17)

The Licensing Sub-Committee hearing that considered a Review of the licence on 24 July 2018 erroneously, in that there was no licence for off sales, changed that to:

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises (MC18).

Allowing off sales would encourage drinking under the arches, where noise would reverberate and would encourage smokers to linger outside.

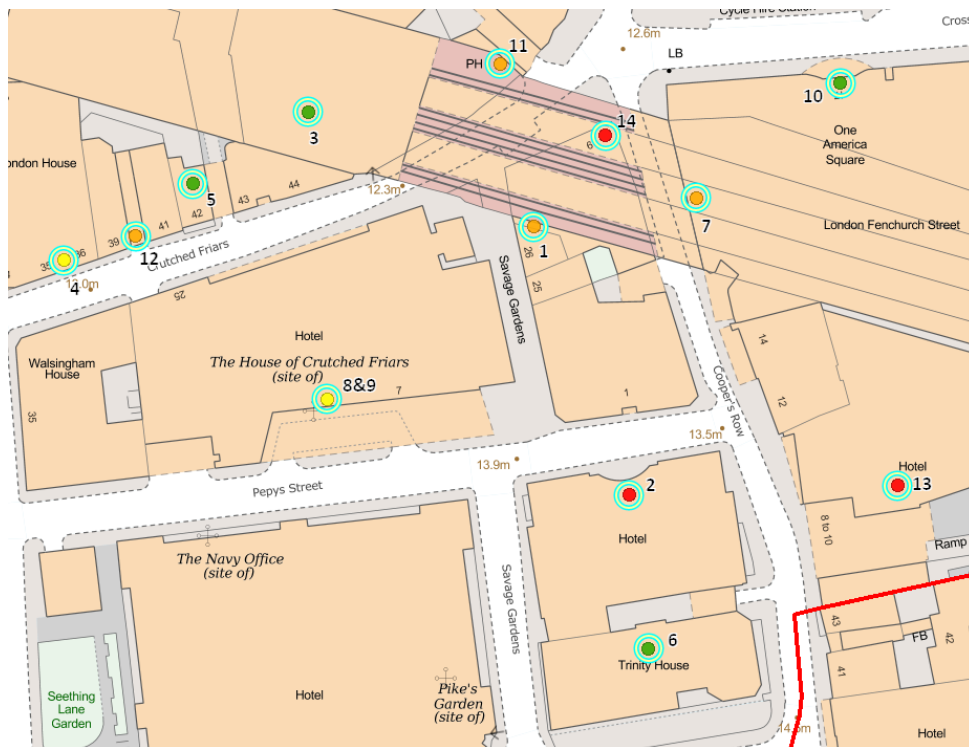
The variation of the license to include off sales should be refused and the original no drinks or glass containers outside should be restored.

With kind regards

Marianne Fredericks CC

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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

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