

From: [Marshall, Siobhan](#)
To: [Gareth Hughes](#)
Cc: [Breese, Robert](#)
Subject: RE: Eastcheap
Date: 05 April 2019 12:30:19
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)

Good Afternoon Gareth,

This department has made very open about our position, my email dated 27th March was the final position we were willing to negotiate to.

It is felt that the cumulative impact of multiple venues terminal hour being at the same time would detrimental to the local residential amenity.

Where existing noise sensitive locations already exist it is our duty to try to avoid even a small increase in the overall noise level, as this may result in a significant adverse effect on the health and quality of life of our residents.

Kind Regards
Siobhan

Siobhan Crossby
Environmental Health Officer
Pollution Team

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

Tel: 020 7332 3036
Mob: 078 2653 3764

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

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From: Gareth Hughes <Gareth.Hughes@keystonelaw.co.uk>
Sent: 05 April 2019 12:14
To: Marshall, Siobhan <Siobhan.Crossby@cityoflondon.gov.uk>
Cc: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>
Subject: RE: Eastcheap

Hi Siobhan

I attach my email of last week and wonder if you are yet in a position to respond as I understand that we are being given a listing of 1st May to hear this matter.

Kind regards

Gareth

From: Gareth Hughes
Sent: 27 March 2019 12:11
To: 'Marshall, Siobhan' <Siobhan.Crossby@cityoflondon.gov.uk>
Cc: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>
Subject: RE: Eastcheap
Importance: High

Thanks Siobhan

I am grateful to you.

I understand the points you have made and I think your assessment about a challenge to a condition on planning was accurate.

The issue of the viability of this premises and the deal struck with the landlord turns on a later hour of operation beyond normal permitted hours. The proposed hours we are seeking are comparable to DMartins adjacent to the premises and Simmons – 03.00.

I am instructed that we are grateful for your proposal and that if we can split the difference this would be acceptable to my client so live music until 01.00 with alcohol, LNR and other regulated entertainment until 02.00 with closure at 02.30. That's effectively pulling back the hours sought for live music by two hours from the original 03.00 and all other licensable activities pegged back to 02.00.

Dispersal and management policies all agreed as before.

I am instructed that if this was acceptable to you we would be in agreement and hopefully then not have to trouble the licensing sub-committee.

Police have accepted our proposed list of conditions and would withdraw their rep if you were able to withdraw yours. I would also ask you kindly to note that there are no residential objections in this case.

Kind regards

Gareth

Gareth Hughes

Barrister and Consultant

Top Ten licensing lawyer in London – Legal 500 and Chambers Directory

mob: 0780 877 5835

fax: 0845 458 9398

From: Marshall, Siobhan <Siobhan.Crossby@cityoflondon.gov.uk>

Sent: 27 March 2019 08:54

To: Gareth Hughes <Gareth.Hughes@keystonelaw.co.uk>

Cc: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>

Subject: RE: Eastcheap

Good morning Gareth,

You are correct, there is no condition restricting hours or use. Liam and I had a long discussion about applying the condition and it was decided that we didn't restrict the opening hours, as the applicant had been very open about their intentions. We both felt that should the hours have been restricted that the condition would have been challenged, incurring fees to your client. So it was felt that it would be more appropriate to deal with the hours of opening when we received the licensing application.

Ok, if live music is pushed back to 01:00, I would like alcohol sale until 01:30 and for the premises to close at 02:00.

I'm pleased we can agree on the policy documentation.

Kind regards

Siobhan

Siobhan Crossby

Environmental Health Officer

Pollution Team

Dept. of Markets & Consumer Protection

City of London, PO Box 270,

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Tel: 020 7332 3036

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From: Gareth Hughes <Gareth.Hughes@keystonelaw.co.uk>

Sent: 26 March 2019 18:12

To: Marshall, Siobhan <Siobhan.Crossby@cityoflondon.gov.uk>

Cc: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>

Subject: RE: Eastcheap

Thanks Siobhan

The planning permission of course contains no restrictions as to hours of operation for licensable activities and we have applied for hours which are common to other premises within the group.

The premises will be very secure from noise escape and I understand an acoustic report was submitted to planning in this respect as part of the planning process.

In the circumstances my client has indicated that he would wish to retain live music but is prepared to compromise with you and have a cut off at 01.00 but with recorded music and alcohol up to 02.30 with closure at 03.00 as before.

We agree with you on provision of both dispersal policy and noise management plan.

Hope this assists.

Kind regards

Gareth

From: Marshall, Siobhan <Siobhan.Crossby@cityoflondon.gov.uk>
Sent: 26 March 2019 12:06
To: Gareth Hughes <Gareth.Hughes@keystonelaw.co.uk>
Cc: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>
Subject: RE: Eastcheap

Good Afternoon Gareth,

Apologies for the delay in responding to you.

I have been considering what would be appropriate for this location and would like to suggest that Live Music ceases at 00:00, Alcohol Sales cease at 00:30 and Recorded Music ceases at 01:00.

We would also require a dispersal policy and noise management plan.

Kind Regards
Siobhan

Siobhan Crossby
Environmental Health Officer
Pollution Team

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City of London, PO Box 270,
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From: Gareth Hughes <Gareth.Hughes@keystonelaw.co.uk>
Sent: 23 March 2019 14:35
To: Marshall, Siobhan <Siobhan.Crossby@cityoflondon.gov.uk>
Cc: Breese, Robert <Robert.Breese@cityoflondon.gov.uk>
Subject: RE: Eastcheap
Importance: High

Dear Siobhan

I wrote to you earlier in the week on this matter. Could you kindly let me know your thoughts please.

Kind regards

Gareth

From: Gareth Hughes
Sent: 20 March 2019 11:09
To: 'Siobhan.Crossby@cityoflondon.gov.uk' <Siobhan.Crossby@cityoflondon.gov.uk>
Subject: Eastcheap
Importance: High

Dear Siobhan

Robert Breese has written to me this morning indicating that if we agreed to terminate live music at an earlier time (midnight or 01:00) and provided a dispersal/management policy then you may be amenable to withdrawing your rep.

I think this is something my client may agree but I thought it best to get confirmation from you prior to speaking to him.

If we can assist in any other way do let me know.

Kind regards






Gareth

Gareth Hughes
Barrister and Consultant

Top Ten licensing lawyer in London – Legal 500 and Chambers Directory

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