

Victoria House
25 Tudor Street
London
EC4Y 0DD

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

5 January 2015

By email only to: licensing@cityoflondon.gov.uk

Dear Sirs

Premises Licence Application
Applicant: Contemporary Pub Company Limited
Subject Premises: 6 Carmelite Street, London EC4Y 0BX

I write to make representations in opposition to the above premises licence application, which is made in respect of the ground floor and basement at 6 Carmelite Street, London EC4Y 0BX ("the Premises"). The Premises are situated on the corner of Tallis Street and Carmelite Street. They lie a short distance from Temple House and Victoria House, a development of 60 residential apartments. A number of the Temple House apartments actually face onto Tallis Street itself, with bedrooms and reception rooms on that side of the building.

I understand from information displayed on the Applicant's website as at today's date (www.contemporarypubs.com) that the Applicant has been incorporated for the purpose of opening and (in the shorter term) operating a series of five "*contemporary pubs*". The Applicant describes the Premises (to be known as The Carmelite) as the intended "*flagship venue*" in the chain and is currently seeking to raise £300,000 to fund the fit-out. The Applicant's website also indicates that the team behind the Applicant hopes to sell the company in 2019 and provide a threefold return to shareholders. This is not, therefore, an application by an operator which plans to be a long-term member of the local community; rather, it is an application made with a view to an onward sale of the business at substantial profit within a short period of time.

I am the owner of Apartment [redacted] Victoria House, which has been my home for 9 years. As I explain below, given (i) the proximity of the Premises to Temple House and Victoria House; (ii) the (limited) information provided by the Applicant regarding the Premises; and (iii) the hours for which a premises licence is sought, I am concerned that the granting of the application will have a significant impact upon residential amenity for those of us living nearby.

General observations

According to the City of London website, the Premises were granted planning consent for A3¹ use (as a “restaurant/wine bar”) in 2000 (under City of London ref. 5203N). However, they have remained vacant ever since, due (I believe) to the side-street location and lack of passing trade. In 2009, following a number of years of unsuccessful marketing of the premises to the hospitality trade, the (then) owner of the Premises applied for permission for change of use to class B1 (office) use, which was granted. In August 2012, Christie & Co, the current owners of the Premises (and the Applicant’s prospective landlords), applied for and obtained an extension of time (until August 2015) for implementing the extant permission for B1 use. The rest of the building at 6 Carmelite Street is used as offices, and in light of the proximity of the building to a large number of residential apartments, a non-licensed, office use of the Premises would be a very welcome alternative to the current application.

The Prevention of Public Nuisance

The premises licence application form describes the Premises as a “*contemporary bar with a high end food offering*”. No further detail is provided regarding the proposed nature, ambience and operation of the Premises. This is of particular concern to me, because both (i) the Applicant’s website; and (ii) the premises plans submitted as part of the licence application clearly refer to the Premises as a “*pub*”. Likewise, the Applicant’s recent planning applications for an accessible entrance and the plans submitted therewith proceeded on the basis that the Premises were to be a pub. Furthermore, the Applicant’s website states that the (proposed) Premises “...*sits within the ‘all day’ bracket of licensed outlets in the UK where guests can enjoy whatever they like from the menus at any time without the need to adhere to traditional times for lunch or dinner*”. I believe this description to be consistent with that of a public house with an all-day food offering.

In any event, however the Applicant seeks to describe the Premises, I believe that due to their location, proposed scale and intended trading hours, the Premises are likely to cause significant public nuisance. The proposed scale of the operation is substantial. The premises plans submitted with the licence application refer to 124 covers (60 ground floor and 64 basement). Neither the application form nor the accompanying premises plans specify maximum capacities. However, the Applicant’s website states that “*the venue has a total capacity of 130 all seated or up to 330 for standing functions...*”. It is reasonable to assume that tables in the Premises may be occupied more than once in the evening, and that standing customers will come and go – meaning that a very much larger number of customers may pass through the Premises during the evening and night time. I am also concerned that, notwithstanding the availability of food, sales of alcohol will in practice predominate, which in turn is likely to fuel noise disturbance as customers leave the Premises.

Although the Applicant is aware of our existence (residents having made representations in connection with its recent planning applications) the licence application omits to mention or adequately address the fact that the Premises’ neighbours include 60 residential apartments, a number of which (in Temple House) face onto Tallis Street and are located within yards of the Premises. I do not believe that the conditions proposed by the Applicant in Annex A to

¹ As I understand it, the unimplemented A3 consent permits what is now classified as A4 (public house) use.

its application form will prevent the Premises causing significant public nuisance. The area around the Temple presently benefits from very low ambient noise levels very early in the mornings, at night and at weekends. This factor, plus the “echo chamber” effect caused by a combination of high buildings and narrow streets in Tallis Street and Temple Avenue, means that when noise does occur, it is magnified to the detriment of nearby residents. I believe that due to the nature and capacity of the Premises and the proposed licensing hours², residents will inevitably be disturbed during sleeping/unsocial hours by customers and staff entering/exiting the Premises and making their way home along Tallis Street, Temple Avenue, Tudor Street and Carmelite Street. I am also concerned to see that permission is being sought for off sales, as I believe that this is likely to exacerbate the risk of public nuisance.

Various other practical issues – and their potential impact upon local residents – have not been addressed by the Applicant. Firstly, the application does not explain when deliveries, including food and alcohol, would take place. I am concerned that early morning or late night deliveries could cause appreciable noise disturbance, for the reasons explained in the preceding paragraph. It is also unclear how the Applicant proposes to deal with issues arising from the congregation of smokers and/or drinkers outside or adjacent to the Premises (i.e. noise and litter/other detritus). I note further that the application contains no information regarding proposed ventilation of the Premises and effective odour control (either in relation to the ground floor kitchen or the ‘ventilated refuse room’ at basement level). Nor does it explain what measures will in fact be taken to avoid noise and vibration escaping from the Premises and causing a nuisance. Given the proximity of the Premises to residential dwellings and offices, I am surprised that such issues have not been addressed.

The prevention of crime and disorder and public safety

At present, I would describe the area around Temple House and Victoria House as safe and generally quiet. However, I believe that the nearby addition of “all-day” pub-style premises with a substantial capacity and permission for off sales would significantly increase the risk of anti-social and disorderly behaviour in the evenings, at night and during the Christmas and New Year period.

Conclusion

For the reasons set out above, I object to the granting of the premises licence sought and respectfully request that the Committee refuses the application in its entirety.

If, however, contrary to my representations, the Committee should nevertheless decide that a premises licence is to be granted, I would respectfully request that the following matters are taken into account in formulating the terms of the licence:

Reduction in licensed hours and refusal of off-sales

The licensed hours sought by the Applicant should be reduced, so that the sale of alcohol and the provision of regulated entertainment ceases at 22:30 Monday to Saturday and 21:30 on Sunday. In addition, no off-sales should be permitted.

² 11:00 to 00:00 Monday to Saturday; 11:00 to 22:30 on Sunday.

Additional conditions to be attached to any licence granted

In addition to the conditions proposed by the Applicant, and on the basis of the limited information provided to date regarding the Premises, I would request that (at least) the following conditions be attached to any licence granted, in the interests of minimising public nuisance and assisting in the prevention of crime and disorder and the promotion of public safety. Where conditions are taken from the City of London Pool of Model Conditions, their reference number is provided:

MC02 There shall be no promoted events on the premises.....

MC03 (makes provision for an incident log to be kept and specifying the contents.)

MC09 (with a suggested variation to the wording) There shall be no admission or readmission of customers to the premises after 22:30 hours Monday to Saturday and after 21:30 Sunday.

MC13 (with a suggested variation to the wording) All doors and windows shall remain closed at all times save for entry, exit or in the event of an emergency.

MC17 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.

MC19 The Licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising.

MC28 There shall be no sales of alcohol for consumption off the premises.

Other matters

Planning permission for a new accessible entrance (on Tallis Street) was recently granted to the Applicant. That permission (reference: 14/00998/FULL) was made subject to conditions in order to preserve residential amenities, the amenity of adjoining premises and the area generally, including in particular the following:

“3. The entrance doors hereby approved shall be used for ingress and egress purposes only whilst the premises are in operation and shall be kept closed at all other times, and shall not be used to service the premises or for refuse collection purposes.”

4. The entrance doors hereby approved must be fitted with opening and self-closing mechanisms, details of which shall be submitted to and approved by the local planning authority before they are brought into use, and the mechanisms thereby approved shall be retained for the life of the premises.

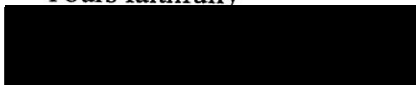
5. The entrance lobby shown on drawing number 1135-12-010G shall not be used for any activities associated with the Class A4 use other than for access purposes and for entering or leaving the premises.”

In the event that a licence is granted to the Applicant, I would invite the Committee to reiterate to the Applicant (and/or formally note) the existence of these planning conditions.

Finally, it appears from the Applicant's website that the proposed Designated Premises Supervisor for the Premises, Mr D'ell Ross, divides his time between interests in the UK and the US. Whilst of course appreciating that Mr D'ell Ross is not required to be physically present on the Premises at all times, in the event that a licence is granted, I would welcome his confirmation that he will be readily available to deal with any issues arising from the operation of the Premises on a day to day basis.

I should be grateful if you would kindly acknowledge receipt of this letter and notify me in due course of the date of the hearing.

Yours faithfully

A solid black rectangular box redacting the signature of the sender.

Natalie Stopps

