

Minas, Aggie

From: Hank Lu [REDACTED]
Sent: 20 May 2018 17:55
To: M&CP - Licensing
Subject: objection to Enoteca London Wall Place license application

Dear Licencing team,

I am emailing you to make a representation in relation to a live application, and I am giving notice to your by email, giving ground of my objection to the Enoteca (Guildhall) Limited application for a premises licence to serve alcohol up to midnight on 6 days a week:

I am the flat owner and also the resident in Roman House, which is the residential building right next to 2 London Wall Place, and has 90 flats in total.

The Roman House design of the flats, that the City granted for development, mean that there are top to bottom and left to right windows and virtually no walls, leaving very limited noise insulation. The City is therefore equally responsible now to ensure that the residents of the residential block of flats it allowed to be built are able to live a normal life with no nuisance of loud noise, loud drunk people, bottles being emptied in bins, drunk people walking around in the very open public spaces of the area, until late in the night.

The Enoteca (Guildhall) Limited application is submitted that allowing the premises licence in respect of the above property would be in contravention of the City of London Corporation Licensing Act 2003 Statement of Licensing Policy (the "Policy") by failing to prevent public nuisance as well as an infringement of my Human Rights pursuant to the European Convention of Human Rights ("ECHR").

I believe that permitting this licence does not uphold the licensing objective to prevent public nuisance in accordance with paragraph 23 of the Policy. I see no way that permitting alcohol to be served opposite a residential block of apartments can reasonably be expected to uphold this objective not to cause nuisance. Permitting this premises licence on and off the premises is an invitation for consumers to consume alcohol in the garden adjacent to my property and therefore cause disturbance in the form of noise pollution, litter and smoke (from smoking). Paragraph 63 of the Policy explains how the prospective applicant should include an assessment of the potential for public nuisance arising from customers smoking, eating and drinking in outdoor areas. The Policy suggests managing this by not permitting customers who are smoking to take drinks outside and locating smoking areas away from residential properties. I do not understand how the applicant will regulate this; the open garden space will act as an invitation for all those in the bar to come and smoke outside my window. Moreover, people will be using the bridge and footpath adjacent to our building to come and go from the premises causing further nuisance. This is unacceptable and is a clear instance of nuisance to residents in Roman House.

I also believe that permitting this premises licence is a contravention of my Human Rights under Article 8 of the ECHR. Under Article 8, I have a right to respect for my private life and home. I am also entitled to peaceful enjoyment of my possessions. Encouraging people to stand outside my apartment and drink, smoke, make noise and cause a general disturbance is a breach of this right and should not be permitted. I have large windows in my apartment and enticing random members of the public to stand outside them is an infringement of my right to privacy. This is all acknowledged in paragraph 8 of the Policy.

I have heard that the prospective applicant is willing to curtail the licence until 11 pm in a bid to prevent nuisance to residents. Whilst this may be regarded as a positive step, I do not see how this solves the problem of unruly and loud behaviour being encouraged in the public garden next to the windows of the apartments in my building.

Rather a more suitable compromise would be to limit the hours till 7 pm so that people wanting to consume alcohol can move elsewhere away from residents and minimise disturbance. Furthermore, the premises licence should be confined to the internal area and should not be permitted off the premises as this is likely to increase the level of public nuisance and cause disproportionate levels of disturbance to residents.

The City Corporation is legally obliged to have regard to the Home Office guidance. It is clear that permitting this premises licence will not uphold the licencing objectives as set out in the Policy.

I reserve my rights to bring a legal claim in breach of my Human Rights, a tortious claim for nuisance and an injunction to prevent the disturbance caused to me.

For all the above reasons, I oppose the granting of the license and the long opening hours of Enoteca (Guildhall) Limited.

Yours faithfully

Cheng-Han Lu

████████ Roman House, Wood Str, City of London