



Representing the interests of Barbican Residents

■ Lauderdale Tower
Barbican
London EC2Y 8BY

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

21st May 2018

Dear Sirs,

Re

**Application for a Premises Licence
Enoteca Da Luca
2 London Wall Place
London EC2Y 5AU**

I write on behalf of the Barbican Association. The Barbican Association is the Recognized Tenants' Association for the Barbican Residential Estate, with over 95% of the properties on the estate being long leasehold. We OBJECT to the application as originally lodged.

Our chief concern in this matter is the Prevention of Public Nuisance

We must first record our thanks that the applicant, Marie Anna Weston, was willing to engage with local residents' associations and agreed to meet with representatives of the Barbican Association and of the Barbican houses closest to the premises in question on 14 May. We believe that many matters have been resolved, but a hearing remains necessary to ensure that appropriate changes to timings and relevant conditions are applied.

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TIMINGS

We note that the “Court Yard” of the premises, and other seating nearby, is within line-of-sight of Barbican flats in Andrewes and Willoughby Houses.

We have explained to the applicant something that the City has been conscious for years: that the white soffits, the undersides of the balconies above the living and bedroom windows, are excellent reflectors of street-level sounds into these rooms. These windows are not double glazed and are not always kept closed, particularly in the summer months when outside drinking may be more attractive for Enoteca patrons.

To address our concerns, we suggested to the applicant that the proposed timings should be amended as follows:

- 1. The premises will be open Monday – Friday, and closed on Saturday and Sunday.**
- 2. The opening hours will be Monday – Friday, 0800 – 2330.**
- 3. Alcohol sales will be limited to 1100 – 2300.**

[We had also pointed out to the applicant that the 2330 closing hour was that stipulated in the Planning Conditions for the site.]

The above was agreed to by the applicant, which agreement was confirmed in an email exchange.

USE OF THE “COURT YARD” / TERRACE / HARD DECK

The applicant has explained to us that they wanted to be able to have four/five tables and associated chairs, out of doors, on the “Court Yard” (see premises plan) or terrace or hard deck.

In our verbal conversation we agreed:

- 4. Outside seating area to close at 2200, any tables and associated chairs to be brought into unit at 2200.**
- 5. Windows / shutters to be closed at 2200.** [We believe that much of the eastern façade of the building is a movable shutter.]

The above was also agreed to by the applicant, which agreement was confirmed in an email exchange.

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“OFF” SALES

“Off” sales have the potential for causing the greatest nuisance to residents nearby. We explained that we did not want Enoteca patrons occupying and drinking at the 50 or so spaces for sitting around the ancient monument, the 25 or so seats on wooden benches immediately nearby and the further 25 or so seats by the ramp down to Salters’ Gardens.

Our understanding is that the applicant’s business at other locations in the City has an extremely low level of “off” sales.

To address our concerns, in part, we suggested that:

6. All “off” sales must be in sealed / closed containers.

The above was further agreed to by the applicant, which agreement was confirmed in an email exchange.

- 7. It is clear to us that addressing our concerns over the possible usage of the “off” site seating, leading to disturbance being caused to residents, can only be met by an appropriate management plan being implemented by the various duty managers. So that everyone concerned understands what is called for, we urge that this management plan be circulated to the Licensing Department, Environmental Health officers and residents’ representatives.**
- 8. We expect that a telephone number for the duty manager will be circulated to residents nearby.**

We urge you to amend the timings within the initial application to reflect the reduced days and hours in 1, 2 and 3 above; to set the special limited hours for the Court Yard and windows and / or shutters in 4 and 5; to condition “off” sales as agreed in 6; and to set conditions and issue warning to address our concerns and meet our wishes in 7 and 8.

We thank you for your attention to this,

Yours sincerely,



Chair, Licensing Sub-Committee
Barbican Association – General Council