

## Minas, Aggie

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**From:** Marshall, Siobhan  
**Sent:** 31 May 2018 12:49  
**To:** M&CP - Licensing  
**Cc:** Pye, Rachel  
**Subject:** Gremio EH review representation 2018  
**Attachments:** Gremio EH review representation 2018.docx

Good Afternoon,

Please find attached the Pollution Teams representation, in support of the licence review of Gremio de Fenchurch at 26a Savage Gardens, London.

Kind Regards  
Siobhan

Siobhan Marshall  
Environmental Health Officer  
Pollution Team

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## Representation from Environmental Health: Pollution Control Team

### Gremio De London, 26A Savage Gardens

#### Introduction

An application has been made by a City resident to review the premises licence of Gremio De London, 26A Savage Gardens. The review application dated 11<sup>th</sup> May 2018 has been made on the grounds that the premises will cause public nuisance to the neighbouring residential occupiers.

On behalf of the Environmental Health Responsible Authority, I would like to make a representation in support of the residents' review.

The Environmental Health Responsible Authority is of the opinion that the public nuisance licensing objective will be adversely affected.

This representation would have been made to the original application received by the City of London on 28<sup>th</sup> April 2017, however the officers assessing the application were misled by the statement 'the terrace to the rear of the property is surrounded by commercial properties and as such will not need to be time limited...' and as such were not aware of the extreme close proximity of residential receptors.

The discussion below sets out the reasons for the support for the residents' review.

#### Discussion

Gremio is a 'Spanish Offering' with an internal bar and restaurant area and an outside terrace area. The premises are licensed for the sale of alcohol, recorded music, and late night refreshment as follows:

Monday –	11:00 - 00:00
Tuesday –	11:00 - 00:00
Wednesday –	11:00 - 00:00
Thursday –	11:00 - 01:00
Friday –	11:00 - 02:00
Saturday –	11:00 - 02:00
Sunday –	12:00 - 00:00

The outside terrace area is intended to have a capacity of 50 to 60 with tables and chairs and is permitted to have licensable activities until midnight every day of the week. The Environmental Health responsible authority is concerned that this will cause public nuisance.

Noise associated with the licensed use is not part of the current character of the area and the residents of Pepys Street and Savage Gardens will have direct line of sight of the external eaters and drinkers. There is some train noise from Fenchurch Street Station, however the dominant source of background noise being the from mechanical plant and extraction, as the demand for air conditioning and kitchen extraction fluctuates throughout the evening so too shall the volume of these patrons competing with the already high level of background noise from this source. Such disturbance is not in accordance with the licensing objective to prevent public nuisance.

Whilst on site on 19<sup>th</sup> April 2018, noise monitoring was conducted to measure ambient noise levels in the area, from the terrace and from the fire route deck.

Location of Monitoring	LAeq3min
Fire Route Deck	64dBa
Terrace area	63.1dBa

At that meeting, to be heard attendees had to raise our voices quite considerably, to contend with the plant and ventilation noise already present within the area.

Concern is also raised related to noise outbreak from openable doors and windows onto the terrace.

### **Conclusion**

The Environmental Health Responsible Authority is of the opinion that the use of the external terrace areas for licensable activity and smoking in extreme close proximity to residential receptors and noise outbreak from openable windows and doors will cause public nuisance.

### **Recommendation**

The Environmental Health Responsible authority requests the Committee to consider modifying the license to restrict use of the external terrace area for licensable activities at all times and add a condition which prevents patrons of the premises using the terrace area at any time. A condition requiring doors and windows to be kept closed is also requested.

### **Supporting Information**

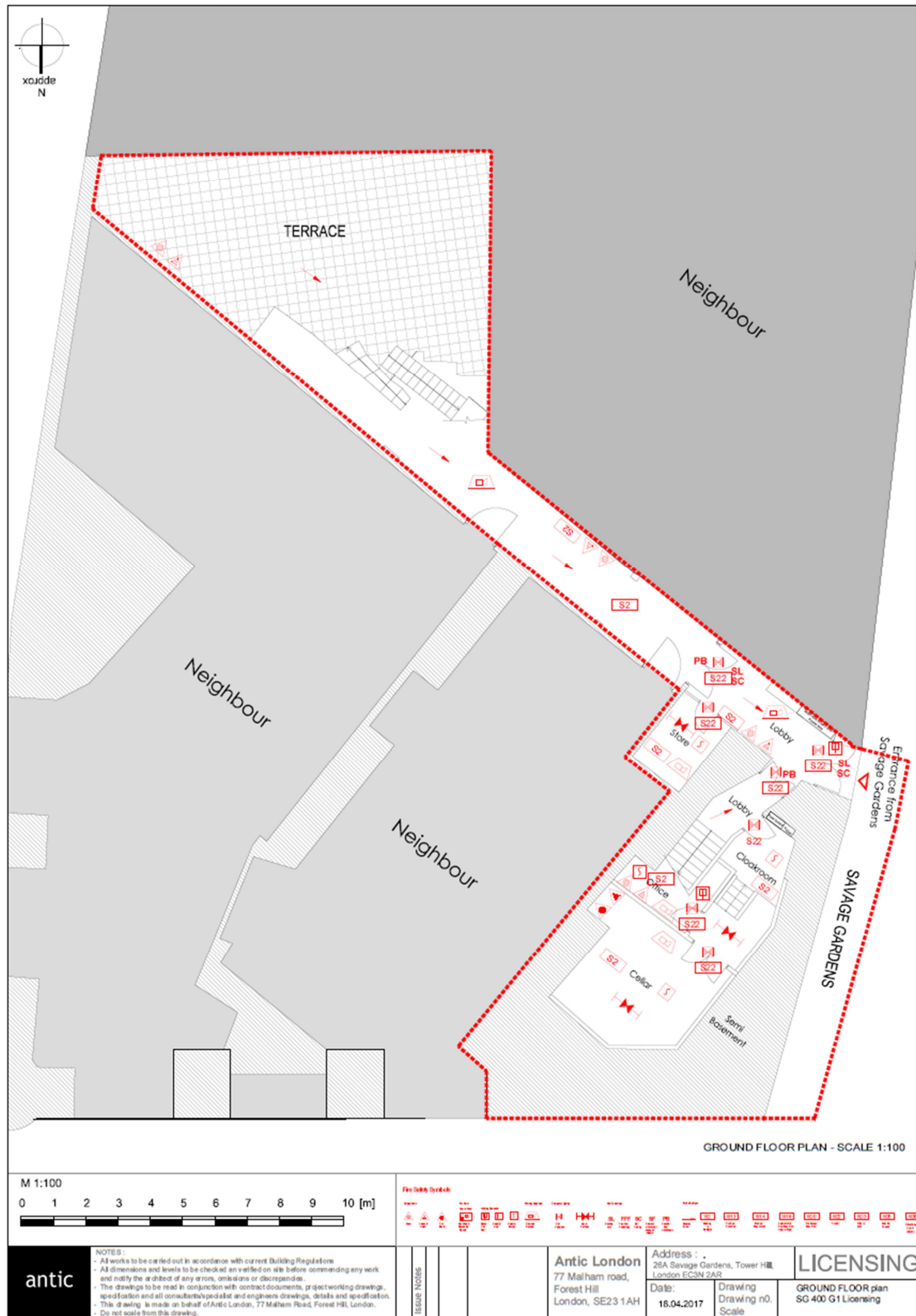
The following photographs illustrate the proximities of the residential receptors.



**Photograph 1** - View of fire escape from Gremio bar area, renewed decking for the fire route, frosted window to residents' bedroom and roof light into another residential property window.



**Photograph 2** - Again shows the decking area / fire route from the bar area, the residents bedroom window and the new doors which have been installed into the archway, which consist of 2 sliding doors and a set of central fire doors. This photo also shows the stairs to be used in the event of a fire, or to access the 'terrace' as detailed in Image 1.



**Image 1.** Demonstrates the Licensable area, the ‘terrace’. This diagram neglects to note the bedroom windows in close proximity to the terrace and Fire route decking.



**Photograph 3** - is a panoramic image of the current condition of narrower tapered end of the 'terrace'. In order to make this area safe work needs to be undertaken to level the land.



**Photograph 4** - is a panoramic view of the wall looking south toward the residential properties at 1 Pepys Street and Savage Gardens, behind a disused storage shed.



**Photograph 5** – this photo shows the windows from 1 Pepys Street overlooking the ‘Terrace’ area, there are 90 residential units within this block of flats.



**Photograph 6** – this photo shows the residential properties overlooking the ‘Terrace’ area from 25 Savage Gardens, there are 5 residential properties within this block.



**Photograph 7** – this photo gives an indication about the amount of mechanical plant situated within the ‘Terrace’ area, underneath and to the right of the new doors in photograph 2.



**Photograph 8** – this photo is of the Fire route underneath the Fire Route decking as shown in photograph 1, this route exits out towards Savage Gardens. The white open door is Fire escape from the kitchens at the Bavarian Beer house. This photograph demonstrates the level of mechanical plant situated in this area, adding to the ambient noise levels.