

Apartment [REDACTED]  
The Underwood Building,  
[REDACTED] Bartholomew Close,  
London EC1A 7BB  
29<sup>th</sup> June 2018

City of London licensing authority,  
Walbrook Wharf,  
78-83 Upper Thames Street,  
London EC4R 3TD

Dear Sir / Madam,

**Representation regarding Application for new Premises License**

In respect of: Wright & Bell

Premises Address: Unit 10 Barts Square West Smithfield EC1A 9DS

We are residents on Bartholomew Close and our property is within close proximity to the premises in this application. We hereby make our representation regarding this application with our concerns below, although in general, we are supportive of the application to establish a thriving business in the neighbourhood.

1. Application for license include external drinking area

Please give a general description of the premises (please read guidance note 1)

Bar and restaurant with external drinking and dining area

This is a quiet residential area and the premises is directly opposite residential apartments. External tables are facing tranquil residential area. Drinking customers will talk louder and are likely to create louder noise level. Serving the external tables with alcohol to late hours will likely to increase noise level. According to City of London noise strategy section 2.4.1 for New Development:

- d) For mixed use sites or developments, planning policies will generally encourage physical separation of noise generating activities from noise sensitive premises as long as this is compatible with good acoustic design of the site. Where necessary, conditions to minimise noise and noise impacts through mitigation and/or limiting hours of operation will be sought.
- e) Prevent the introduction of noise sensitive uses into areas close to commercial developments with high noise levels where the achievement of acceptable standards for quiet living conditions are not technically practicable.
- g) Resist the introduction of noise generating activities such as leisure or entertainment venues into areas with strong residential character. Where this is not compatible with wider planning or other economic and social objectives for the area, limit noise impacts by ensuring good acoustic design and by placing appropriate conditions including constraints on activities and limits on hours of operation.

As these are noise generating activities, we would like to ensure external drinking is strictly limited to seated customers and there is no standing customers drinking.

2. Furthermore, regarding louder noise from drinking customers at internal / external seating, the noise may travel directly to tranquil residential area. Also, cited in noise strategy section 2.4.1:

h) Seek opportunities in connection with new development for the enhancement of the acoustic environment, for the promotion of soundscape initiatives and for the protection of quiet and tranquil places when and where such measures are supported by the local community.

As residents in the Barts Square development and residents of Bartholomew Close, we would like the premises to have soundscape setup to restrict the louder noise from directly traveling to nearby buildings.

3. Requested hours are outside of normal noise hours

**J**

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption</u> <u>— please tick (please read guidance note 8)</u>		On the premises <input type="checkbox"/>
					Off the premises <input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>		
Mon	07.00	23.30	<u>State any seasonal variations for the supply of alcohol (please read guidance note 5)</u>		
Tue	07.00	23.30			
Wed	07.00	23.30			
Thur	07.00	23.30	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri	07.00	23.30			
Sat	08.00	00.00			
Sun	08.00	22.30			

With reference to drinking customers causing louder noise, and in particular for external area. The noise level introduced is likely to adversely affect the quietness of the residential area pass sleeping time. From noise strategy section 2.4.1:

- f) Place limits on the hours of operation of servicing and noise generating activities at developments where noise sensitive premises are likely to be adversely affected. Existing limits for hours of servicing (permitted between 07:00 – 23:00, Monday – Saturday, except bank holidays) to be applied; where this is not practicable a plan to minimise noise from servicing will be required to be approved and implemented.

Also, from 'statutory nuisance' (covered by the Environmental Protection Act 1990) in reference at gov.uk:

### **Noise at night: warning notices**

Councils can investigate complaints of statutory nuisance to tackle noise produced at any time of day or night.

They may also issue warning notices in response to complaints about noise above permitted levels from 11pm to 7am. These warning notices can be used by councils for noise that's not a statutory nuisance.

The warning notice must tell the recipient:

- that the noise is coming from the premises between 11pm and 7am
- that the noise exceeds, or may exceed permitted levels as measured from within the complainant's dwelling
- that the noise must be reduced to below the permitted level in a specified period (this must be at least 10 minutes after the notice is served and must end by 7am)
- what time the notice is issued

### **Permitted noise levels**

The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is:

- 34 dBA (decibels adjusted) if the underlying level of noise is no more than 24 dBA
- 10 dBA above the underlying level of noise if this is more than 24 dBA

In our opinion, conversations from drinking customers can create noise between 60 dBA - 100 dBA, and if this is extended to pass 11pm, this will act as continue encouragement for the additional noise created in quiet residential site. We would like the alcohol serving time to be limited to 11pm as latest on any day. This will also likely to avoid / reduce any future noise complaints requiring council's assistance as alcohol consumption is inevitably linked to social behavioural issues. Prolong drinking to late night increases the risk of causing nuisance.

4. The area is also surrounded by glass building reflecting and amplifying noise

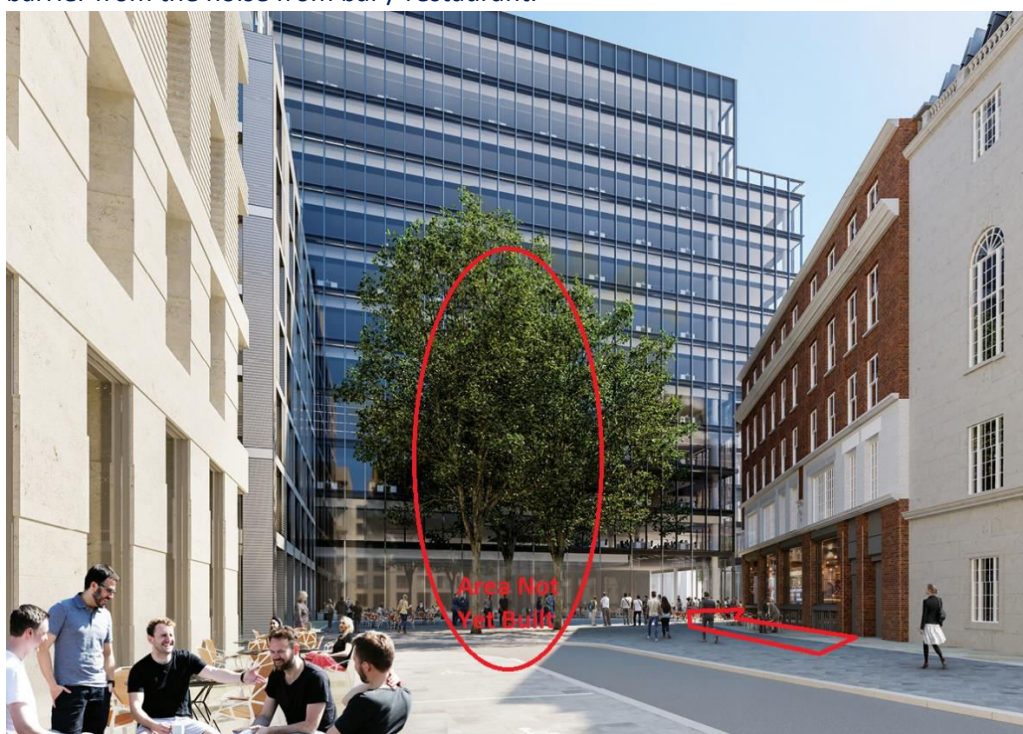
According to noise strategy section 2.5:

10. Seek to assess the risk of any unusual sonic effects on the acoustic environment that may result from the use of innovative urban design in the City, such as excessive reflections from tall glass buildings, unusual reflections from curved buildings and overhangs, and a lack of acoustic absorption in hard external areas.

The external seating areas are directly facing residential area with sound barrier and is adjacent to tall glass panel building. It also appears that there are more seats in this application.



According to the design representation, there are fewer external seating from bar / restaurant as per application, which when combine with alcohol consumption will affect noise level. Also, the pedestrian area include tree is not yet install, and reduces the sound barrier from the noise from bar / restaurant.



We would like effective sound barrier (including trees) to be in place before the premise is licensed to serve alcohol to external seating

5. We are surprised that application for such premise will not play recorded music. We obviously welcome this as it will be a quiet restaurant / bar, but we feel this is unlikely from this type of bar / restaurant. We are obviously also concern of noise level, and whether this is missed out in licensing and thereby, the premises will play music without application. Will there be any monitoring that no music will be played as per application?

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

Yours faithfully,

Joel Chan and Julia Chan