



LICENSING (HEARING) SUB COMMITTEE

Date: MONDAY, 18 JULY 2022

Time: 1.45 pm

**Venue: COMMITTEE ROOM 3 - 2ND FLOOR
WEST WING, GUILDHALL**

Members of the public can observe this virtual meeting on the link:
<https://www.youtube.com/watch?v=PrSzy7Vwrwk&feature=youtu.be>

**APPLICANT: The Pavilion Bar and Restaurant
Ltd**

PREMISES: The Pavilion Bar and Restaurant

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LICENSING (HEARING) SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
3. At the start of the hearing the Chairman of the Sub Committee will introduce him/herself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.¹
4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to be heard in support of any of the parties making representations or the applicant.
5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support, consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

¹ In hearings where a licence is being reviewed, references in this procedure to ‘applicant’ should be read as references to the licence holder and references to ‘those making representations’ should be read as references to those applying for the review.

9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
11. Those making representations will then be invited to make closing submissions followed by the applicant.
12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

Committee(s):	Hearing Date(s):	Item no.
Licensing Sub-Committee	18 June 2022	
Subject: Licensing Act 2003 - Public Hearing in Respect of an Application for the Grant of a Premises Licence		
Name of Premises: The Pavilion Bar and Restaurant Address of Premises: 200 Aldersgate Street (Unit 3 South) EC1A 4HD		
Report of:	Public / Non-	
Juliemma McLoughlin – Executive Director Environment	Public	
Ward (if appropriate): Aldersgate		

1 Introduction and Purpose

- 1.1 The purpose of this Sub-Committee is to consider and determine, by public hearing, an application for the grant of a premises licence under the provisions of the Licensing Act 2003, taking into consideration the representations of other persons, as detailed in paragraph 4, together with the policy considerations detailed in paragraph 6 of this report.
- 1.2 The decision of the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives, namely:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

2 Summary of Application

2.1 An application made by:

The Pavilion Bar and Restaurant Ltd
Retail Unit 3, South
200 Aldersgate Street
EC1A 4HD

was received by the City of London licensing authority on 24 May 2022 for the grant of a premises licence in respect of the premises:

The Pavilion Bar and Restaurant
Retail Unit 3, South
200 Aldersgate Street
EC1A 4HD

2.2 Full details of the application can be seen as Appendix 1.

2.3 The application seeks permission for the sale of alcohol for consumption on and off the premises. However, the application was amended by the applicant to alter the commencement and terminal hours for the supply of alcohol. The amended times are included in the table below. A copy of the amendment can be seen as Appendix 2. Times sought in the application are shown in the following table:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Supply of alcohol for consumption on and off the premises (Original application)	N/A	Mon-Sun 10:00-24:00
Supply of alcohol for consumption on and off the premises (Amended application)	N/A	Mon-Sun 12:00-23:00
Late Night Refreshment	N/A	Sun-Thu 23:00-23:30 Fri-Sat 23:00-24:00
Opening Hours	N/A	Mon-Sun 07:00-00:30

- 2.4 The operating schedule submitted with the application suggests steps intended to be taken in order to promote one or more of the four licensing objectives. Conditions consistent with this schedule which could be included as conditions on the premises licence are attached as Appendix 3.

3 Licensing History of Premises

- 3.1 This is a new application for a premises licence with no previous licensing history. That being the case there are no complaints recorded against the premises.
- 3.2 The proposed business is described by the applicant as a coffee store/eatery. It has a capacity of 65 covers.

4 Representations From Other Persons

- 4.1 There are 12 representations from ‘other persons’. The representations are against the granting of the licence on the basis that if granted it will undermine primarily the licensing objectives of ‘the prevention of public nuisance’ and ‘the prevention of crime and disorder’ but also ‘the protection of children from harm’ and ‘public safety’.
- 4.2 The representations can be seen in full as Appendices 4(i) to 4(xii).

5 Representations from Responsible Authorities

- 5.1 There are no representations from Responsible Authorities.

6 Policy Considerations

- 6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its statement of licensing policy and any statutory guidance issued under s 182 of the Licensing Act 2003.

City of London Corporation's Statement of Licensing Policy (2022)

- 6.2 The following pages/sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application.
- 6.3 Pages 15-17 address the licensing objective 'The prevention of crime and disorder' and pages 22-25 address the licensing objective 'The prevention of public nuisance'.

Paragraph 92 states the need to strike a fair balance between the benefits to a community of a licensed venue, and the risk of disturbance to local residents and workers.

Paragraph 92 also states an overriding policy principle namely, that each application will be determined on its individual merits.

Paragraph 104 considers various factors that should be taken into account when considering whether any licensable activity should be permitted.

Paragraphs 138-144 (Section 13) state the City of London Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as stated in paragraph nine of this report.

Statutory Guidance

The following sections/paragraphs of the statutory guidance issued under S182 of the Licensing Act 2003 are particularly applicable to this application (revised April 2018):

Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.15 states that it is, '*...important that in considering the promotion of [the public nuisance licensing objective, licensing authorities] focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.*' Also, paragraph 2.16 indicates that the prevention of public nuisance could, in appropriate circumstances include, '*the reduction of the living and working amenity and*

environment of other persons living and working in the area of the licensed premises.'

Chapter 10 refers to conditions attached to premises licences with paragraph 10.10 stating that, '*Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.*' To which is added; '*Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.*'

7 Map and Plans

- 7.1 A map showing the location of the premises and the terminal hour for the supply of alcohol and late-night refreshment is attached as Appendix 5.
- 7.2 A plan of the premises can be seen as Appendix 6.

8 Summary

- 8.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the licensing objectives. Each objective has equal importance. In carrying out its licensing functions, the licensing authority must also have regard to its Statement of Licensing Policy, any statutory guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The City of London Corporation must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the City of London.

9 Options

- 9.1 The Sub-committee must, having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - i) grant the licence subject to any conditions consistent with the operating schedule modified to such extent as the Sub-committee considers appropriate for the promotion of the

- licensing objectives and include the mandatory conditions contained in Ss. 19-21 of the Licensing Act 2003;
- ii) exclude from the scope of the licence any of the licensable activities to which the application relates;
- iii) to refuse to specify a person in the licence as the designated premises supervisor;
- iv) reject the application.

For the purposes of paragraph 9.1(i) conditions consistent with the operating schedule are modified if any of them are altered or omitted or any new condition is added.

9.2 Where a licensing authority takes one or more of the steps stated in paragraph 9.1 above the applicant, or the holder of the licence and/or a person who made relevant representations in relation to the application, may appeal the decision to the Magistrates’ Court. Any appeal must be commenced within 21 days following notification of the decision to the appellant by the licensing authority.

10 Recommendation

10.1 It is therefore RECOMMENDED that your Sub-Committee determine this application for the grant of a premises licence in accordance with paragraph 9 of this report.

Prepared by Peter Davenport
 Licensing Manager
 07718 120721
 Peter.davenport@cityoflondon.gov.uk

Background Papers

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
Corporation of London Statement of Licensing Policy (revised Jan 2022) Statutory Guidance – ‘Revised Guidance Issued Under Section 182 Of The Licensing Act 2003’. (April 2018)	MCP	3rd Floor Guild Hall Statutory Guidance



* required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Andrew Christopher

* Family name

Deyhim

* E-mail

Main telephone number

Include country code.

Other telephone number

- Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

- Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

14002784

Business name

The Pavilion Bar and Restaurant Ltd

If your business is registered, use its registered name.

VAT number

- none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

limited company

Address

Building number or name	<input type="text" value="Retail Unit 3, South"/>
Street	<input type="text" value="200 Aldersgate St"/>
District	<input type="text"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="EC1A 4HD"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text" value="londonartsculture@hotmail.com"/>
Telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="REDACTED"/> / <input type="text" value="REDACTED"/> / <input type="text" value="REDACTED"/> dd mm yyyy
* Nationality	<input type="text" value="REDACTED"/> Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

When do you want the premises licence to start?	<input type="text" value="24"/> / <input type="text" value="06"/> / <input type="text" value="2022"/> dd mm yyyy
If you wish the licence to be valid only for a limited period, when do you want it to end	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The Pavilion is a mid to high end hybrid coffee store/eatery. Situated on the ground floor of mid-level skyscrapers in the City of London and is focused on business/office trade. It is located on the main street, providing comfortable pedestrian access. The premises consists of a Kitchen/Food preparation area, Bar and Restaurant area, toilets. Meals and drinks provided in the restaurant/bar area are for the consumption on and off the premises. The capacity of the restaurant is up to 65 covers inside. There are no schools in the near vicinity.

Continued from previous page...

Wine, Premium beer, Cocktails and other alcoholic drinks support the range of beverages, although the main products are quality coffee, sandwiches, pastries and cakes.

The applicant intends to create a comfortable space for customers, in which they are able to read newspapers, work on laptops, and make business calls.

There is a wide range of food provided from Sandwiches, to Desserts, to Sushi, Pizza and Mexican dishes, which are displayed and served at the counter.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Continued from previous page...

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Continued from previous page...

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Premises Licence Holder, shall ensure that all times when the premises are opened for any licensable activity, which is selling the alcohol, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, especially in the prevention of underage sales to a level commensurate with their duties. The Premises Licence Holder shall require the Designated Premises Supervisor, or in his absence other responsible person, to keep an 'incident/refusals logbook. Records will be kept of training and refresher training.

CCTV shall be in use at the premises.

A zero-tolerance drug policy will be adopted and implemented within the premise.

A proof of age scheme shall be adopted, implemented, and advertised within the premise (Challenge 25 policy).

If any incident occurs, manager on call all the time

Children must be accompanied by an adult.

b) The prevention of crime and disorder

- CCTV shall be in use at the premises
- Alcohol purchased on the premises to be consumed on or off the premises
- Small measures available, drink menu available and displayed
- The premises licence holder shall require the designated premises supervisor or in his/her absence other responsible person, to keep an incidents/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and the outcome of the situation.
- Staff and management vigilance
- Regular checks of service fire exit, firefighting equipment
- Effective lightning
- Efficient lightning in the outside area
- Regular toilet check
- Regular staff training
- No sale of alcohol to drunk people and children
- If persons too intoxicated or disorderly conduct, they will be asked to leave premises, or the police would be called
- No high strength beer or cider
- Irresponsible drinks promotions will not be permitted

c) Public safety

- Safe equipment that is regularly PAT tested
- Fire alarms, fire extinguishers in working order, fire risk assessment in place and to be reviewed every 6 months
- Drinking water available to customers on request

Continued from previous page...

- Fire safety exits not to be blocked at any time
- CCTV shall be in use at the premises
- Non smoking premises- if anyone smokes, they will be asked to leave premises immediately
- Property security procedures
- Fire safety and training and evacuation procedures- all staff trained
- Emergency lightning is installed and regularly maintained
- The premises have current and suitable Public Liability Insurance. A certificate will be obtained each year and displayed at the premises.

d) The prevention of public nuisance

- The upkeep of the area- regular checks and cleaning outside and litter collection
- Public transport available outside the premises
- Except for access and egress all doors and windows shall remain closed in the evening to prevent public nuisance.
- The Premises Licence Holder shall ensure that customers leaving the building must respect the needs of residents and leave the premises and the area quietly.

e) The protection of children from harm

- All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it.
- An approved proof of age scheme shall be adopted, implemented and advertised within the premises such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport, other nationalities' ID cards
- Challenge 25 poster clearly displayed
- No children allowed behind the counter.
- All reasonable steps to be taken in order to establish that the individual buying the alcohol for the delivery is aged 18 or over. The age verification to take place at the point of sale via the disclaimer box on the website
- The premises are safe and suitable for children
- Children must be accompanied by an adult
- There are no schools in the near vicinity.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text" value="Andrew Christopher Deyhim"/>
* Capacity	<input type="text" value="Director"/>
* Date	<input type="text" value="24"/> / <input type="text" value="05"/> / <input type="text" value="2022"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/city-of-london/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Dunleavy, Ben

From: Andrew Christopher Deyhim [REDACTED]
Sent: 23 June 2022 13:39
To: Davenport, Peter
Subject: Appendix 1a - Amended Application

THIS IS AN EXTERNAL EMAIL

Hi Peter, I am writing to confirm that we will be operating the premises license through 12pm-11pm, in light of some of the confusion across the licensing times with various departments.

I would like to ammend our trading hours for alcohol to:
Monday-Sunday as:
12pm-11pm

Thanks, Andrew.

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Conditions consistent with the Operating Schedule

The Pavilion Bar and Restaurant

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.
2. Children shall not be allowed on the premises unless accompanied by an adult. (Similar to MC23)
3. A 'Challenge 25 Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card. (MC21)
4. 4. A refusals log (electronic or hard copy) shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the incident, the name of the staff member who refused the sale and the reasons the sale was refused. The log shall be made available to police and authorised Council officers on request. (Similar to MC03/MC20)
5. All doors and windows shall remain closed at all times after **(to be determined by sub-committee)** hours except for entry or exit, or in the event of an emergency. (MC13)

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From: [REDACTED]
To: [M&CP - Licensing](#)
Subject: Bhanji
Date: 20 June 2022 07:53:37

THIS IS AN EXTERNAL EMAIL

I am the owner of [REDACTED] London House which is on the first floor and immediately above the front entrance to no [REDACTED] Aldersgate Street. I have objected to the granting of the extended hours of this application and its outside seating proposals. I am objecting again against the granting of these particular two provisions.

Since my flat is on the first floor I will be directly affected by the excessive noise and would therefore urge the planners to restrict the opening hours and not grant the outside seating provisions. Everything should stop at 11 pm and not recommence until 7 am the next day.

Also, during working hours, the pavement outside the unit is busy and therefore not suitable for outdoor seating from a public safety perspective.

Also, the serving of alcohol until 12.30am, 7 days a week will create an issue in terms of people behaving in an unruly manner outside (urinating/vomiting etc.)

We will also have tailgating issues with the London House reception - located approx. 15m from the proposed operation. We do not have 24hr concierge in the building.

Abdul Bhanji

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Dunleavy, Ben

From: M&CP - Licensing
Sent: 21 June 2022 11:24
To: Gaiger, Jack
Subject: Cox
Attachments: Pavilion Bar - BA objection letter 20th June 2022.doc

From: Sue Cox <[REDACTED]>
Sent: 21 June 2022 11:22:09 (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: M&CP - Licensing <licensing@cityoflondon.gov.uk>
Cc: Jane Smith [REDACTED]
Subject: Objection letter ref Pavilion Bar & Restaurant, 200 Aldersgate Street

THIS IS AN EXTERNAL EMAIL

Dear Sir/Madam

Ref: Application for Premises Licence from The Pavilion Bar and Restaurant Ltd, Retail Unit 3, South 200 Aldersgate Street, London EC1A 4HD

I attach a letter written on behalf of the Barbican Association, a Recognised Tenants' Association representing the residents of the Barbican Estate, to **object** to the above application principally on the grounds of the Prevention of Public Nuisance, in particular those of noise disturbance and danger to public safety. Our detailed objection letter is attached.

Please could you confirm its safe receipt at your earliest convenience.

Many thanks and kind regards,

Sue Cox

Deputy Chair, Barbican Association Planning & Licensing Sub-Committee

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Representing the interests of Barbican Residents

Barbican Assoc Licensing Sub-Committee
c/o 343 Lauderdale Tower
Barbican
London EC2Y 8NA

City of London Licensing Authority,
Guildhall,
Aldermanbury,
London EC2V 7HH

20th June 2022

Dear Sir/Madam

Ref: Application for Premises Licence from The Pavilion Bar and Restaurant Ltd, Retail Unit 3, South 200 Aldersgate Street, London EC1A 4HD

We are writing on behalf of the Barbican Association, a Recognised Tenants' Association representing residents of the Barbican Estate, to **object** to the above applications primarily, but not exclusively, on the grounds of the Prevention of Public Nuisance.

Late submission on website

We note that this application was submitted on 26th May 2022 and yet it did not appear on the City of London website until 1st June 2022, a time lapse that we find unacceptable not least as that was just before the 4 day Platinum Jubilee weekend when many people were away, thereby significantly reducing the amount of time for representations to be made.

No prior consultation with residents

Given that the location of the proposed premises is in close proximity to so many residential blocks, we are also disappointed and frustrated that the applicant chose not to consult with any of the nearby residents before submitting this application.

Indeed, it is even more so given that there is no mention of residents whatsoever in this application. The description of the business states that "*The Pavilion is a mid to high end hybrid coffee store/eatery. Situated on the ground floor of mid-level skyscrapers in the City of London and is focused on business/office trade....*"

Whilst we accept that the applicant's premises are to be located at the base of a large office block, it is surely obvious to any observer that the site is close to a large number of residential blocks. London House is just a few metres away on Aldersgate Street, diagonally opposite there is the Barbican Estate where Mountjoy House, Thomas More House and Seddon House are located, Spencer Heights, Aldersgate Court and Barts Square are at the rear of the location and Little Britan is also in the near vicinity. How can all of these just be ignored?

No recognition of the presence of schools

We would also point out that the applicant's claim in the description of business that "*There are no schools in the near vicinity...*" is erroneous. What on earth is the applicant's definition of "near vicinity"?! Hatching Dragons Nursery in Ironmongers Hall is about a minute's walk away (0.1m) whilst the City of London School for Girls is only a couple of hundred metres further away (0.3m).

Our key objections centre on:

1. Prevention of Public Nuisance

We would remind that in Section 8 (Applications for premises licences) of the Revised Guidance Document issued by the Home Office under Section 182 of the Licensing Act 2003 in April 2018 it states:

"8.42 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*

And it goes on:

8.44 It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective....

As we commented earlier, the applicant has made no reference to residents whatsoever despite being located so close to so many residential blocks. Where in the application is there any recognition of this and what "smoking, noise management and dispersal" measures are proposed in order to protect the residential amenity of the people living in the near vicinity?

Excessive and unacceptable proposed opening hours

The proposed opening hours of the establishment are shown as 7am – 12.30am every day of the week, including weekends, with licensing hours requested of 10am-midnight. If it is focused on business/office trade then why apply for such extended hours, in particular at weekends when business/office trade is scarce, if not non-existent? Also, what about the rights of the nearby residents and the protection of their residential amenity?

We would point out that the City of London's Statement of Licensing Policy 2017 states that "*The City Corporation considers that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning.....Residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23.00 and 07:00*". If a licence were to be granted to the applicant past 23.00pm then it would be taking away residents' right to quiet enjoyment of their homes during these key hours.

The smoking ban inside premises has also increased the number of people either smoking outside premises or accompanying smokers. The noise of people socialising outdoors can cause public nuisance, even if they are not badly behaved. In addition, the blocking of footways by people standing outside drinking and smoking is a public nuisance.

It is clear that residents can also be subjected to nuisance from the noise of people on their way to and from premises and loitering in the streets after they have left the premises, especially if they have had a lot to drink. Alcohol fuelled anti-social behaviour can create high levels of noise, disturbance and nuisance as well as raising concerns over both security and hygiene issues. The Aldersgate Street area is

a quiet and peaceful locality in the evenings and particularly at weekends. Hence any noise during this time is amplified.

Where is the proposed provision of late night refreshments outdoors to be located?

The application form states that the premises intend to supply alcohol and late night refreshments. Of some major concern to us is the answer to the question “*Will the provision of late-night refreshment take place indoors or outdoors or both?*” as the answer given is “both”.

Where will these late-night refreshments be served outdoors? On the pavement outside the premises right by the Museum of London roundabout? What about the safety issues being so close to a busy thoroughfare? And more pertinently what about the prospect for late night noise nuisance? If the applicant is proposing to place tables outside the premises and serve alcohol and late-night refreshments until midnight every day of the week then this would clearly be unacceptable in terms of noise and loss of residential amenity.

The same answer is given to the question “*Will the sale of alcohol be for consumption*” on or off the premises ie. both. What exactly is the applicant proposing with regard to “outside” and “off the premises”? The statement further in the application form that “*all doors and windows shall remain closed in the evening to prevent public nuisance*” rings hollow if late night refreshments and alcohol can be consumed outside the premises until midnight. This is totally unacceptable in such a heavily populated residential area.

Noise associated with outdoor drinking and late night dispersal of customers from such establishments is most definitely not in the character of the area. Noise from outside drinking is likely to cause disturbance to neighbouring residents at a time when they wish to rest and sleep and such disturbance is definitely not in accordance with the licensing objective to prevent public nuisance

We would also question what form these “late night refreshments” are to take. Are we talking about, for example, toasted sandwiches and paninis etc or something more substantial? If so, do the premises have adequate cooking and ventilation facilities already in place to avoid cooking smells wafting around and into nearby residents’ windows. If not, does the applicant intend to install such facilities – and if so, where?

No promoted/private events

Given the fact that there are no offices open in the area at weekends, we see no reason for the applicant to be granted any licensing hours on Saturdays or Sundays. Indeed, we are concerned that if the venue were to be allowed to operate at the weekends, it is probable that it would be rented out for private events and parties given the lack of business/office trade. We therefore feel very strongly that there should be no private parties or promoted events allowed at this site.

Similar establishments at the same location had much shorter operating hours

We would mention the fact that the previous user of the site, **EAT**, operated between the hours of 6.30am – 6.30pm on weekdays, between 9.30am – 4pm on Saturdays and was closed on Sundays. **Abokado**, also located at 200 Aldersgate Street, had opening hours of between 7am – 8pm Monday – Friday and was closed at weekends. **The Natural Kitchen**, a bar and restaurant which was located just a few yards away from this proposed establishment, had operating hours of 08.00am – 15.00pm Mondays and Tuesdays and 08.00am – 21.00pm Wednesdays, Thursdays and Fridays. On Saturdays and Sundays it was also closed, reflecting the residential nature of this location.

We believe that the licensing hours requested by the applicant are excessive and unreasonable and, if granted, would inevitably have a negative impact on the residential amenity of the many people living in the close vicinity.

Other issues

In addition to the issues regarding the Prevention of Public Nuisance we would also mention:

2. Public Safety

During working hours, the pavements in this locality are usually busy and often crowded with office workers, tourists visiting the many sights in the area, school groups visiting e.g. the Museum of London. Hence any blocking of the pavement by groups of e.g. smokers congregating outside the establishment or any further narrowing of the pavement with e.g. outdoor seating would create a safety hazard on such a busy thoroughfare.

3. Prevention of Crime and Disorder

We are concerned over the potential for an increase in alcohol fuelled anti-social behaviour and the consequent prospect of increased crime and disorder in what is currently a peaceful area. Groups of drinkers leaving the premises and hanging around the area are also a concern, not just for nearby residents but for anyone walking in the area or returning home alone.

4. Protection of children from harm

As we have already pointed out, Hatching Dragons Nursery in Ironmongers Hall is about a minute's walk away (0.1m) from the premises whilst the City of London School for Girls is only a couple of hundred metres further away (0.3m). There are also children living in the many residential blocks surrounding this site.

Summary

Given all of the above, we reiterate our strong objection to this application and request that, should a premises licence be granted, then it should reflect the premises' location in a residential area and the hours granted should be significantly restricted from the hours currently applied for.

We therefore request that if a licence is to be granted, the following conditions should be applied:

- The premises should be allowed to operate until 11pm on weekdays only.
- The provision of Late Night Refreshments should be refused
- The consumption of alcohol outside the premises should not be allowed.
- Private parties/promoted events should definitely not be allowed at any time particularly at weekends.

Yours sincerely,

Jane Smith, Chair Barbican Association Planning & Licensing Sub-Committee
Sue Cox, Deputy Chair, Barbican Association Planning & Licensing Sub-Committee

Dunleavy, Ben

From: Mary Harris [REDACTED] >
Sent: 19 June 2022 15:05
To: M&CP - Licensing
Subject: Harris

THIS IS AN EXTERNAL EMAIL

I am writing to object to the granting of a liquor license to the property 200 Aldersgate street (Pavilion restaurant) although I have no objection to a restaurant I have an issue if drinking is to be allowed to stray into the street meaning that pedestrians will have to walk into the road on a blind corner on a busy road, this is the case with the Lord Raglan on St Martin's le grand

Mary and Crawford Harris
[REDACTED] London house
Aldersgate street
[REDACTED]

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Dunleavy, Ben

From: Daniel James [REDACTED]
Sent: 20 June 2022 23:14
To: M&CP - Licensing
Subject: James

THIS IS AN EXTERNAL EMAIL

Sirs,

Re: Licence Application by The Pavilion Bar and Restaurant, Ltd. 200 Aldersgate Street, EC1A 4HD

My wife and I have a flat in London House, [REDACTED] Aldersgate Street, which is very close to the property in question.

I have read the PDF copy of the application, as it appears on the City of London website, and I believe that the application should be refused on the following grounds:

1. The application states that the business is "focused on business/office trade". If this is the case there is no need for them to have a licence to sell alcohol late into the evening.
2. The application states that the provision of late night refreshment is to take place both indoors and out. The supplied plan does not indicate any outdoor area where refreshment might be served or consumed. It may be that the applicant proposes to place tables on the pavement outside the front of the premises. The pavement outside the premises can be quite busy at times, and covering it with tables would make this worse, causing a nuisance to those who use it as a route to and from work or home.
3. Patrons outside the restaurant will doubtless sometimes speak to one another. This will not be a problem during the day when the sound of voices will be lost in the buzz of the City, but in the evening -- as drinks are consumed and as the speakers gain in enthusiasm for their arguments -- the conversation will become louder as the background noise subsides and the result will become intrusive, causing nuisance to nearby residents in their apartments in London House and the nearby Barbican Centre.
4. When serving hours end the staff will have to secure any outside furnishings. The sound of tables and chairs being humped and stacked and brought indoors, late in the evening, would be a nuisance in the same way as stray conversation.
5. Patrons leaving a late-night drinking-hole may find that they have inadvertently have over-indulged, and may have difficulty in finding a suitable place in which to relieve themselves. In London House we have had experience of this from when the ground floor unit was let as a pub, and it was far from uncommon to discover the pavement outside the building decorated with urine and/or vomit. This is a Public Health issue, as such contamination would be likely to cause harm to residents and other passers-by.
6. The application explicitly states that there are no schools in the vicinity. This is materially incorrect as there are a number of schools not far from the site in question, in particular The City of London School for Girls which is within a couple of hundred metres.

I therefore wish to register my opposition to the application.

Yours,

Daniel James
[REDACTED]

London House
172, Aldersgate Street
EC1A 4HU

Dunleavy, Ben

From: monjoffe (null) [REDACTED]
Sent: 20 June 2022 20:19
To: M&CP - Licensing
Subject: Joffe

THIS IS AN EXTERNAL EMAIL

Dear Sir,

As a resident at London House we are writing to object to the application for a licence for this business. The Pavilion Bar.

Firstly there would be added noise to us all week and weekends plus the noise from the extractor fans. Being open to serve alcohol until midnight is bound to affect our quality of living in this building.

Secondly the safety aspect of tables on the pavement especially as schools use this route daily when visiting the Museum of London, there is not space for this on what is a dangerous corner. A big concern.

Les and Monica Joffe

Flat [REDACTED] London House

Sent from my iPhone

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Dunleavy, Ben

From: Alpesh Lad [REDACTED]
Sent: 21 June 2022 18:54
To: M&CP - Licensing
Subject: A Lad

THIS IS AN EXTERNAL EMAIL

From: Alpesh Lad ([REDACTED] London House - 172 Aldersgate Street)

Dear Sir/Madam,

Re: Application for Premises Licence from The Pavilion Bar and Restaurant Ltd, Retail Unit 3, 200 Aldersgate Street, London EC1A 4HD

My name is Alpesh Lad and I am a resident of London House for 21 years. **I wish to OBJECT to the proposed application as outlined below.**

Background:

London House is a residential block of 81 Apartments, housing key workers, families with young children, elderly people and given the new hybrid working environment, a number of people working from home. One of the key attractions of London House is the "peaceful and quiet" environment we enjoy when the offices are closed and at the weekends. This quiet environment means that any noise can be heard easily and is not dampened by other background noise such as traffic. I would like to draw your attention to the music emanating from the roof top terrace of Bird of Smithfield, 26 Smithfield street (when it was operational) being heard by residents of London House despite 26 Smithfield street being over 300m away from London House.

PREVENTION OF PUBLIC NUISANCE

- During the evenings/weekends and we shall be subjected to customers leaving or sitting outside Pavilion. We have the right to enjoy peace and quiet between the hours of 11pm to 7am to allow us to sleep.
- If outside tables are permitted there shall be an unacceptable amount of noise to London House residents
- The unit shall have extraction equipment from which noise shall emanate into the rear of London House. Due to the triangular nature of London House bordered by 200 Aldersgate Street and 160 Aldersgate Street, such noise transmits in amplified manner causing disturbance to residents.

PUBLIC SAFETY

- During working hours, the area outside the unit is a busy area and therefore it is not suitable to locate outdoor seating.

PREVENTION OF CRIME AND DISORDER

- With large amounts of people drinking till 12.30am, this inevitably creates an issue in terms of people behaving in an unruly manner (urinating/vomiting outside buildings)

- London House Lobby is located approximately 15m from the proposed operation. We do not have a 24-hour concierge in the building and there is a possibility that tailgating may occur into London House from patrons leaving the premises.

PROTECTION OF CHILDREN FROM HARM

- There are two facilities for children located closed to the proposed operation, Hatching Dragons Nursery and City of London Girls school. The Licensing committee should give due consideration to these.

We appreciate that we live in part of the City that is a mix of Business and Residential units and understand the importance of commerce in the area however this also has to be balanced against the residents.

If a licence is to be granted, the following conditions should be applied.

1. The premises can only operate until 11pm - Monday to Friday. No weekends are permitted due to the residential nature of the area at weekends. The offices are empty at weekends and therefore there are no customers for the proposed operation.
2. No late night refreshments may be provided
3. No consumption of alcohol outside the premises
4. No offsites sales of alcohol i.e. alcohol delivery
5. Private Parties/Promoted Events should not be allowed.
- 6.
7. This will allow the proposed operation to benefit from City workers during the working week and allow London House the right to peace and quiet environment.

Dunleavy, Ben

From: Mina Lad [REDACTED] >
Sent: 21 June 2022 18:40
To: M&CP - Licensing
Subject: M Lad

THIS IS AN EXTERNAL EMAIL

From: Mina Lad, [REDACTED] London House, 172 Aldersgate Street, London EC1A 4HU

Dear Sir/Madam,

Ref: Application for Premises Licence from The Pavilion Bar and Restaurant Ltd, Retail Unit 3, 200 Aldersgate Street, London EC1A 4HD

I have lived and worked in the City of London for over 20 years. London House consists of 80 apartments with a variety of residents (young children, elderly, disabled, retired, working from home etc.) and is located two doors away from the proposed premises.

I find it concerning that as the closest residential block, we were not made aware of this application (only the blue notice on the window of the premises) and there is no mention of residents in the application. There were no details on the City on London website regarding this application until I contacted the Licensing Team to make them aware of this. The information was finally available late afternoon on 1st June, just before the 4 day Platinum Jubilee weekend, leaving a small window of opportunity for comments to be submitted.

The applicant has made no reference at all to any residential blocks in the area. London House is a large residential block just a few meters away and there are many more residential dwellings - Spencer Heights, Aldersgate Court and Barts Square are just located behind. Diagonally opposite is the Barbican Estate (closest to the proposed premises - Mountjoy House, Thomas More House and Seddon House) and in the other direction, Little Britain. The applicant states that there are no schools in the near vicinity. I believe Hatching Dragons Nursery and Pre-School, located diagonally opposite, should be considered as "near". The City of London Girls School should also be considered "near", especially the sports ground which is located diagonally opposite.

I am writing to **OBJECT** on the following grounds:

(1) PREVENTION OF PUBLIC NUISANCE:

A license past 11pm on any evening is taking away our right to quiet enjoyment of home and the right to a peaceful life between the hours of 11pm-7am. With reference to the Licensing Policy: "Residents have a reasonable expectation that their sleep will not be unduly disrupted between the hours of 11pm and 7am".

Alcohol fuelled anti-social behaviour will create high levels of noise, disturbance and nuisance beyond the levels that could reasonably be expected. Local residents would also be subjected to urinating and vomiting on our pavements.

The smoking ban inside any premises will certainly see many customers outside on the pavement. In bad weather, many will congregate under canopies. London House has a relatively large canopy which would be attractive especially when raining. Regardless of their behaviour, this would cause a nuisance and be potentially unsafe for residents trying access either our staircase entrance, the main entrance or accessing our keypad/video entry system on the wall.

Aldersgate Street is a very quiet and peaceful street in the evenings and weekends, which we all thoroughly enjoy, so any noise during this time is amplified. Even more so as London House does not have air conditioning and therefore ventilation is achieved by opening windows. If the application is granted, the premises should only be allowed to operate until 11pm and only Monday to Friday. Promoted Events should not be allowed. Consuming alcohol outside the premises, whether standing or tables, should not be permitted at all. However, even a licence up until 11pm will still cause local residents nuisance for some time after 11pm as people are leaving the premises, many would loitering, smoking, chatting, all of which creating noise and disturbance.

It must be noted that the previous owner of this unit and the next two premises down towards London House (EAT, Abokado & The Natural Kitchen) did not operate at the weekends, with the exception of EAT which closed by 4pm on Saturdays.

Noise created from the extraction equipment will also disturb residents at the back of London House (half of the 80 apartments). These back facing apartments overlook an enclosed triangle of space. The two other buildings of this triangle (160 & 200 Aldersgate Street) are both huge flat brick building which act to circulate and contain any noise produced within. Any noise at all, reverberates around and can be heard by all back facing apartments.

If this licence is granted, it would impact negatively on the residential amenity of London House.

(2) PUBLIC SAFETY:

During working hours, the pavements are already very busy with commuters, tourists, school groups (from Barbican station going towards Museum of London, St.Pauls), prams, scooters etc. so any outdoor seating would narrow the pavement, causing a safety hazard.

(3) PREVENTION OF CRIME AND DISORDER:

Alcohol fuelled anti-social behaviour is a concern as London House is without 24-hour concierge. Uncontrolled gatherings and loitering would be an issue, especially when coming back home late at night alone. As a female returning home alone late at night, I certainly would not feel comfortable.

(4) PROTECTION OF CHILDREN FROM HARM:

Hatching Dragons Nursery/Pre-School and the City of London Girls school are in near vicinity. There are also babies, toddlers and young children residing in London House.

I appreciate that we live in the City which is a mix of business and residential units and understand the importance of commerce in the area. However, this also has to be balanced against the residents.

I urge the Licensing Committee to refuse this application.

Yours sincerely,

Mina Lad

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Dunleavy, Ben

From: Sade Okutubo <[REDACTED]>
Sent: 20 June 2022 11:01
To: M&CP - Licensing
Subject: Okutubo

THIS IS AN EXTERNAL EMAIL

I am owner occupier at flat [REDACTED] london house, aldersgate street.

I am writing to object to the granting of a licensing application for Pavillion bar and restaurant at unit 3 200 aldersgate street Ec1a4hu.

The unit is adjacent to a block of flats (London House). The units are serviced through the courtyard in the rear. The three buildings of london house, 200 aldersgate and 160 aldersgate form a courtyard where noise bounces around and is amplified.

We are currently plagued by the noise of ventilation plants from the existing buildings and have to keep windows closed to block some of the noise despite weather conditions . This makes it impossible to have quiet enjoyment of one's residence. The level of noise experienced will increase with expected additional plant noise.

Previous catering operations generated noise in early hours of the morning with the noise of lots of bottles being emptied. We are also disturbed by noise from staff taking breaks in the area with conversations being amplified to residents in the block. I expect this will increase with a new operation added to the mix.

Further I expect that the added pollution from food cooking will create further nuisance for us. With the constant odour of food preventing us from having 'fresh clean air'.

I am concerned that Providing alcohol and refreshments late into the night will increase the footfall of revellers who gather from time to time in said courtyard area late at night, clearly inebriated and making a noise nuisance as occurs with some frequency now.

This noise nuisance disturbs sleep and also quiet enjoyment of our flats.

I hope city of london will take our views into consideration.

Thank you
S okutubo

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Dunleavy, Ben

From: Brenda SZLESINGER <[REDACTED]>
Sent: 21 June 2022 17:12
To: M&CP - Licensing
Subject: Szlesinger

THIS IS AN EXTERNAL EMAIL

To whom it may concern:

I OBJECT to the application referred to above on the following grounds:

1. Public nuisance - the premises are located next to and opposite residential blocks. The opening hours are incompatible with the character of the area. Customers and staff congregating outside the premises late into the evening will cause a nuisance to those who live in the area and those who use the public pavement. In any event, operational hours should be restricted to 11pm Monday to Friday only. Any request to use the public highway as an extension of the premises should be rejected.
2. There are a number of schools in the area. The safeguarding of children of all ages must be guaranteed .
3. Anti-social behaviour linked to excessive alcohol consumption will lead to increased crime in the area. This is a residential area and the right to residential amenity must be respected.

With kind regards,

Brenda Szlesinger

Flat [REDACTED] Thomas More House

London EC2Y 8BU

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Dunleavy, Ben

From: [REDACTED]
Sent: 20 June 2022 09:46
To: M&CP - Licensing
Subject: Tompkinson

THIS IS AN EXTERNAL EMAIL

Sirs

I live in London House close to this proposed licensing development.

The last 20 years has seen residential property in and around Aldersgate Street, the Barbican and the Smithfield area rise steadily. Farringdon within is a residential area at night.

Prevention of Public Nuisance

The location, close to the 81 flats of London House and opposite parts of the Barbican will create significant noise in an increasingly residential area. Aldersgate Street has a “canyon” effect. Local residents have a right to quiet enjoyment of our homes in the evenings and at weekends.

Most licensed premises are time limited, with no sale, on or off premises, permitted between 11.00pm and 8.00 am. The recent Go-Puff application also sets a precedent for restriction during such hours.

Customers will leave, late at night, with the inadvertent loudness that comes with even moderate drinking. We know from experience that notices pleading for quiet are ineffective. Outdoor tables means that noise is not contained and will allow music played inside (for which no license is needed) to obtrude itself. Normal licensing hours have traditionally assumed no outdoor noise. If outdoor tables are to be allowed, then the hours must be curtailed sooner. This also impacts Harm. Children and Workers often need to retire by 10.00 pm. Outdoor tables – if allowed at all, should no longer be used after 10.00 pm even if the internal license runs that late.

Ventilation/extraction equipment will cause noise to the rear of London House where there is another canyon effect. We know that noise at ground level sounds as if it is directly under the upper floor windows. The City has recognized this problem by refusing permission to previous applicants who wished to put extraction equipment at the rear of London House. A precedent was set. The Committee is referred to the decisions in previous applications.

The intention to sell off premises needs clarification. It suggests an intention to conduct meal deliveries in due course, which will create additional noise pollution from use of electric bikes over pavements. That should not be permitted. If the intention is only to sell to casual passers by, the point is addressed above.

Public Safety / Prevention of crime and disorder Serving alcohol – on or off - until 12.30am, 7 days a week is in obvious invitation to public drunkenness, including urination and vomiting in London House’s doorway, 15m from the proposed operation. Residents will also be vulnerable to harassment or tailgating while seeking to enter their own building.

Prevention of Harm

The application is inaccurate. There are 2 schools in the area. As off-sales will continue during the day there is the risk of children witnessing public consumption of alcohol by off-purchasers as well as witnessing the evidence of public vomiting and urination. This will not be a good lesson for young minds as to how to behave as adults.

Allowing open tables after 10.00pm will also deprive adult and child residents of necessary sleep. Sleep deprivation is a medical harm.

I oppose this application.

Yours faithfully

Deborah Tompkinson

Flat [REDACTED] London House
172 Aldersgate Street
EC1A 4HU

[REDACTED]

Dunleavy, Ben

From: [REDACTED]
Sent: 14 June 2022 16:19
To: M&CP - Licensing
Subject: Webb

THIS IS AN EXTERNAL EMAIL

Good afternoon,

This is a representation in respect of the premises license application made by The Pavilion Bar & Restaurant Ltd in respect of Retail Unit 3, 200 Aldersgate Street, London EC1A 4HD.

I own Flat [REDACTED] London House, 171-176 Aldersgate Street, a first floor flat some 20 metres away from the premises. Any noise disturbance in 'unsocial hours' overnight will seriously adversely affect my amenity.

The area is a residential one, and I expect the City of London to maintain its policy of avoiding noise in residential areas between the hours of 23.00 and 07.00 (with an earlier close on Sundays). Noise will be generated by persons entering and leaving the premises fortified by the consumption of alcohol. This problem will be exacerbated if the premises is permitted to sell alcohol for consumption off the premises, as it may be consumed on the street below my first floor windows.

In summary, the changes I would like you to make to the license application, so as to avoid seriously adverse effects on my residential amenity, are:

- No sales of alcohol for consumption off the premises, or at the very least such sales to be restricted to the hours of 10.00 to 20.00.
- No permission for consumption of alcohol at tables & chairs (or similar outside drinking arrangements) set up by the restaurant on the pavement outside the premises.
- Sales of alcohol for on-premises consumption to be restricted to 10.00 to 22.30 (closure by 23.00) on Mondays to Saturdays, and to 10.00 to 21.30 (closure by 22.00) on Sundays.

Kind regards

Graham Webb

[REDACTED]

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From: [REDACTED]
Sent: 21 June 2022 11:22
To: M&CP - Licensing
Cc: [REDACTED]
Subject: Barbican Association
Attachments: Pavilion Bar - BA objection letter 20th June 2022.doc

THIS IS AN EXTERNAL EMAIL

Dear Sir/Madam

Ref: Application for Premises Licence from The Pavilion Bar and Restaurant Ltd, Retail Unit 3, South 200 Aldersgate Street, London EC1A 4HD

I attach a letter written on behalf of the Barbican Association, a Recognised Tenants' Association representing the residents of the Barbican Estate, to **object** to the above application principally on the grounds of the Prevention of Public Nuisance, in particular those of noise disturbance and danger to public safety. Our detailed objection letter is attached.

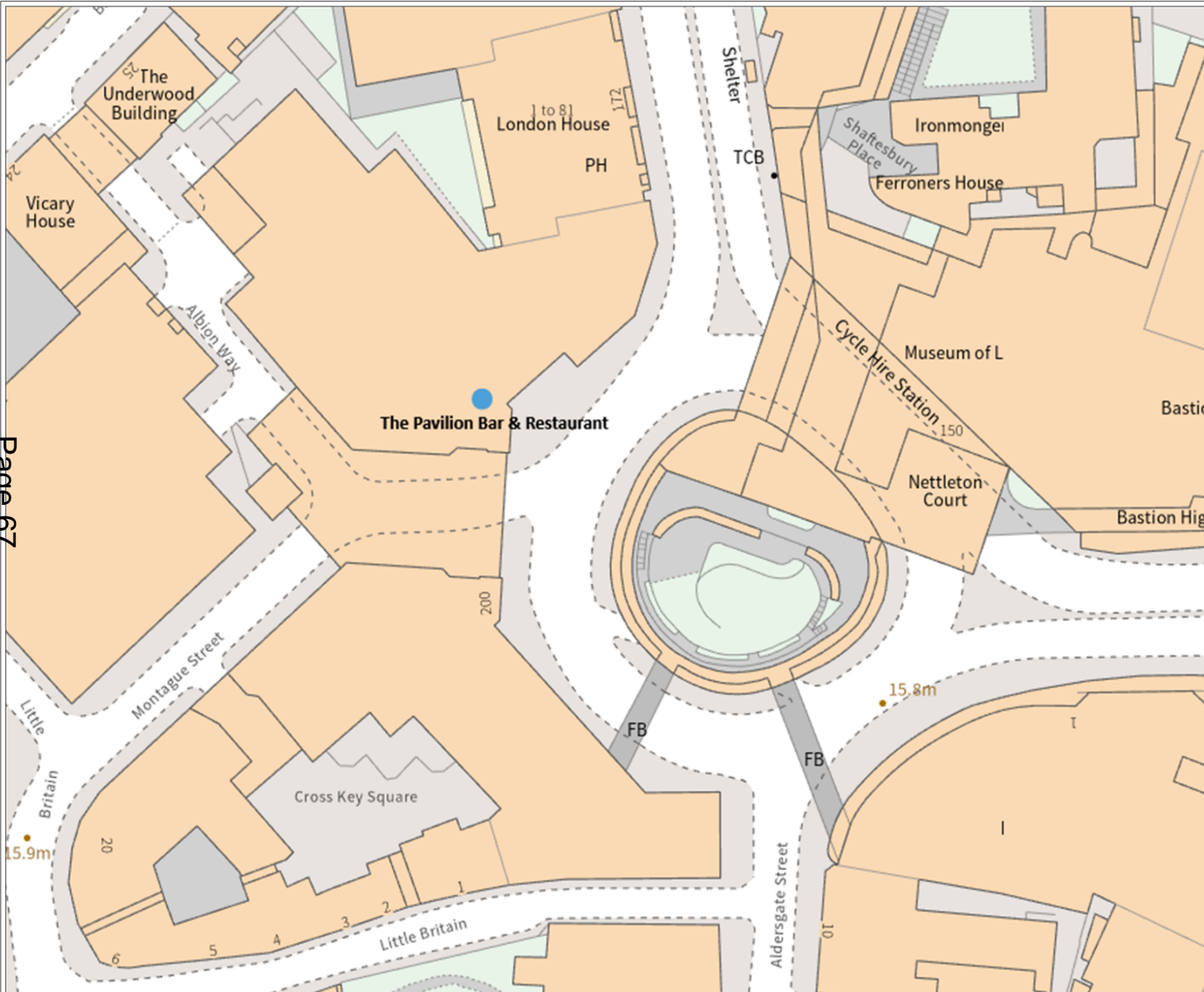
Please could you confirm its safe receipt at your earliest convenience.

Many thanks and kind regards,


Sue Cox

Deputy Chair, Barbican Association Planning & Licensing Sub-Committee

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The Pavilion Bar and Restaurant Ltd, Unit 3 South, 200 Aldersgate, London, EC1A4HD

 City of London Boundary

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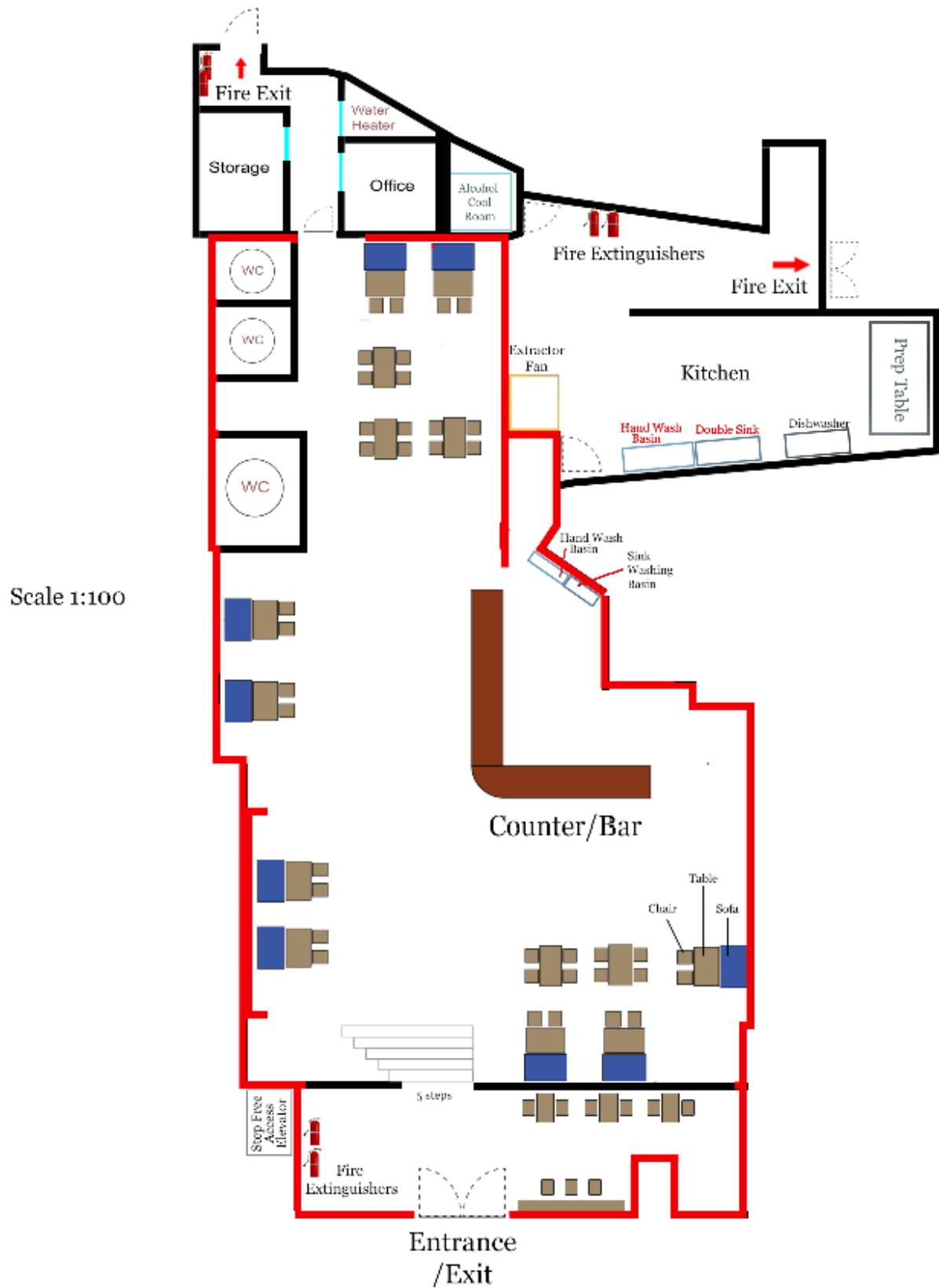


Key to licensed premises surrounding 200 Aldersgate location
showing terminal hour for supply of Alcohol and Late Night Refreshment

	<u>ALC</u>	<u>LNR</u>
1 Lamb & Trotter – 6 Little Britain	00:00	00:00
2 Lord Raglan – 61 St Martin’s Le Grand	01:00	02:00
3 Plaisterers’ Hall – 1 London Wall	01:00	01:00
4 Museum of London	00:45	00:45
5 Ironmongers’ Hall – Shaftesbury Place	23:30	n/a
6 Coriander – 55 Aldersgate Street	23:00	n/a
7 GoPuff – 171-176 Aldersgate Street	00:00	00:00

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Floorplan for The Pavilion Bar and Restaurant



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