



ASSOCIATION

Representing the interests of Barbican Residents



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

8th December 2021

Dear Sir/Madam

Ref: Application to vary Premises Licence LN/200507956 from Daisy Green on behalf of Barbie Green, 2 London Wall Place, London EC2Y 5AU

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 on the grounds of the Prevention of Public Nuisance, in particular that of noise disturbance.

It is disappointing and deeply frustrating to see yet another application from Barbie Green for a variation of its premises licence. Since its first licence was granted, Barbie Green has submitted applications to vary its premises licence in both July 2019 and June 2020 – and yet here we are again on what feels like Groundhog Day with yet another application submitted in November 2021. How many more times are we going to be faced with dealing with this issue? It is surely a waste of both our time and your time as City of London councillors to debate this as nothing has changed. We would remind:

In recognition of the fact that the premises are located in a heavy residential area, you may recall that the original licensing meeting for these Premises concluded that *“the sub-committee had concerns relating to the potential for public nuisance resulting from patrons purchasing alcohol and subsequently consuming the alcohol in the vicinity of the premises. It therefore decided that the supply of alcohol would be restricted to on the Premises.”*

However, Barbie Green continued to seek to extend both its permitted hours of operation and its ability to provide off sales, and, again as you will also surely recall, your consideration of a similar application for a variance of the premises' licence in June 2020 to “add off-sales between the hours of 11.00am and 20.00pm Monday to Sundays” was as follows *“The Sub Committee sought to strike a balance for residents and the business, and it was the Sub Committee's decision to grant the variation of the premises licence to permit off-sales between the hours of 11:00 and 18:00 Monday to Friday only with no off-sales at the weekend”*.

Now here we are, just 18 months later, again facing another application for a further extension of the premises' licensing hours. This time the headline application states that the application is “to permit the sale of alcohol on and off the premises 9am -10.30pm Monday to Sunday”,

thereby extending its off-sales licensing periods not only by 2 hours in the mornings and two and a half hours in the evenings but also extending these hours to include weekends.

We observe that there is some confusion however as to what is actually being requested as Part 3 of the main application states that the “*nature of the proposed variation*” is “*To bring forward the hour for alcohol sales to commence at 09:00 Monday to Sunday. No changes to conditions or any other hours*”. So would this be for sales of alcohol on or off the premises? Or both?

Moving on to Page 13 of the application, Section J (Supply of alcohol) the applicant states that its **standard days and timings** to supply alcohol are 9am – 10.30pm Monday to Sunday. In the **non-standard timings** section, the applicant states that its intention is to offer ***off-sales Monday to Sunday 11.00 – 20.00***.

Hence, we would assume that if the standard days and timings already allow for the sale of alcohol to be consumed on the premises from 9am, then this application is for permission to extend the licence for off sales – thereby enabling outside drinking – not only by at least two hours during weekdays, from 6pm to 8pm (or is it 10.30pm as the headline description states?) but also now to include weekends. Both are totally unacceptable and are in contravention of the decision made by the Licensing Committee just 18 months ago which concluded that there should be no off-sales either after 6pm on weekdays or anytime at weekends.

We therefore find this application frustrating in the extreme and, as nothing has changed since the Licensing Committee made its decision on the application in 2020, we can see no reason for allowing the extension of the hours of operation to 8pm (and emphatically not 10.30pm) seven days a week, nor for starting at 9am as proposed. We would also like to observe that it is also frustrating that the applicant has yet again not bothered to consult with its neighbours in advance of making this application.

We can only repeat the objections that we have put forward on the previous occasions when these applications have been submitted. As we highlighted in our previous objection in 2020, outside drinking causes noise nuisance. Indeed, the City of London’s own Environmental Health department agrees – in her representation to the 2018 application, Dawn Patel stated both that “*Noise associated with this type of activity is not in the character of the area*” and “*noise from outside drinking is likely to cause disturbance to neighbouring residents at a time when they wish to rest and sleep. Such disturbance is not in accordance with the licensing objective to prevent public nuisance*”. This appeared to be accepted both by the Licensing Committee in its original decision and by the applicant given that the August 2020 hearing recorded that “*The Applicant summarised that most of the concerns were regarding anti-social behaviour, crowds and nuisance which should be avoided by the 18:00 finish*”.

It is our unwavering view that, to avoid noise nuisance, the 6pm finish is maintained and that no off-sales are allowed at weekends given that this is a predominantly residential area and that the premises are within line-of-sight of many Barbican flats, particularly Andrewes and Willoughby Houses. We are sure you are aware that the soffits, the undersides of the balconies above the living and bedroom windows in the Barbican, are excellent reflectors of street-level sounds into the rooms. These windows are not double glazed and are not always kept closed, particularly in the summer months when outside drinking may be more attractive for Barbie Green patrons. There are bedrooms facing the proposed site and noise disturbance at night, before a school and a work day in such a dense residential area would be particularly intrusive.

We are also concerned that extending hours of sales would encourage groups of people to drink in an area of historic value, with the associated fears of damage that would entail. The premises’ external courtyard area is located right next to the ruins of St Alphege church and the

very attractive London Wall Place gardens that have become an icon in the area, a peaceful place for people to enjoy. Unmonitored external drinking is likely to destroy this as well as raising concerns over both security and hygiene issues.

We urge the Committee to stand by the decision it made only last year and maintain the current approved licencing hours ie. limiting the hours of off-sales to 6pm, Monday to Friday only.

Yours sincerely,

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

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