

Willoughby House Group
Representing the interests of Willoughby House Group Residents
Barbican
London EC2Y8BN

1 December 2021

City of London licensing authority,
Guildhall,
Aldermanbury,
London EC2V 7HH

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

On behalf of Willoughby House Group, which represents the residents of c150 flats in one of the residential blocks neighbouring the Premises, we write to object to this application on the grounds of the Prevention of Public Nuisance, in particular noise disturbance.

The application for a variation is misleading in that its "brief description" states that the intention 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". The first paragraph also states, "To permit the sale of alcohol **on and off the premises** from 9am to 10.30pm Monday to Sunday". Then the application, on page 13 in the section on non-standard timings Section J, is to extend the licence for off sales to 8pm, seven days a week. Are we to assume the application is for off sales to 10.30pm every day or 8pm? We could have here a proposal that alcohol sales are from 9am (now 11am) and off sales up to 10.30pm (now 6pm Mon to Fri) and also to include Saturday and Sunday.

Our view is that the Licensing Committee has already considered the operation of Barbie Green and reached a decision which takes into account the likelihood of nuisance to residential neighbours by constraining the hours of operation for off sales to 6pm, Monday to Friday. The licence also specifies that no alcohol is to be served in the external part of the premises after 9 pm in recognition of the effect on residents. Conditions have not changed. We therefore see no reason for extending the hours of operation.

Furthermore, we note that, yet again, the applicant has put forward no measures of its own to mitigate nuisance and has not bothered to consult neighbours in advance of making yet another application to vary/extend its operating hours.

The City of London has invested in London Wall Place gardens surrounding the Barbie Green Premises to create a peaceful place that improves the amenity of the area for all. It includes large number of benches. If extended off-sales are allowed from Barbie Green there is a real risk that this area becomes an outside drinking area, discouraging other users.

The Willoughby House flats which face directly towards Barbie Green include living rooms and bedrooms along that frontage. Street level sound from the Premises bounces under the

balcony soffits into those room, especially as windows are single glazed and are not always kept closed during the evening.

The notes of the original licensing meeting for these Premises said 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.” The conditions imposed were in recognition of it being in a heavy residential area.

Our experience is that outside drinking results in noise nuisance, and the longer the drinking goes on for, the greater the nuisance. The City’s Environmental Health department agrees, and in her representation to a 2018 application on the same Premises, Dawn Patel noted that the nuisance is greater when background noise drops off later in the day. She said “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”. We believe that this was accepted by the Licensing Committee in its original decision. It was also accepted by the current Applicant, as the decision letter from the hearing on 12th August 2020 records 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 remains the case that the 6pm finish is crucial to avoiding nuisance.

Since the first decision on Barbie Green was reached and accepted, there has been a new licensing application in July 2019, and again June 2020, and again November 2021. Do we really have to go through this for a fifth consecutive year in 2022 (Enoteca application was 2018)? We all spend hours making our case, we take time off work to speak at the hearings, it must be costly to the CoL too. Yet nothing has changed, the residential blocks have not moved!

With other premises neighbouring our homes, such as WeWork, the Committee has set an important precedent in refusing to allow applicants to “chip away” at licensing conditions by means of repeated requests to vary the licence. We urge members of the Committee to stand by its original decision in this case, too.

Yours faithfully
Fionnuala

Fionnuala Hogan
Chair
Willoughby House Group