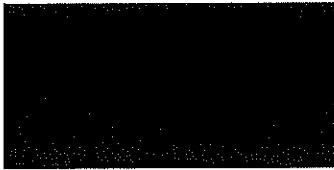
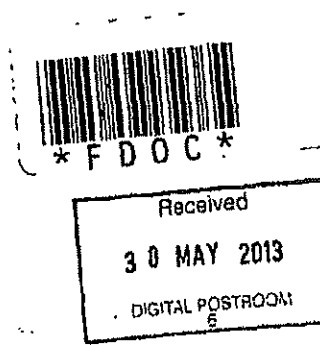


Agenda Item 3

London, 26th May 2013



Object: Representation against Premises Licence Variation Application 1597449

Dear Sir/Madam,

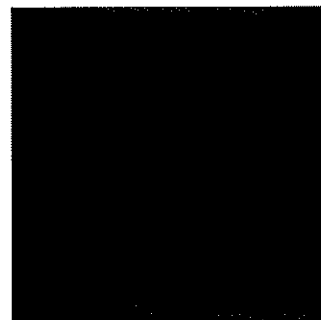
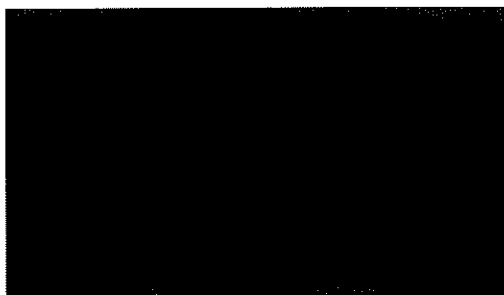
We are totally opposed to the proposed variation of the layout of the premises and to the use of the outside areas by The Shop:

- The current use of the front decking is already frequently noisy, mainly in the evening/night and sometimes beyond midnight.
Also, the smell of cigarette from smoking customers sometimes prevents us from opening our front windows.
- Our kitchen, bathroom and bedroom have windows at the back of the property.
Already now, and even with our windows closed, we can very often hear the noise generated by the customers. And when The Shop's windows are open it can be a real nuisance.
- From time to time, The Shop's staff take a cigarette break in the courtyard garden.
Because of the layout of the buildings, their conversations resonate and can be quite disturbing even when there are only two or three of them.
Also, the smoke from their cigarettes gets pushed towards our building and sometimes infiltrates our flat even with our windows closed; and if our windows are open, the smell covers our flat in no time.
We can't even start to imagine what kind of hell it would be if the courtyard garden were to be filled with customers.

In conclusion, allowing the proposed licence variation would make our lives a daily and nightly nightmare both in terms of noise nuisance and of air pollution.

As residents, we have a right to clean air and to a reasonably quiet environment.

Regards,



26 May 2013

Reference: Application No 1597449 for the Variation of a Premises Licence the 'Shop' 75 Chamberlayne Road London NW10 3ND

Dear Sir,

I am writing to register my objection to the above application by the 'Shop', to a variation of the existing premises licence. . . .

I currently live in the flat [REDACTED] and work in a busy London "hospital. My flat layout dictates that my sleeping arrangements are at the back of the flat," overlooking the local garden spaces.

As I have an early start to my working day, I am always in bed by around 10.00pm.

I am therefore very dismayed to discover the 'Shop' wants to vary the layout of their premises to include the outside areas (reference drawing No H10869SV).

The proprietor further requests the removal of the condition that 'Customers shall not be permitted to take open drink containers outside the premises as defined. etc

I completely oppose this request based on the following points:-

1. I am very concerned that the attendant noise will seriously disrupt my sleeping arrangements. (Currently the front outside decking is used by the Shop's customers and although there is quite a lot of noise, I do not sleep at the front of the flat and can close the windows in the Summer. The same applies to the cigarette pollution). This situation completely alters when the scenario is changed to the rear of the premises.
2. At the moment there is some noise pollution coming from the Shop experienced when trying to sleep at night, especially when the Shop windows are open. This is alleviated by earplugs, but I cannot see how this will be tolerated when and if the back garden/outside space is utilised for drinking, smoking etc I will therefore be expected to tolerate noise pollution from two sides of my bedroom, which is not acceptable to me.
3. As my neighbour so clearly states, as current residents and Council Tax payers we have a right to clean air and to a reasonably quiet environment.

I therefore urge the Council to reject this proposal.

Yours

Keslake Rd
London
NW6 6DG

28/5/13

To: The Service Director

I am in opposition to the proposed changes to the licences for 'The Shop.'

My opposition is that the rear garden of The Shop is no more than (approx) 50 meters from my

own back garden and that people drinking outside, plus music? will cause a noise nuisance and spoil the peace and quiet of my own back garden.

The occasional party from neighbours every now and then is something we all learn to live with in

cities but every night is not acceptable.

I know The Shop, indeed I have a drink in there myself on occasion and I know Luke Allen as well.

Both Luke and his business are no problem at all as things stand.

But The shop gets very busy most nights of the week and a full garden of drinkers would be further

disturbance to our quality of life and I believe would effect the value of my property to any potential buyer.

The picture below shows how close Luke premises garden and mine are.

I look forward to hearing from you.

Yours sincerely,

Sent: 06 June 2013 09:38

To: Environment and Protection

Subject: Re proposed license variation at The Shop 75 Chamberlayne Road (Luke Allen)

Dear Sir

I write to make representation against the proposed variation of the license at The Shop 75 Chamberlayne Road.

I share a garden wall with The Shop and I am concerned that the hours of the proposed variation are much more extensive than any Mr Allen has talked about in his conversations with me.

He has discussed a proposal to open up the Courtyard Garden for a trial period at weekend lunchtimes. This is not an ideal situation for me by any means. I do not want drinkers disturbing my peace in my garden at all. But, in the interests of giving a responsible licensee a fair chance, I have tried to be open minded. However, now the actual variation application has been presented it is for the hours of ten to midnight seven days a week and I must object strongly to such hours.

My bedroom is about 9 metres from the proposed Courtyard Garden area. When there is noise through the back window of The Shop, it can be remedied by closing the window. Generally Mr Allen and his staff have been helpful and we have managed any problems. However, there is no such remedy for the inevitable noise from drinkers in the Garden. By day this would be a nuisance, by night it would be completely unacceptable. I am a writer and spend most of my writing time in the shed in my garden. There is no safeguard in the variation that would prevent a constant noise nuisance from ten to midnight each day, preventing me from carrying on my work or sleeping in peace.

We have a particular circumstance at the junction of Chamberlayne and Keslake Roads, where I live, because there is a traffic barrier. Keslake Road and gardens are unusually quiet for being just off a main road because there is no through-traffic noise. The noise of drinkers would echo around the garden terribly and appear worse than at the front, where it at least mingles with traffic noise. Currently, on lively nights, there is a kind of roar of voices from The Chamberlayne Pub and The Shop, where drinkers are on Chamberlayne Road. It is not intrusive but it is audible. If the barrier of the buildings were not there though, it would certainly be intrusive.

I am now also worried about drunk and disorderly conduct in the garden next to mine particularly at night and the security around my home could be an issue where there is public access through the bar into the back garden.

This variation, with its opening up the back of the premises, would set a precedent which would disrupt the delicate balance between the needs of the entertainment business in Kensal Rise and the needs of residents. Currently, it seems about right, giving those of us who live here the life of the high street with the peace of the side street.

Keslake Road

London NW6 6DG

Sent: 06 June 2013 12:54

Subject: Premises License - Variation Application (ref: 1597449) OBJECTIONS

Ref: Premises License - Variation Application (ref: 1597449)

Dear Sir/Madame,

I am giving notice in writing to strongly oppose the 'Application for Variation of a Premises License' given by Mr. Luke Allen trading at The Shop, 75 Chamberlayne Road, London, NW10 3ND [here known as *the premises*].

I outline my objections based along the following licensing objectives:

Prevention of Public Nuisance:

There is a real and substantial likelihood of noise nuisance generated by allowing the layout of *the premises* to include outside areas in accordance with the revised licensing plan. By removing the condition that 'customers shall not be permitted to take open drink containers outside the premises', the courtyard garden will now in effect be an outside bar permitting customers to drink and smoke in what is currently a quiet, peaceful, residential garden area. The sale and consumption of alcohol will doubtless generate unwanted noise nuisance to the residents and families neighbouring *the premises*.

Furthermore, the current application requests the sale and consumption of alcohol in this outside space between the hours of 1000 – 0000 every day of the week. There is already a noise nuisance from The Chamberlayne Pub, 83 Chamberlayne Road, London, NW10 3ND - which is within 100 meters of *the premises*. The outdoor public consumption of alcohol until midnight in the heart of residential gardens is unacceptable. There will be further noise generated after closing time as well as issues surrounding litter, light pollution and noxious smells from customers smoking.

The courtyard garden area of *the premises* is surrounded on all sides by residential gardens. This is not a public area and this variation would in effect open a pub in the heart of residential private gardens.

This quiet residential area has already been included within the specific boundaries of the Queen's Park Conservation Area [Brent Council March 2006]; an area already afforded protection within council conservation guidelines:

"...Conservation Areas are areas of special architectural and historic character with an overall quality worthy of preservation and enhancement. The strength of their character is dependent on the way the individual buildings and gardens compliment each other."

Further: "...Overall, perceptions are of a residential area of exceptional quality and character Queen's Park is a desirable place to live and is recognised as such

throughout London. The Conservation Area status has meant that the character has lasted longer than other areas from a similar period..." [Queen's Park Conservation Area Character Appraisal Brent Council March 2006]

I submit that the granting of the application would be in direct contravention of the council's own conservation articles.

Prevention of Crime and Disorder:

There is a real, substantial and likely risk of fighting, drug problems and public disorder should the variation be granted. The sale and consumption of alcohol late into the night in the heart of residential gardens will significantly increase the risk of anti-social behaviour. Problems have already been experienced with the The Chamberlayne pub nearby and another late night drinking premises would only increase the risk of further harm.

Protection of Children from harm:

Given the nature of the immediate surrounding area, it is submitted that the variation will adversely affect the peace and quiet of the family environment. The bedroom of our baby boy overlooks the courtyard garden outlined in the proposal. This is an area based on the quiet, mutual enjoyment of residential gardens - promoting a safe, healthy environment for families and children to grow. All-day commercial drinking outside will destroy this. The safe upbringing of children will be harmed by the granting of the variation. Further, it will run counter to the development of a safe, family friendly environment.

Public Safety:

The experiences of the nearby Chamberlayne pub already show that outside drinking has led to drinkers sitting on outside walls in Chevening Road, leaving glasses and bottles on residential walls and forcing pedestrians to walk in the road.

Drinking in the courtyard garden area of *the premises* will increase the risk of violence to those neighbouring the area (residential gardens and the courtyard area are separated only by modest walls).

There is also an increased fire risk with customers smoking in the direct vicinity of residential gardens.

In addition to the general licensing objections above I raise the specific issues of:

Sale of alcohol – I believe that the sale of alcohol at the times specified would cause the problems mentioned above.

Opening and closing times – customers will be attracted to – and encouraged to drink – throughout the neighbourhood at late and anti-social hours. Noise nuisance and anti-social behavior is likely to be caused by customers when they are arriving at or leaving *the premises*. This is of special concern considering a young baby's bedroom overlooks *the premises*.

Location - given the nature of the proposed activities, the likely customers and the location of *the premises* itself (i.e. within the heart of residential gardens in a conservation area), *the premises* are unsuitable for the sale and consumption of alcohol. Young families and residents using their homes as places of work directly neighbour *the premises* and their right to freely enjoy their property would be adversely affected.

Overprovision – the area already has The Chamberlayne pub, a large public bar with 100 meters of *the premises*. It is submitted that the The Chamberlayne pub more than adequately meets the requirements of drinkers in the area. The granting of a variation of a premises license would represent an insensitive development in a conservation area already supplied by a pub.

It has also become clear that a great many people directly affected by this variation have been given no prior notice of it. Indeed there is no public notice visible on *the premises* itself (as of 5th June 2013). Could you supply evidence of what notice has been given, to whom and when.

By notice of this objection I am also objecting on behalf of the following residents who have given their full, written and informed consent to do so (available on request). Consider this an objection under the terms of a petition as of 06 June 2013 that includes:

Chevening Road

London

NW6 6DD

Chevening Road

London

NW6 6DD

Chevening Road

London

NW6 6DD

Chevening Road

London

NW6 6DD

Chevening Road

London

NW6 6DD

Keslake Road

London

NW6 6DG

If you, or agents acting on your behalf, require any further explanation, notice or information regarding the objections before the 7th June 2013, then do so in writing to me at

Yours sincerely,

Chevening Road

London

NW6 6DD

Sent: 15 July 2013 15:42

To: Environment and Protection
Cc: Rudman, Grace; Patel, Yogini
Subject: Application: 1597449

Chevening Road
London
NW6 6DD

I wish to object strongly to this application (The Shop, 75 Chamberlayne Road) due to the noise that will be generated from patrons in the "Courtyard Garden" area (as defined in the application) during evenings and during afternoons and early evenings in the weekends, which will then be projected into an area (the triangle of gardens of residents in Chevening Road, Peploe Road and Keslake Road) that is current extremely quiet and peaceful and designated as a Conservation Area (being the Queens Park Conservation Area).

Regards

Kaslake Road
London NW6 6DG
4/6/13

Dear Sir,

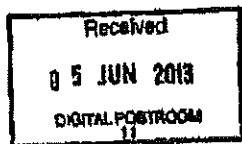
Re. Premises Licence 244652 - Variation Application 1597449
75 Chamberlayne Road, NW10.3ND.

I am writing to object to the extension of the licence to include the area to the rear of the premises. The gardens in this area are very short as the rear of a number of properties - whose bedrooms are usually normally located - are quite close to the Courtyard Garden area of No. 75 Chamberlayne Road. The area is often quite so noisy even if in no number and not raised, copy as has been experienced during private parties in nearby gardens.

I therefore consider that granting this extension will interfere with the enjoyment of local gardens and the sleep of residents such as myself, whose bedrooms are close to this.

Yours faithfully

MCh.



[REDACTED]
Chevening Road
London
NW6 6DD
07909 907942

Licensing Act 2003
Application for Variation of Premises Licence

Notice Mr Luke Allen trading at The Shop, 75 Chamberlayne Road London NW10 3ND.

To Service Director,

I would like to complain with regards to the "Courtyard Garden" extension to the premises that already exist.

The premises have actually been noisy where the music can be heard coming from The Shop premises, plus voice's can be heard coming from this area, on occasions.

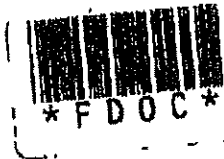
If you were to consider the Courtyard/Beer Garden. I would no longer have a quiet week-end in my property with the noise from the crowd in the beer Garden, Plus during the night when things can be more boisterous then volumes will increase and be quite disruptive.

I also find that I heard from this via a neighbour and didn't receive a formal letter to complain from Brent Council.

I wholly object to the request for the beer Garden on the ground of Noise pollution.

I am more than happy to attend a hearing to voice my objections

[REDACTED]



[Redacted]

[Redacted] Keslake Road

NW6 6DG

To whom it may concern,



REF: Application 15974449

I oppose the application and give notice in writing to that effect. I object strongly on the grounds that my children's bedrooms and my own are at the back of the house and this change of use would be a significant noise nuisance.

Sincerely

[Handwritten signature]
[Redacted]

July 2nd 2013,

