We note that a further application for a premises licence has been submitted in respect of the above premises. We had previously submitted representations against the previous application. Although we had heard nothing further officially, we did hear the owner informing others that the original application had been rejected.

We are unable to visit the Licensing Section to view the new application as is mentioned in the notice due to the current restrictions and have seen or heard nothing further from the applicant other than the standard notice on the premises. We do not know what if anything has changed or what measures are being proposed to be implemented that may address the points raised in the previous representation.

We therefore repeat and elaborate on the previous representation about the likely effect of the application on the promotion of the prevention of public nuisance.

Firstly, we are very supportive of local business and pre-lockdown have [redacted].

We do however have concerns and reservations about the impact of the licence on the entitlement under our lease to enjoy our home "peaceably and quietly" and the likely effect of the licence on the prevention of public nuisance.

We have observed the subject premises and in normal times can hear customers sat outside during the day up to the current closing time of 5pm. We also currently hear noise under our window including cars, people talking to each other, people talking on their phones and on occasion are able to smell cigarette smoke in our apartment. We accept this as it was known when we bought the property.

If the licence is granted, it is reasonable to assume that in nice weather when our windows will be open, then we will now hear customers, including their children, up to and beyond 9pm each evening, attracted to being able to enjoy a drink and food outside. Those who smoke will want to do so whilst enjoying their drink and in the absence of a designated are likely to congregate [redacted] away from the seating area.

These are our concerns which we believe are beyond speculation but can be reasonably assumed. As stated above, we do not know what measures are proposed for the control of noise from customers and their children, the noise of people leaving the premises post 9pm and the control of smoking.

At the residents meeting referred to above, the owner said that he planned to open to 9pm on Friday and Saturday. In the interests of wishing to support this venture, we would find this reasonable provided measures regarding noise and smoke are put in place.

On a separate point, under the terms of our lease, the landlord has covenanted that we be entitled to enjoy our home "peaceably and quietly". The superior lease also states that the premises will not be used for reasons other than those described in Classes B1, A1, A3 and C3 which as far as I understand do not permit the sale of alcohol. We will be seeking clarification from our solicitors on the impact on our lease if the licence is granted.
Finally I do not wish my identity to be made known. I attended a residents meeting where the rejection of the original application was briefed by the owner. There were a number of people who were very vocal in their support for the owner and they were asking the owner whether he knew who had objected to the previous application. The atmosphere felt very uncomfortable and quite intimidating and so would appreciate confirmation that this request will be respected.

We look forward to hearing from you.

Best regards