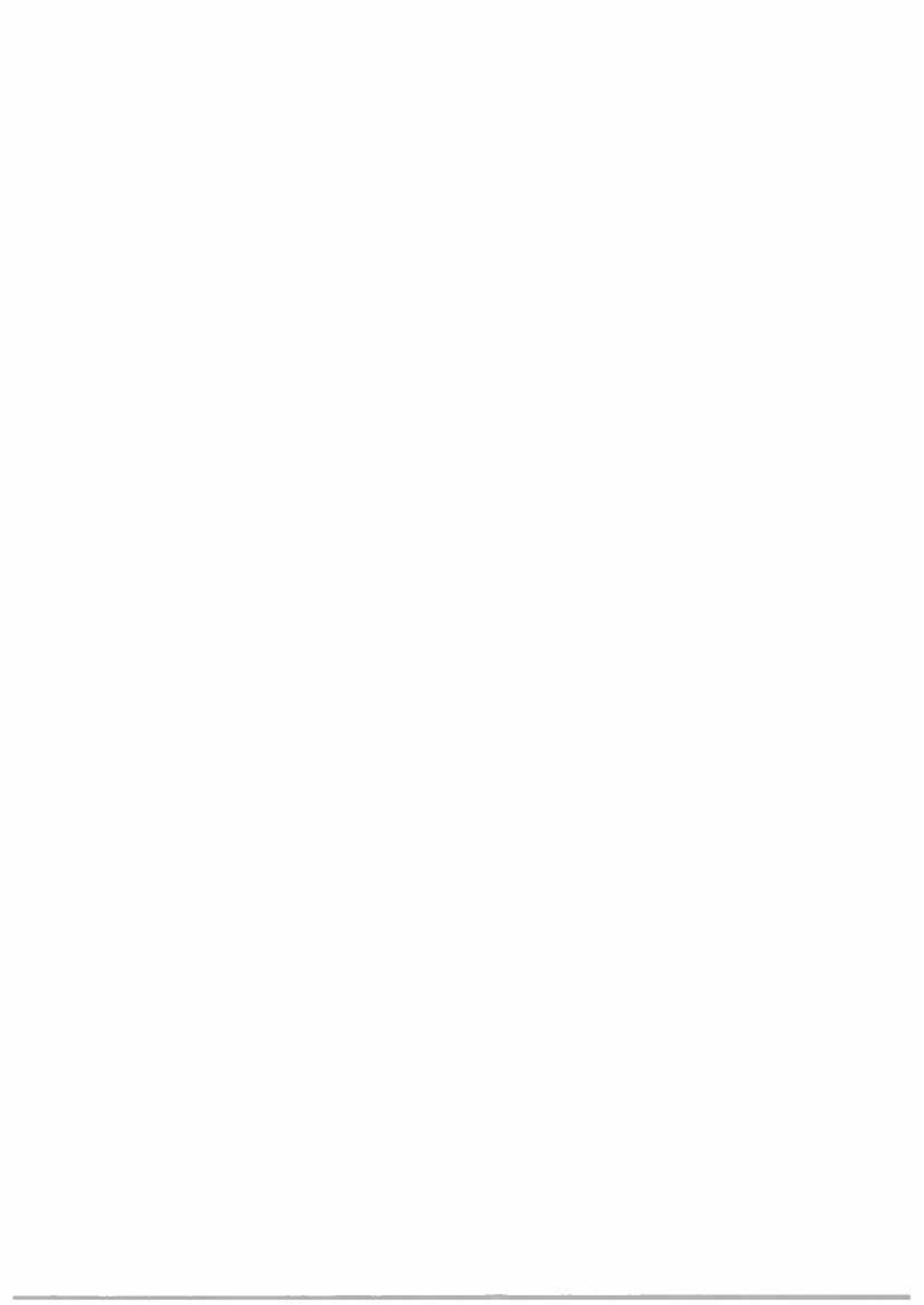


**Additional
Submissions
From
Objectors**



Antoinette Duhaney

From: Anthony de Jasay [REDACTED]
Sent: 29 January 2017 14:51
To: Kathy Driver
Subject: Re: Time Out, 106 Commercial Street

Dear Kathy Driver

Thank you for your mail of 23 Jan 2017, notifying SOMTRA about the date and time of the scheduled public hearing, by the Tower Hamlets Licensing sub-Committee, of TimeOut Markets' application for a license at 106 Commercial St. Both our Chair and Secretary are scheduled to fly back to England only on the afternoon of the 28th Feb; and our third committee member is currently unable to commit to attend the meeting on that date. It is therefore possible that SOMTRA will not be represented by any committee members. We have however authorised Anthony Edwards of T. V. Edwards to make an oral representation on our behalf.

We note your reference to invitations to 'a further residents' meeting by the applicant'. If invitations have indeed already been issued, we are surprised and disappointed not to have received one. As the applicant will be aware, our principal objection is based on a concern about their demonstrated commitment: to avoid the 'easy option' of exploiting the current, unsustainable demand for alcoholic entertainment in the area, and hold the necessary long-term focus to succeed with a high-specification, distinctive, 'curated gastronomy' concept. The difference is vital. On its recognition by LBTH Planning and Licensing depends the future of Spitalfields' unique appeal as an attractive neighbourhood for residents and visitors alike. Does TimeOut Markets have nothing more to say on this most important point; demonstrating respect for that difference between really adding value to the neighbourhood and simply exploiting the opportunities it still offers?

Yours sincerely

Anthony de Jasay

Secretary, SOMTRA (Spitalfields Old Market Tenants and Residents Association)

[REDACTED]

[REDACTED]

On 23 Jan 2017, at 10:16, Kathy Driver <kathy.driver@towerhamlets.gov.uk> wrote:

Further to your email regarding the above licence application, I write to acknowledge your representation to the above application.

The matter will be dealt with by way of a public hearing by the Tower Hamlets Licensing Sub-Committee. You will be notified by the Democratic Services at Mulberry Place, 5 Clove Crescent, London E14 2BG of the date, time and venue of the public hearing and invited to attend. Please note that your representation will become a public document (contact details will be redacted from website) and the applicant is entitled to a full, un-redacted copy of your representation.

The Committee hearing has been scheduled for 28th February 2017, Mulberry Place at 6:30pm, we hope this does not change however should anything urgent occur and this does, Democratic Services will send a letter two weeks prior to any hearing and the report 1 week before.

I understand you may have already been invited to a further residents meeting by the applicants, you may wish to note that the following changes to the application has been agreed, through negotiation with the Police:

1. No off sales of alcohol.
2. No drinks in open containers to be taken outside for immediate consumption
3. SIA
Thursday-Friday : 4 SIA from 1800 until closing
Sat-Sun : 4 SIA from 1300 until closing
Bank Holidays : 4 SIA from 1300 until closing
or such lesser numbers as may be agreed with the police from time to time.
4. Non-standard timings for New Years Eve has been withdrawn.

This will be detailed in the report nearer the time of the hearing.

Regards

Kathy Driver

Principal Licensing Officer

Toby Club, Vaudrey Close, E14 4UJ

By Post :
Licensing Team
John Onslow House
1 Ewart Place
London
E3 5EQ

Please note:
Meetings with Licensing Officers are by prearranged appointment only.

Tel: 020 7364 5171
Fax: 020 7364 0863
Hotline: 0207 364 5008

General email:licensing@towerhamlets.gov.uk

See our regular licensing news pages at www.towerhamlets.gov.uk/licensing
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Working Together for a Better Tower Hamlets
Web site : <http://www.towerhamlets.gov.uk>

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Antoinette Duhaney

From: Juliet Mckoen ·
Sent: 22 February 2017 21:34
To: Kathy Driver; Antoinette Duhaney; Licensing
Cc: patwheelerjones
Subject: Application for Premises Licence - Time Out - Ctee 28/2/17

Dear All

I received a letter from Time Out Management today.

It invited me to write to you to withdraw my application because of changes made after "extensive consultations with residents" & changes made as a result.

This is a misrepresentation. There has not been extensive consultation. There has been an inconclusive and inconsequential meeting in a coffee shop with three representatives from residents associations.

The changes TOM propose are minor and do nothing to assuage the extreme harm & disturbance this massive & inappropriate development at the heart of the CIZ and surrounded by family homes will do to the neighbourhood.

I confirm my strong opposition to this application

Juliet McKoen

Antoinette Duhaney

From: Juliet Mckoen <
Sent: 22 February 2017 17:49
To: Antoinette Duhaney; Kathy Driver
Subject: Licensing Ctee 28/2/17 - Time Out Marketing
Attachments: 106 Commercial Street ordnance.pdf

Dear Antoinette

I shall attend this meeting.

I enclose an ordnance survey map with the site of 106 outlined in orange.

I believe that it would be instructive for the committee to see the exact physical location of the proposed licensed premises.

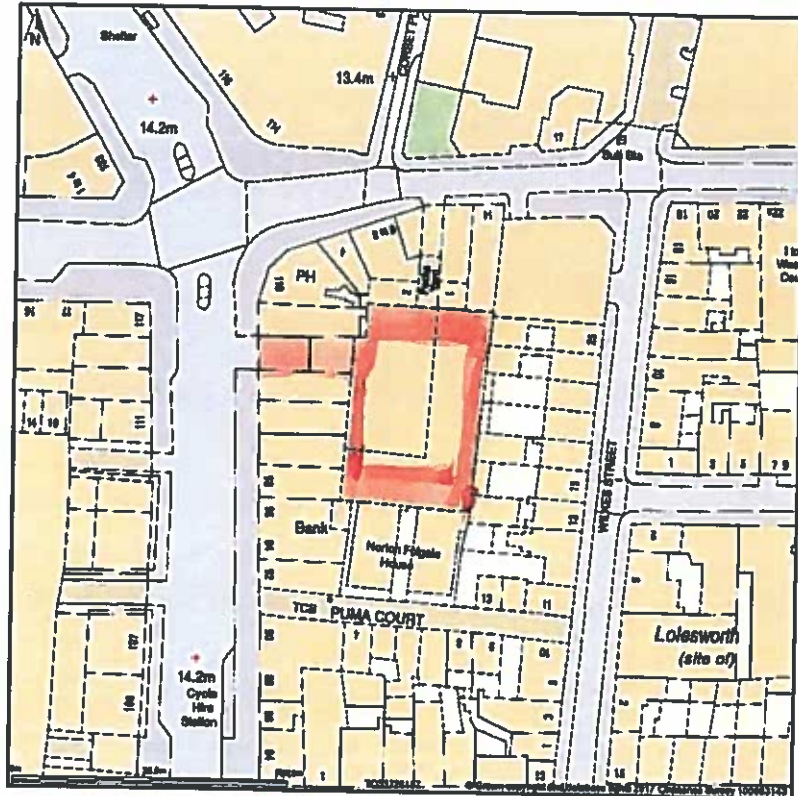
No 106 is surrounded **on all four sides** by two fully residential streets and two mixed streets (mainly shops with flats above). As the map shows, all the surrounding living spaces either directly abut no 106 or are in very very close proximity.

It is not possible for a licensed premise of this size and scale to function without causing great harm, disorder and disturbance (including both noise and odour problems) to neighbouring residents and businesses.

There is also a major safety issue in terms of fire exits.

Juliet McKoen

106 Commercial Street, London, E1 6LZ



Site Plan shows area bounded by: 533857.1, 181800.94 533798.52, 181842.38 (at a scale of 1:1250), OSGridRef: TQ33728187. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Antoinette Duhaney

From: Wendy Parkes <
Sent: 20 February 2017 20:13
To: Kathy Driver
Cc: Licensing; tomarketinfo@timeoutmarket.com; Antoinette Duhaney
Subject: Licensing application for Time Out Market, 106 Commercial 5street

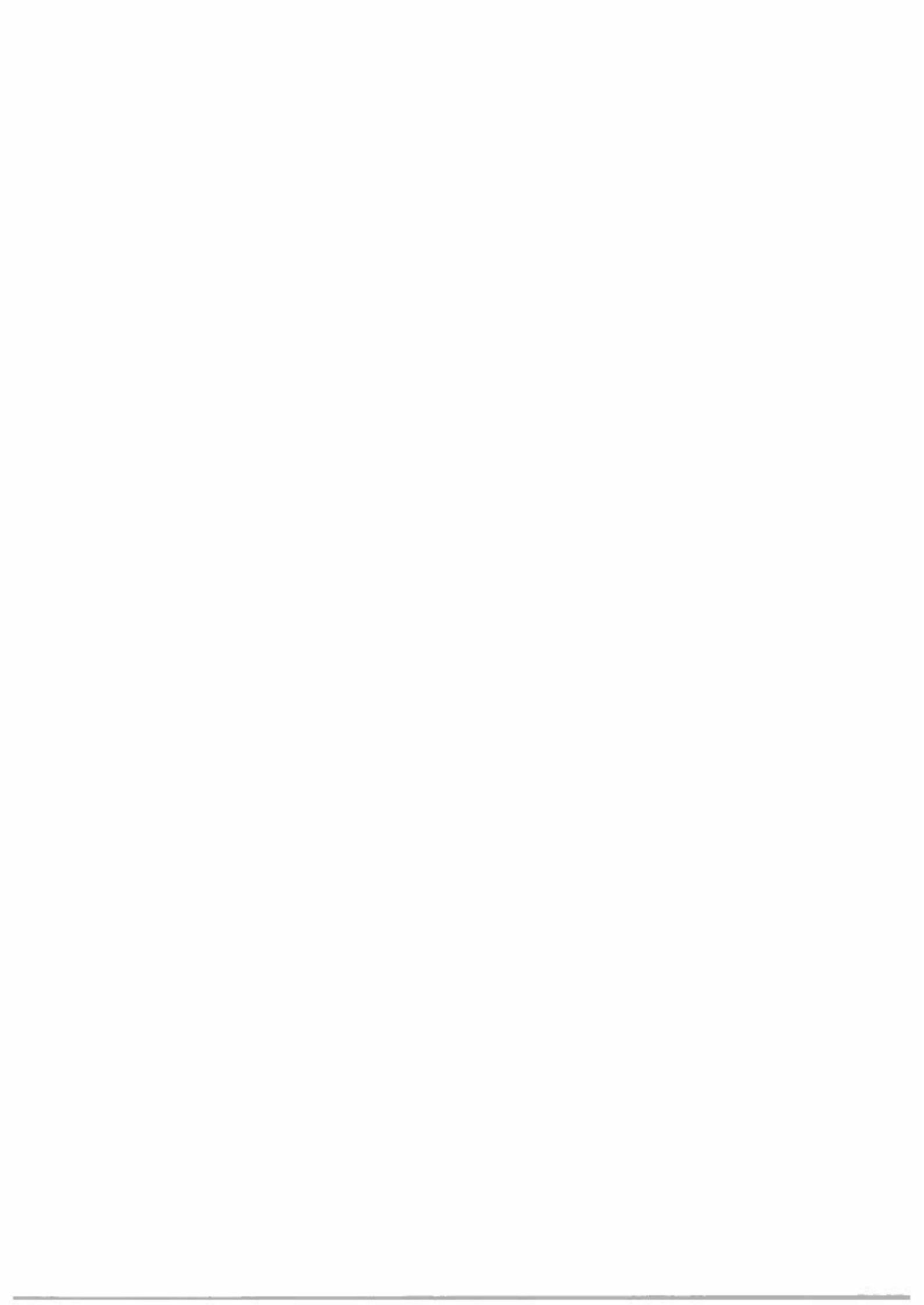
We have read the Mandatory Conditions in the Time Out Market Proposed Conditions as well as the letter from Keystone Law.

We are grateful that several measures have been put in place by the Time Out Operations management to limit any public nuisance that the new venture might cause.

We appreciate that the intention is to carefully police any public disorder and we withdraw our objections to the venture if the conditions agreed are met over the long term.

Regards,

Wendy and Tim Parkes



Antoinette Duhaney

From: Stephen Gummer <
Sent: 19 February 2017 14:48
To: TOMarketinfo
Cc: Kathy Driver; Licensing; Antoinette Duhaney
Subject: Re: Licensing application for Time Out Market, 106 Commercial Street

Dear Ms Parrish

There is nothing in any of these supposed concessions that allays any of our concerns and we will be continuing with our objections in full. We will be making written submissions accordingly.

There is no doubt at all that your proposals will fundamentally undermine our ability to enjoy our property because of the nuisance that will inevitably be caused by this proposal. This is an area that is already suffering from a deluge of drunken and drug related anti-social behaviour because of the excessive number of bars and restaurants in it. This has made living here little short of profoundly unpleasant, with the rubbish, noise and antisocial behaviour only going to increase even further beyond their completely unacceptable levels.

The idea that putting a massive bar and restaurant complex right in the middle of a residential area is not going to seriously impact upon residents is frankly ludicrous. There will, even on your own figures, be in the region of 2,000 people a day drinking and eating within 70 feet of our bedroom window. Are you seriously suggesting that this will not be intolerable to us? Would you find this acceptable if it were so close to your bedroom?

The “concessions” offered are literally like reorganising deck chairs on the Titanic. Signs about smoking and noise have made no difference at all to people’s behaviour in the rest of the area, the idea that this will make a difference in this case is risible. Further replacing the bar idea with a tapas concept is going to make no difference to any of the problems that have been highlighted to you and the planning authorities repeatedly.

I have copied the planning authorities at Tower Hamlets as I do not want them to be under any illusion from your solicitors’ letter or your communication to me that there is anything other than the most profound opposition to these proposals with this resident and every other resident that we know.

yours sincerely

Stephen Gummer

Stephen Gummer
Principal

From: TOMarketinfo <
Date: Friday, 17 February 2017 at 16:58
To: Stephen Gummer <
Subject: Re: Licensing application for Time Out Market, 106 Commercial Street

Dear Mr. Gummer & Ms. Seward,

Re: Licensing application for Time Out Market, 106 Commercial Street

My name is Jessica Parrish and I am the Commercial Director at Time Out Market. Since Time Out Market submitted its licensing application for 106 Commercial Street, we have been working hard to engage with local residents and neighbours and we have taken on board their comments.

I am writing to update you on several key changes to the application made as a result of discussions with local community groups and residents, which we believe radically improve the proposal. These changes will seek to address concerns raised about potential nuisance related to our application and seek to ensure that Time Out Market is a well-managed restaurant-market concept that the local community takes pride in and uses regularly.

Please find attached a letter, which has been sent to Tower Hamlets Licensing Authority detailing the changes we have made as a direct result of consultation on the application. We sincerely hope the modifications set out in the letter address the concerns highlighted in your representation to the London Borough of Tower Hamlets.

If you are satisfied with these changes and would like to withdraw your objection, please contact Kathy Driver at Tower Hamlets. You can contact her via email at Kathy.Driver@towerhamlets.gov.uk, copying in licensing@towerhamlets.gov.uk and antoINETTE.duhaney@towerhamlets.gov.uk. Or post your letter to: Licensing Team, London Borough of Tower Hamlets, John Onslow House, 1 Ewart Place, London, E3 5EQ.

We would be more than happy to talk you through these latest changes and amendments either in person, over email (using our email address: tomarketinfo@timeoutmarket.com or over the phone. Please also feel free to write to us at the above address.

Yours sincerely,

Jessica Parrish
Commercial Director
Time Out Market Limited

Enclosed: Letter to Tower Hamlets from Keystone Law formally amending Licence Application dated 17 February 2017

**WRITTEN SUBMISSIONS FOR THE
LICENSING SUB COMMITTEE MEETING ON
TUESDAY 28 FEBRUARY 2017
CONCERNING THE APPLICATION BY TIME OUT MARKET FOR
106 COMMERCIAL STREET LONDON E1 6LZ**

Background

My wife and I are resident at [redacted] Street and have been resident there since 2007. Unfortunately we are abroad on the date of this hearing, hence we our making written submissions. If we had been in the country, we would certainly have made representations in person.

We have, over the last nine years, watched with growing alarm this area descend from an area rich in history and character, to being the party centre of London, with out of control power drinking, drug taking and anti-social behaviour. There are times when frankly it has been so unpleasant that we have considered moving.

This is a tragedy. What is worse is that it is a tragedy that could have been so easily avoided by there being strategic control over the granting of licences for restaurants, pubs and clubs in the area. That has not happened and we, as residents, have been left with the carnage that this has inflicted on our living environment.

If this current proposal goes ahead, we will be left with a major eating and drinking establishment some 50 feet from the back of our house that will attract, even on the ultra-conservative figures of Time Out Market, some 2,000 people a day. And this is in an area already blighted by noise pollution, anti social behaviour and other nuisance.

Granting this licence can, on no level, be a reasonable thing to do. It will bring a completely unacceptable level of additional noise literally into the bedrooms of the residents who have properties abutting the back of 106 Commercial Street. It will also attract more people into an area that is already massively overcrowded and suffering from well recognised problems of anti-social behaviour.

Against this background, it is important to keep in the forefront of your mind the fact that these developers have no experience of the complexities of running such a big operation in the middle of an enormous city, surrounded by mixed use property. Their only other development is, as we understand it, in a vast industrial site well outside the centre of Lisbon. Their total lack of relevant experience is obvious in many of their suggested solutions to the numerous problems that have been identified to them, such as signs to prevent anti-social behaviour. That has been an abject failure in this area already. There is no reason whatsoever to presume it will make any difference now.

The end result of granting this licence will be that our quality of life as residents will

be terminally undermined and the value of our properties will decline considerably. There are plenty of other uses to which that property could be put that would have little to no impact on the residents, such as office space, retail and so on. There is no need for another bar/restaurant complex in an area which is awash them, let alone such a big complex where the impact upon residents (as explored further below) will be so profound. This development cannot and should not be allowed to continue, to do so would be wantonly and cravenly unreasonable and, as such, actionable.

Specific objections

1. Prevention of Crime and Disorder/Public Safety

The area has been plagued with crime and disorder. This is well documented. This escalation of crime and disorder has been directly correlated to the ever increasing numbers of bars, clubs and restaurants in the area.

I have had people urinate on our door step more times than I can possibly remember. It is particularly revolting when this seeps under the door and onto our door mat, which we have had to replace repeatedly as a result. I have repeatedly remonstrated with people about this but have been physically threatened many times in response. It is a matter of time before I or my wife are physically assaulted. We have also found pools of vomit on the door step, people sleeping on the doorstep, so drunk they can no longer stand, people taking and dealing with drugs at all times of the day and night, people drinking and smoking on the doorstep. Again when asked to move on, the response has invariably been physically threatening and very unpleasant.

The attraction of this area is access to pubs, restaurants and clubs through the night. The result is people see it as an area they can come and behave appallingly badly. Walking home late at night down Commercial Street, Puma Court, Hanbury Street and Princelet Street, there are often groups of people either very drunk and/or very high, who are very aggressive. I have even had abuse shouted at me by drunk/high people when I have been loading up my car at 0530. We also have a dog that I take out last thing at night. I have had people shouting at the dog and me on numerous occasions, which is frightening for the dog and unpleasant for me.

Drug dealing is in plain sight and goes completely unchecked. The smell of marijuana, or variants such as skunk, is pervasive. There are also groups of young men hanging around who are clearly selling other narcotics. This again creates an unpleasant and intimidating environment, as violence and drugs invariably go hand in hand.

My car has been vandalised several times and I do not leave it parked in the street any longer, even overnight. Last time I did so, someone took a blunt instrument to it and smashed in one of the door panels and the wing mirror.

There is no doubt that such an enormous development as that which is proposed in respect of 106 Commercial Street will only enormously exacerbate the problems that we and all of the other residents of the street and surrounding streets experience on a daily basis. The sudden influx of 2,000

people a day (a figure given by the developer which we believe is seriously conservative given the size of the site and the business structure set out by it) is only going to make an intolerable situation worse. It will attract hundreds of people waiting for tables or going out drinking after having eaten. In an environment like this, with all of the problems above, that cannot be acceptable,

This is a cumulative impact zone. Your authority is legally bound to see this application in this context. The problems of anti-social and violent behaviour linked to alcohol are well recorded and have been repeatedly raised with Tower Hamlets to no avail at all. The decent of this area has to stop and stop now. The last thing that this area needs is a massive restaurant development that will attract people to drink heavily in an area which is already saturated with places to do this.

2. Prevention of nuisance

The nuisance, apart from all of the issues outlined above, that would be greatly increased by the current proposal are as follows:

- The noise levels through the night are at times, horrendous. We have had people fighting, arguing, singing, shouting in the street or settling down in our front door to drink, take drugs, argue, or even to have sex on one occasion. This makes for a broken night's sleep and is very unpleasant. If this restaurant development goes ahead, it will attract, very conservatively, 2,000 people a day (and probably many more) to an area where excessive noise is already a problem for residents.
- We simply do not accept that the developer will be able to sound proof the premises to anything like the proper degree. Our bedroom windows are literally 50 feet or so from the back of the property. The building in which the development is to take place is an old structure and there is no way whatsoever that it can be sound proofed so effectively that noise made by hundreds of revellers, workers and the sound of music can be masked effectively. To suggest otherwise is simply absurd. The end result of this licence being granted, in addition to all of the anti-social behaviour, would be having to listen to the thud of music, the sound of voices and the crash of kitchens all through the day and deep into the night. It is impossible to see how we can get a proper night's sleep in these circumstances. Instead we will be subject to the most terrible noise pollution which will blight our life in this house.
- Crucially in this context, the enormous increase in noise levels will not only be at night. There will need to be deliveries of food and alcohol and then

preparation for service before the restaurant even opens. The noise levels will therefore start to increase from the early morning through the day.

- Rubbish is a massive issue in the area. Bottles, cans, food containers, cigarette butts, plastic bags, bottles that have been urinated in, broken glass etc are routinely thrown on the ground or dumped on our window sills. At times, this rather lovely Georgian Street resembles a massive rubbish dump. There is no doubt that a huge influx of people as proposed is only going to make this situation worse. The idea that simply putting up signs asking people not to dump cigarettes butts on the floor is, at best, naïve in the extreme.
- The smell of food being prepared already pervades our house. In the mornings we have to contend with St John's preparing food and for the rest of the day and into the evening we are treated to the revolting smell of deep fried food from Poppies and Rosies. We were told when these licenses were granted that there would be proper filters to prevent this happening. No filtration takes place and the pungent smells invade our house, with the owners of the restaurants getting away with it completely. We have complained but, as usual, once the licences have been granted, there is no policing on whether conditions are fulfilled at all. We have no doubt that this extremely unpleasant situation will be made far worse by adding another huge facility for preparing food. The result is that we will be left to live in an area which is literally impregnated with food smells.
- The area is already massively overcrowded already with people who come to eat and drink in it. Running the gauntlet along the road past the Ten Bells, the Golden Hart and then Poppies on a summer's evening is ludicrous and it is impossible to walk on the pavement the whole way. The attempts to stop this happening (sings, chalk lines and so on) have, at best, been half hearted and ineffectual. Again, trying to navigate your way through can result in unpleasant encounters because the drinkers are drunk, high or both. Driving is difficult because people walk in the roads and then become aggressive when you try to get by. Walking the dog is difficult because people walk along in large groups and are at times aggressive towards me and/or the dog. This problem is very significant at the moment. The idea of importing another, at very minimum , 2,000 people a day, together with those who are waiting for tables or have left the restaurants, just does not bear thinking about.
- The traffic problems in this area are already extreme. There are times when it is gridlocked coming down Commercial Street. With the creation of a major new restaurant with large numbers of people, this is only going to make an

area that is already choked with traffic, worse still. In addition, there will be the deliveries needed to supply such a large complex. This will add still more heavy good vehicles, that will slow the traffic flow yet more and add more pollution to an area that already suffers from very poor air quality.

3. Conclusion

We have watched our quality of life erode enormously since we bought this house. It is on occasions, little short of an over crowded, incredibly noisy, aggressive, filthy zoo. People think that they can come here and behave in any way they want with impunity. That includes those running restaurants, pubs and clubs, who take their profits and leave the area in an dreadful state for residents.

Against this backdrop, no reasonable, rational public body would think it acceptable to licence a huge new drinking and eating establishment that is 50 feet away from the bedrooms of residents. It is self-evidently unreasonable as a proposal. There is no possible way that the building could be sound proofed adequately and we would be left with the dull thud of music and voices deep into the night, every night. When previous attempts have been made to control the sound from that building they have been total failures.

On top of this, you have the fact that the area has been fighting a losing battle against enormous levels of anti-social behaviour. This already critical problem will be made far worse by (again very conservatively) 2,000 people a day waiting for tables, drinking in the bar and looking for places to drink after they have left. There is then the noise pollution, the added traffic and the rubbish.

We pay significant amounts of Council tax every year. We are entitled to have our rights as tax paying residents protected by the Council to whom we pay this money. Granting this licence would be a disaster for us and a disaster for the whole area. It therefore cannot and should not be granted.

**Karen Seward
Stephen Gummer
Street
London [REDACTED]**