

Licensing Sub Committee

**Tuesday, 12 November 2024 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Supplemental Agenda

4 .2 Application for a Variation of a Premises Licence for (Bourbon / Kisses from Nonna), 387 Roman Road, London E3 5QR (Pages 3 - 24)

Supporting documents submitted on behalf of Amit Patel.

Contact for further enquiries:

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020 7364 4120

Town Hall, 160 Whitechapel Road, London, E1 1BJ

<http://www.towerhamlets.gov.uk/committee>



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Agenda Item 4.2

Objection to Variation of Premises Licence: 387 Roman Road LTD (The Bourbon, 387 Roman Road, London, E3 5QR) Premises licence number: 29276

On the grounds of: The prevention of crime and disorder & The prevention of public nuisance

Objector: Mr Amit Patel

Address: [REDACTED]

30th of August 2024

Dear Sir/Madam,

I am writing to object to the recent application submitted by 387 Roman Road LTD to vary its premises licence. My understanding is that the applicant wishes to make the follow changes to its existing premises licence:

“To extend the closing time, sale of alcohol and recorded music at the premises by 1 hour and add late night refreshments for Friday and Saturday plus New years Eve.”

Roman Road is a quiet densely populated residential area and the vast majority of businesses in the area are closed by 11:00PM. I believe that the proposed licence variation will have a detrimental impact to the well-being of local residents and will increase the issues related to disorder and public nuisance.

It is concerning that the applicant has put little effort into how she intends to effectively promote the four licensing objectives as a result of the proposed variation. The applicant has stated that as The Bourbon has been successfully trading within its current conditions, it sees no need to offer any additional measures and or reassurances to local residents in regards to the proposed variations. Relying on this statement alone is not adequate considering the scope of the proposed variation, nor is it indicative of the truth in my opinion.

I was initially unaware that the applicant submitted a licence variation application to the local council. This was due to the fact that the applicant advertised the proposed licence variation in place of where The Bourbon’s food menu was originally located. This action drastically limits the exposure of the advertisement to local residents as they are accustomed to seeing a food menu in place of where the advertisement is currently located. Unless local residents with a keen eye for detail notices a change, the advertisement would go unnoticed during the timeframe local residents can make representations. I believe this action has ultimately limited the number of representations that could have been made.

The applicant may highlight instances of restaurants on Roman Road that have permitted hours of operation beyond 11:00PM, which would theoretically provide support in favour of the proposed licence variation. However, I believe that the recent application submitted by the applicant is misleading the Licencing Department, as well as local residents, and I believe that The Bourbon falls more in-line with that of a public house/bar than a restaurant. Currently, the applicant only has planning permission to operate under an A3 use class.

The Bourbon engages in a number of common traits that are synonymous with public houses/bars:

- Primarily serves alcoholic beverages such as beer, wine, cocktails and spirits.
- Patrons order alcohol from the bar as opposed to formal table service.
- Often has a casual or relaxed atmosphere.
- Offers a limited selection of food such as snacks, small plates as accompaniments to beverages rather than elaborate food offerings.
- Customers often stand and or sit at the bar counter to promote social interactions amongst patrons.
- Provides outdoor seating where patrons congregate, smoke and consume beverages.
- Features live music performances on a weekly basis.
- Showcases live sports screenings such as Football and NFL events on multiple TV's and large format screens such as a projector.
- Hosts events centred around the consumption of alcohol such as whiskey tasting events and social events such as speed dating.

The Bourbon shares more similar characteristics than differences to nearby public houses such as The Angel and Crown (170 Roman Road), The Young Prince (448 Roman Road) and The Albert (74 St Stephens Road).

The Licencing Department does not need to solely rely on my own assertion that The Bourbon falls more in line with that of a public house/bar. Since opening in the latter half of 2021, The applicant has outwardly categorised and promoted The Bourbon as a dive-bar.

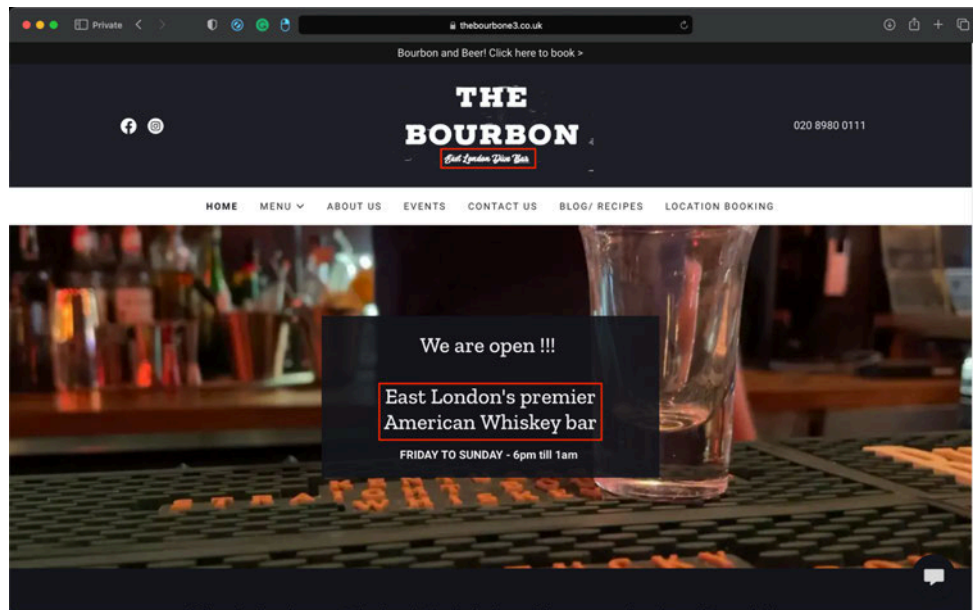
Within an article featured in Hospitality and Catering News on the 14th of September 2021, Ms Odette Gibson (owner of The Bourbon) stated the following:

“East London’s certainly got its fair share of old-school dive bars, but with our focus on bourbon and bar food that is worth the hype, you might plan on ‘stopping-by’, but you’ll stay for the whole night.”

Link to online article:

<https://www.hospitalityandcateringnews.com/2021/09/the-bourbon-mixing-east-london-attitude-with-soul/>

A brief search of The Bourbon online presents a number of instances whereby the applicant has promoted and categorised The Bourbon as a bar. Evidence of this can be found below.



Source: Screenshot archive of The Bourbon's website - captured on the 10th of December 2022 <https://www.thebourbone3.co.uk/>

THE BOURBON

387 207

THE VENUE

About Us

The Bourbon is bringing laid-back Stateside-dive-bar vibes mixed with unmistakable East London attitude to Bow's buzzing Roman Road.

Tucked just behind Victoria Park, step inside the neighbourhood gem bedecked with quirky, mismatched furnishings, a backbar brimming with rare bourbons, lip-smacking Deli favourites and a soundtrack that's all about soul.



OUR BOURBONS

Along with more than 70 bourbons – including some very rare 23-year-old bottles – there will also be an exciting selection of all-star American beers. The cult cans, difficult to find in the UK, include Pabst Blue Ribbon, Oskar Blues Can-o-Bibb's Citrus and Cigar City Fancy Papers Hazy IPA. American wine and signature cocktails will also be served up including the Superstar Martini (think Pornstar Martini but with the added smoothness of vanilla pods soaked in bourbon).

COCKTAILS

American wine and signature cocktails will also be served up including the Superstar Martini (think Pornstar Martini but with the added smoothness of vanilla pods soaked in bourbon).

Drinks this good require some serious saakage and it doesn't come much more satisfying than our exciting deli offering



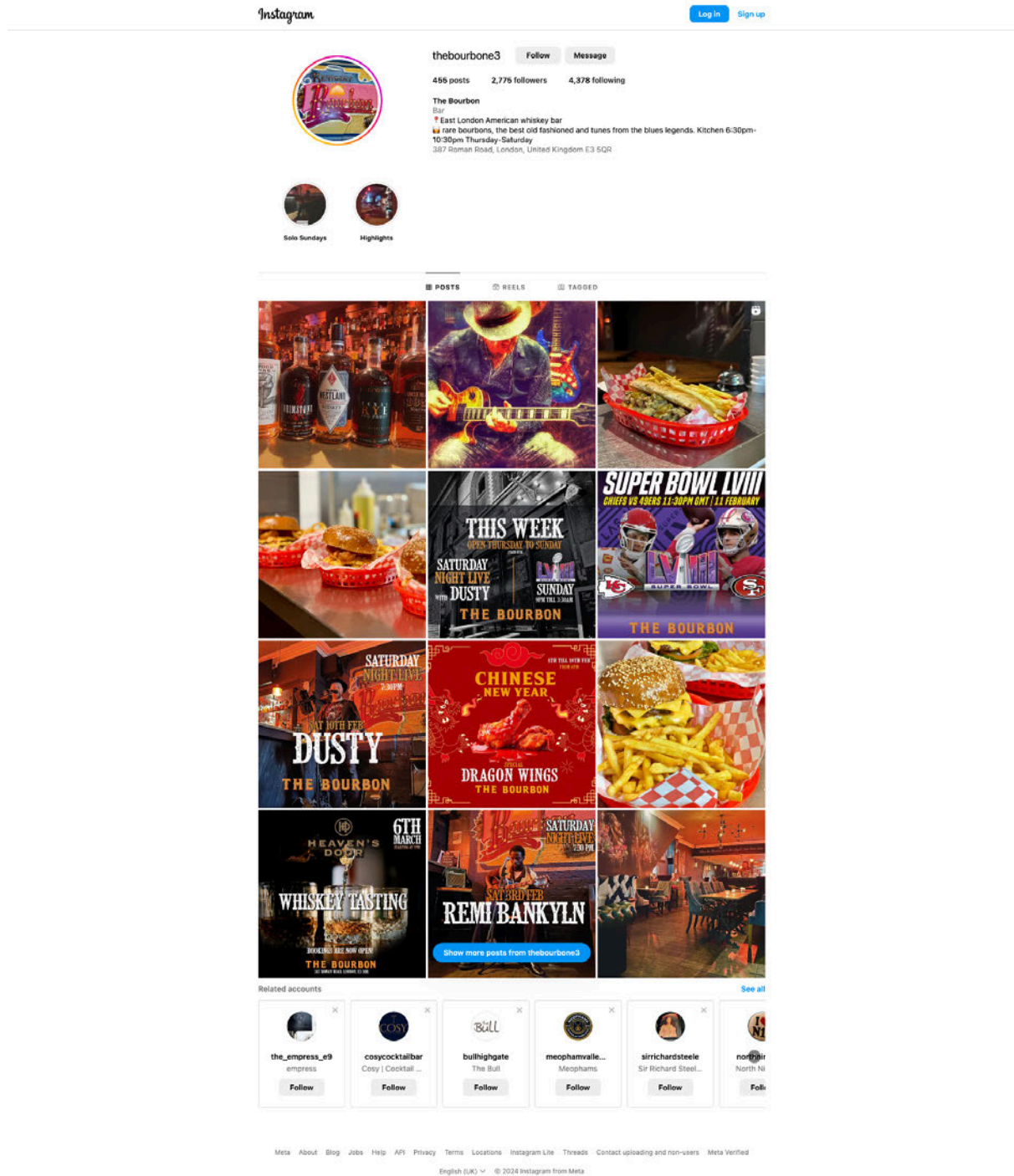
THE BOURBON

387 Roman Road, Tower Hamlets, London, E3 5QR, United Kingdom

Source: Screenshot archive of The Bourbon's website - captured on the 11th of April 2024
<https://www.thebourbone3.co.uk/about-3>

Observing The Bourbon's Instagram profile, we can see the business was categorised as a bar and had the following public caption:

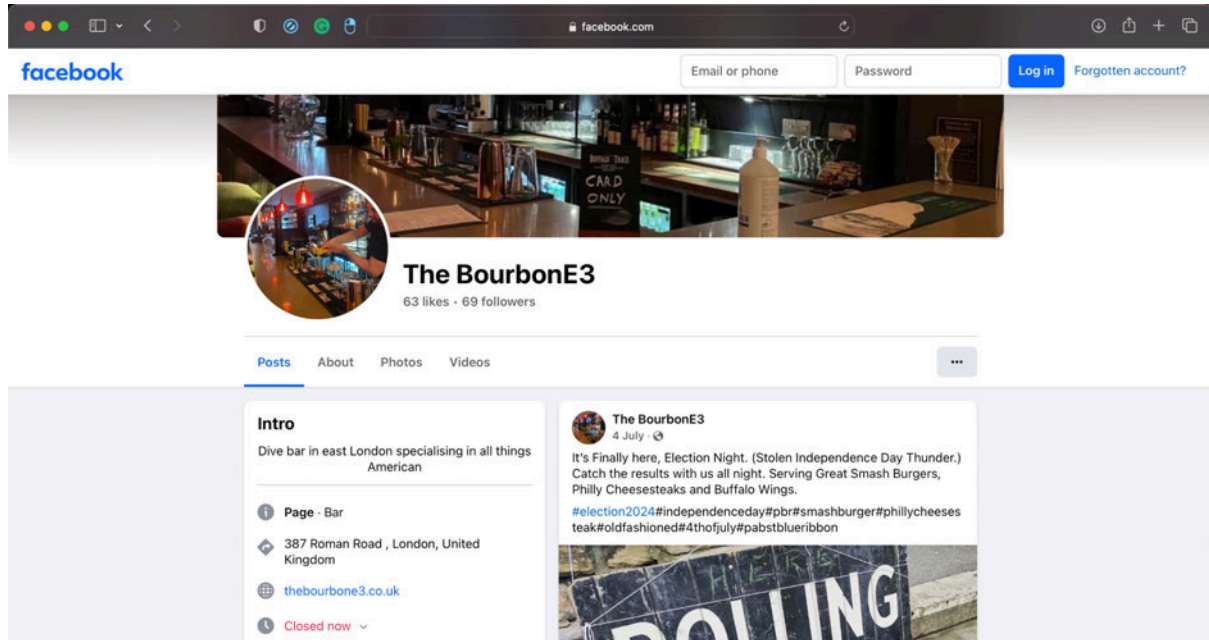
“East London American whiskey bar, rare bourbons, the best old fashioned and tunes from the blues legends”



Source: Screenshot of The Bourbon's Instagram profile - captured on the 11th of April 2024
<https://www.instagram.com/thebourbone3/>

Similarly, The Bourbon's categorises itself as a bar on Facebook and has the following public caption:

“Dive bar in east London specialising in all things American”

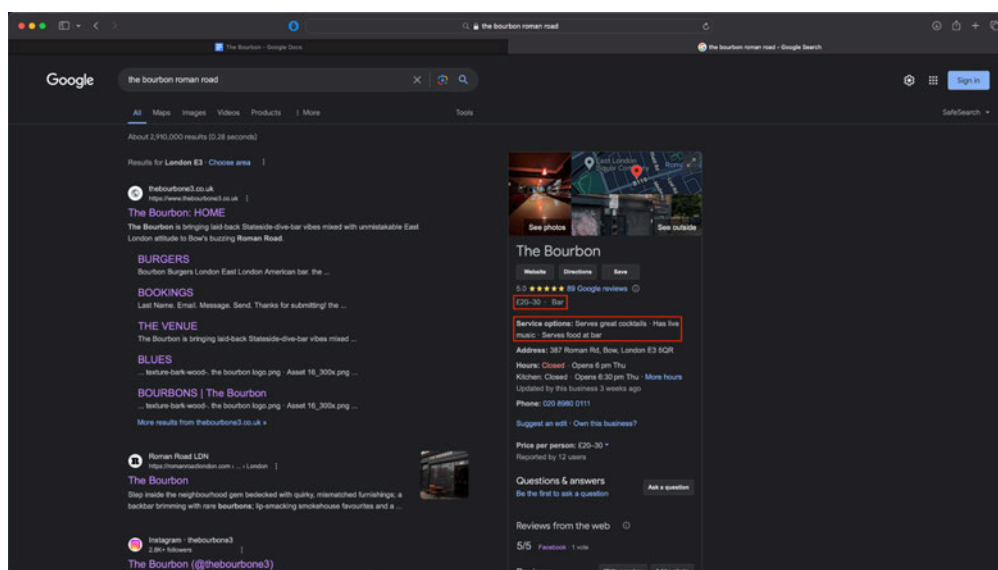


Log in or sign up for Facebook to connect with friends, family and people you know.



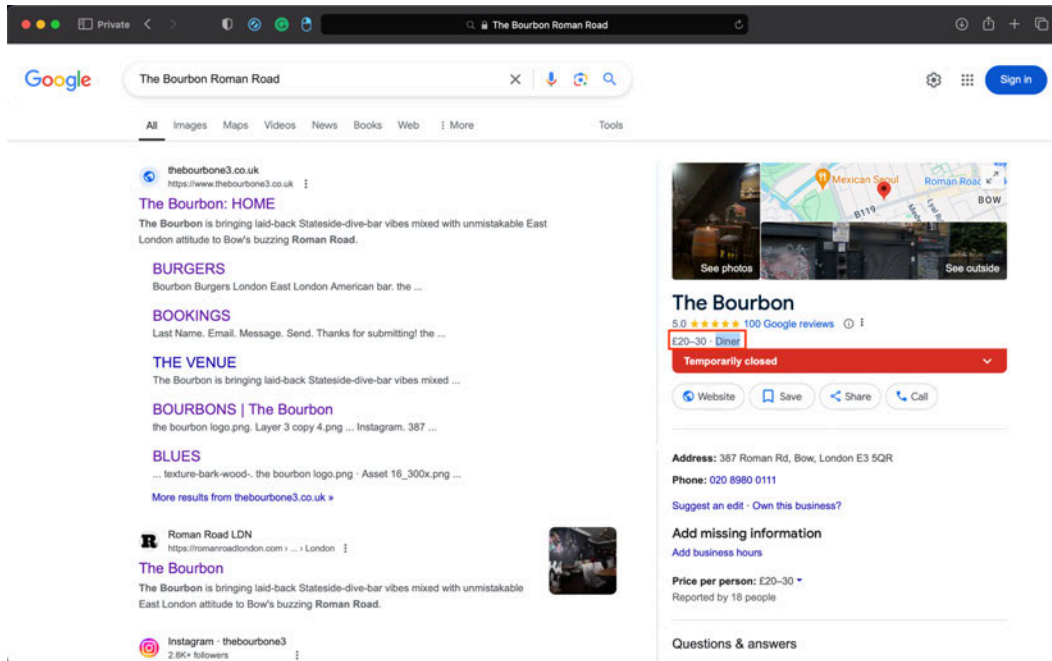
Source: Screenshot of The Bourbon's Facebook profile - captured on the 27th of August 2024 <https://www.facebook.com/thebourbone3/>

When searching The Bourbon on Google, it was categorised as a bar, as pictured below.



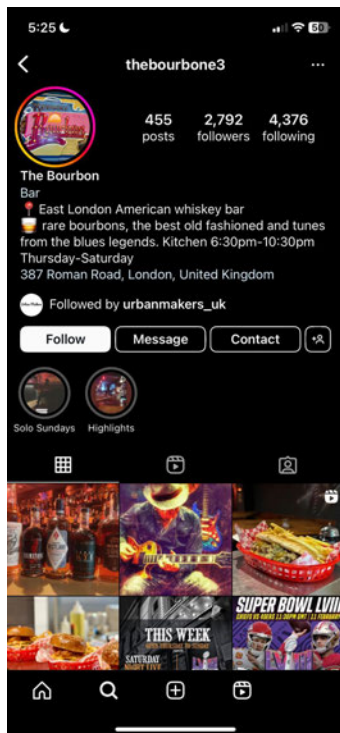
Source: Screenshot of Google Search of The Bourbon Roman Road - captured on the 13th of March 2024

However, when searching The Bourbon on Google now, the business is now categorised as a **diner** and not a bar, as pictured below.

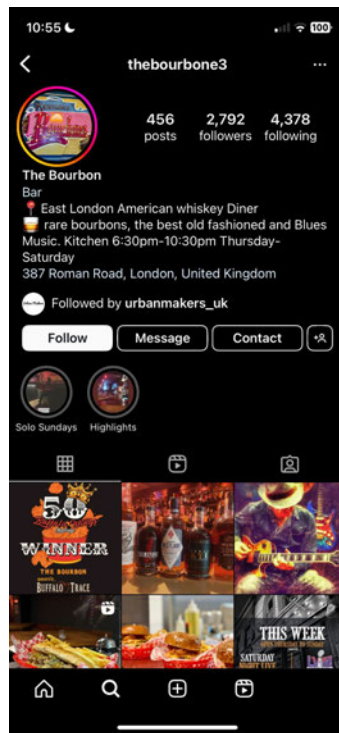


Source: Screenshot of Google Search of The Bourbon Roman Road - captured on the 27th of August 2024

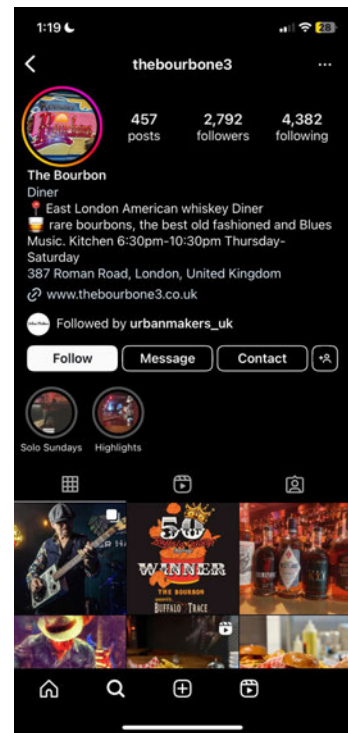
The change in categorisation is also reflected on The Bourbon's Instagram page and the public caption was also changed:



Captured on 01/06/24



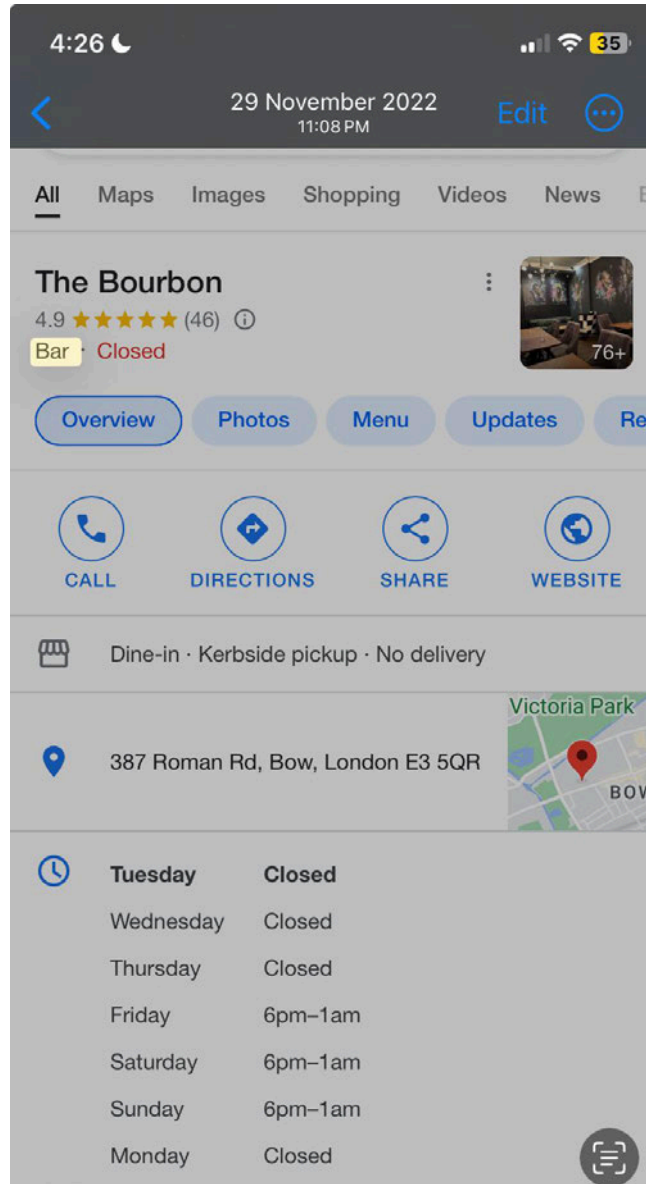
Captured on 03/06/24



Captured on 07/06/24

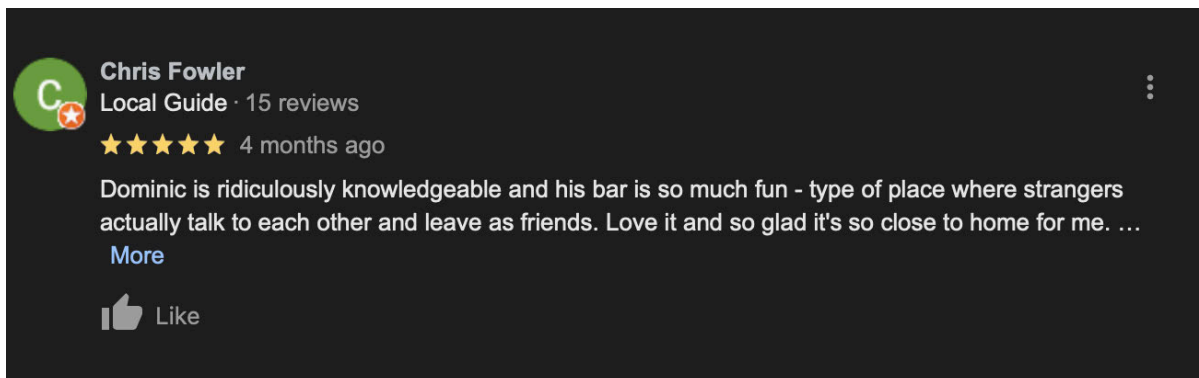
I urge the Licencing Department to question why the applicant, after several years of promoting and categorising The Bourbon as a bar, has recently decided instead to categorise The Bourbon as a **diner** ahead of submitting her recent licence variation application. I believe this action is misleading local residents and the Licencing Department into thinking that The Bourbon is a restaurant which is not an accurate assessment in my opinion.

For reference, The Bourbon was categorised as a bar on Google from as far back as the 29th of November 2022, as pictured below.

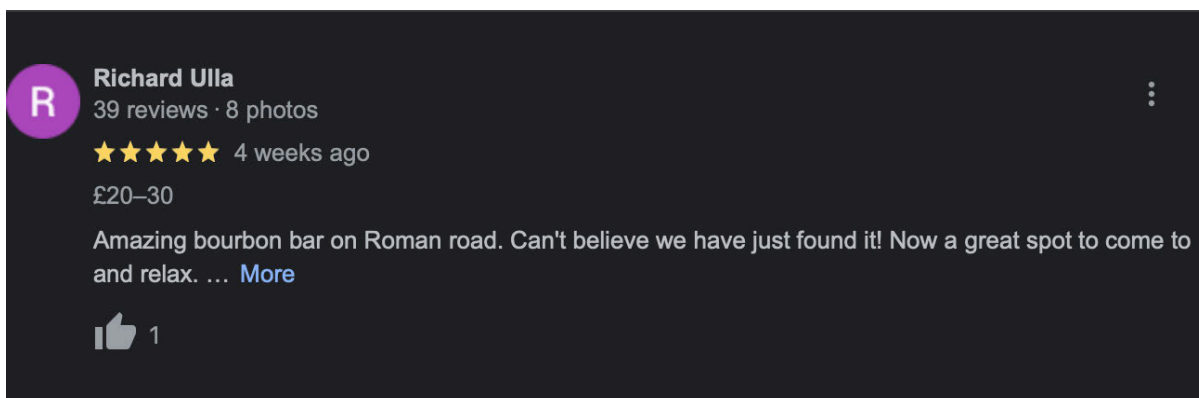


Source: Screenshot of The Bourbon's Google business page - captured on the 29th of November 2022

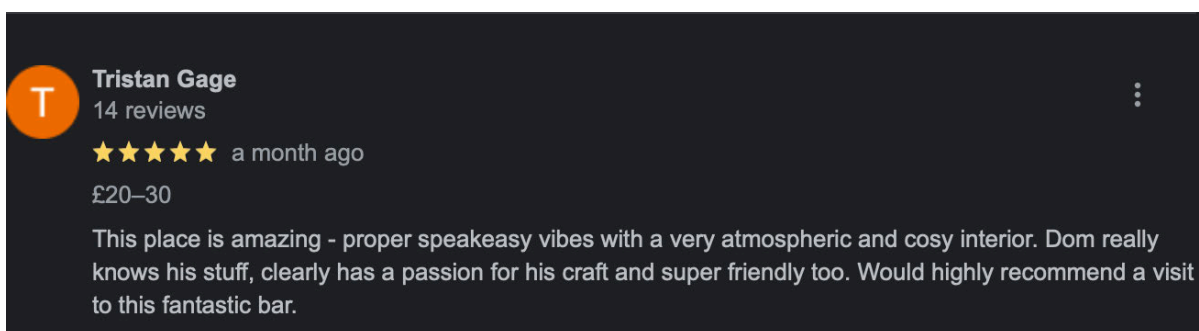
Regarding The Bourbon's online reviews, the overarching consensus appears to be that The Bourbon is a bar with ancillary food provisions, as opposed to a restaurant with ancillary alcohol provisions. Below are a number of online reviews from patrons of The Bourbon who themselves have categorised the business as a bar.




Source: <https://g.co/kgs/5CRLpHJ>




Source: <https://g.co/kgs/tErH4SL>




<https://g.co/kgs/Eu5Rmno>

 **martin lincoln**
Local Guide · 138 reviews · 34 photos
★★★★★ 2 months ago
£30–40
This place is a gem, an American bar experience. The owner certainly knows his liquor


Source: <https://g.co/kgs/YQwvUQj>

 **Chris Davies**
3 reviews
★★★★★ 3 months ago
£20–30
Fantastic authentic American style dive bar. Very good selection of bourbons and the barman and owner Dom has a wealth of knowledge of all. Great bar seats with regular live music. This place must be checked out.


Source: <https://g.co/kgs/tJmt8XU>

 **Choots**
9 reviews
★★★★★ 3 months ago
Really nails the feeling of an American bar, even down to the friendly patrons and owner, whose knowledge and passion shows in his cocktails. Awesome burgers and wings too, and love the nights with live music

Source: <https://g.co/kgs/3dMJsVg>

 **Alexander Potter**
Local Guide · 25 reviews
★★★★★ 4 months ago
Awesome American-style dive bar, specialising in Whisky (Bourbon, specifically) with a huge number of varieties - plus regular tastings, live music on Saturdays, great food (including vegan) and fantastic company. Love it.

Source: <https://g.co/kgs/Ks64Ewt>

 **Lara Painter**
10 reviews
★★★★★ 6 months ago
This bar is awesome! The cocktails are amazing and the atmosphere makes you want to stay here all day every day! Staff are so personable, feels like they're an old friend.

Source: <https://g.co/kgs/JqyuLLL>



Michael Antipin (Aurora42)

8 reviews · 1 photo

★★★★★ a year ago

Cosy little pub with amazing selection of drinks and exceptionally friendly owner behind the bar.

Source: <https://g.co/kgs/vdkwCLd>



Habiba CJ

5 reviews

★★★★★ a year ago

Great local 'dive' bar --slightly off the beaten track and easily missed but definitely worth seeking out. The BBQ is really good, recommend getting the chefs platter as it is v good value if like me you find it hard to choose!

The drinks selection is great, from beer to cocktails to an impressive selection of bourbon.

Finally, v friendly staff who genuinely seem to be invested in whether or not you enjoy yourself.

Do check out !

Source: <https://g.co/kgs/mMduQLH>



Dave J

Local Guide · 213 reviews · 381 photos

★★★★★ 2 years ago

Great dive bar with well curated selection of bourbons. BBQ is good.

Source: <https://g.co/kgs/rYDT9WU>



Devin-Paul O'Brien

13 reviews

★★★★★ 2 years ago

Fantastic bar, very welcoming, amazing food, great service and great music. Can't wait for our next visit.

Source: <https://g.co/kgs/o3XLPzY>

Within the recent licence variation application, the applicant has stated that The Bourbon has been successfully trading within its current licence conditions, however, this is not representative of what I have encountered. I believe that The Bourbon will disregard its current licensing conditions as and when it chooses to.

The Bourbon often allows patrons to stay on the premises beyond 11:00PM. In such instances, The Bourbon will begin the process of closing at an arbitrary time whereby staff will turn off illuminated signage and bring in outdoor seating and signs. From the perspective of onlookers, it would appear that The Bourbon is closed for business. However, patrons will often go back into the premises and subsequently remain there beyond 11:00PM. The Bourbon states that its kitchen facilities close at 10:30PM which would allow enough time for patrons to consume their food offerings by 11:00PM and subsequently leave the premises. However, such an action is not afforded in the same manner to patrons in regards to the consumption of alcohol.

As evidenced below, patrons have remained in the premises past 11:00PM

Video footage:

<https://1drv.ms/f/s!AjeVjWQ112XSgmmmsNYaaMn3ldhyj?e=v8yKkO>



Captured on 1/6/24 11:00PM



Captured on 1/6/24 11:22PM



Captured on 24/11/23 11:40PM



Captured 30/5/24 11:38PM

What also often occurs is that staff will not direct patrons inside the premises at a set time and will instead allow patrons to continue to sit and or stand directly outside the premises in groups, often smoking and consuming alcohol after 11:00PM. Additionally, patrons who decide to leave the premises are not directed by staff to leave the area and instead, will remain congregated outside of the premises while they wait for ride-hailing services such as Uber, Bolt etc. Subsequently, cars are parked on the main road outside the premises and contribute further to disruption and public nuisance.

As evidenced below, patrons are still congregated outside the premises consuming alcohol and or smoking.



Captured on 19/1/24 11:00PM



Captured on 19/1/24 11:17PM



Captured on 29/3/24 11:03PM Captured on 12/4/24 11:07PM



Captured on 10/5/24 11:05PM Captured on 31/5/24 11:00PM



Captured on 6/7/23 11:33PM

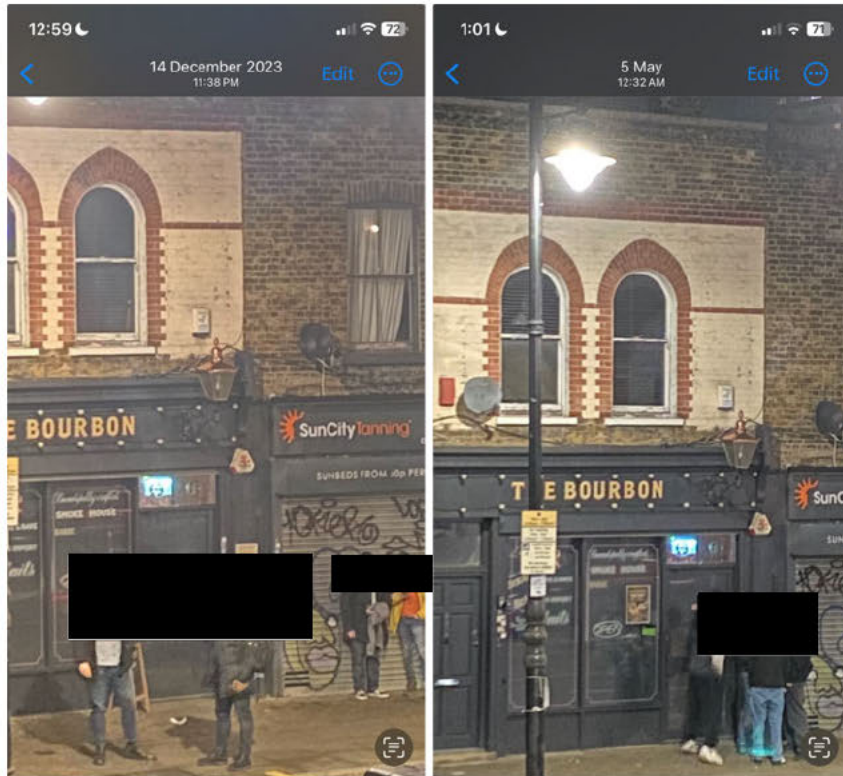
As evidenced below, patrons congregate outside of the premises to continue socialising and or wait for ride-hailing services.



Captured on 19/1/24 11:35PM



Captured on 14/7/24 11:00PM



Captured on 14/12/23 11:38AM Captured on 5/5/24 12:32AM

As evidenced on the 5th of May 2024, patrons of The Bourbon are grouped outside the premises at 12:32AM. To note, The Bourbon did not have a valid Temporary Events Notice or an Extension of Business Hours in place on the 4th or 5th of May 2024 to be open past 11:00PM.

The outdoor area of The Bourbon is primarily used for patrons to consume alcohol and smoke. Rarely have I observed this area used as a place to consume food offerings. As evidenced below, a sizable amount of people congregate outside at times that eventually pool over into the public highway. From what I have observed, there is no limit to the amount of people that can be outside at any given time. Furthermore, there is no set time when the outdoor area becomes closed for use which contributes further to disorder and public nuisance.



Captured on 20/7/23
10:00PM



Captured on 31/5/24 9:56PM



Captured on 23/6/24 9:18PM




Captured on 6/4/24 9:11PM

As vertical drinking often occurs outside the premises, the likelihood of disorder and public nuisance also increases. Not long ago, I was alerted to the sounds of an altercation occurring outside of The Bourbon, as pictured above.

During instances when The Bourbon extends its business hours via a Temporary Events Notice, there is no consideration for local residents regarding mitigating the transfer of noise from inside the premises. As evidenced below, the front door of the premises was open past 11:00PM. This may seem insignificant, but it is testament to my assertion that The Bourbon has no system in place to prevent disorder and public nuisance, and instead, decides to take action when it is convenient and or beneficial for the business.



Captured on 5/7/24 12:22AM




Temporary Event Notice Summary

Reference:	169751	
Applicant Name:	Odette Gibson	
Event Location:	The Bourbon 387 Roman Road London E3 5QH	
Event Description:	general election celebration	
Event Start Date:	4 July 2024	
Event Finish Date:	5 July 2024	
Time of Event:	Mon	0.00 0.00
	Tues	0.00 0.00
	Wed	0.00 0.00
	Thurs	23.00 24.00
	Fri	24.00 11.00
	Sat	0.00 0.00
	Sun	0.00 0.00

This is a summary of the Temporary Event Notice submitted by Odette Gibson and is **NOT** a granted Licence/Notice for the Event to take place

PLEASE NOTE ONLY THE METROPOLITAN POLICE AND ENVIRONMENTAL HEALTH NOISE TEAM CAN OBJECT TO THIS APPLICATION. THEIR CONTACT DETAILS CAN BE FOUND ON THIS WEBSITE.

 **Tower Hamlets Council**
Town Hall
Mulberry Place
5 Clove Crescent
E34 2SG

Source: Tower Hamlets Council

The regulated entertainment at The Bourbon is extremely loud to the point where I can hear music throughout the entirety of my home. The transfer of sound also transcends the bounds of the premises and can be heard from yards away. The issue is exacerbated when the applicant chooses to leave the front door open as a means to entice members of the public to enter the premises.



Source: The Bourbon - captured on the 30th of September 2021

As pictured above, part of The Bourbon's sound system is inches away from touching the ceiling and is located in the area of where my living room is above the premises. The location of the speaker is far from ideal and only further exacerbates the issue of vibration and excessive noise transfer coming from the premises. From my experience, there is no predefined volume level that is fixed, for both the sound system pictured above and other sound amplifiers in the premises.

Video and audio evidence:

<https://1drv.ms/f/s!AjeVjWQ112XSgmgN1POnHUDFWaLw?e=oS9g9x>

I have been living in the property above The Bourbon since February 2024 and since moving in, I have been unable to enjoy living in my home.

Patrons are outside the premises often intoxicated and talking loudly in what would otherwise be a quiet area on Monday, Tuesday, Wednesday and Sunday. I often have to keep my windows closed (and only open them when absolutely necessary) to avoid further noise from entering my home. Closing my windows and blinds does not completely mitigate the noise either and attempting to drown out the noise coming from below me will negatively impact my neighbours. Thus far, I have been confining myself to areas of my home to simply enjoy a quieter setting. My job requires me to work early mornings and sometimes the sound levels coming from The Bourbon have been unbearable to the point where I have to leave my home entirely to have a good night's rest. I should not have to resort to such lengths.

Perhaps the applicant feels that there are currently systems in place to prevent and minimise disorder and public nuisance, however, I believe that if there are said systems in place, they are rarely ever enforced by staff. I am more inclined to believe that decisions made by staff at The Bourbon are made on a whim and because the local council cannot actively monitor every business, licence conditions can continue to be disregarded without any consequences.

There is no noise management policy in place. The applicant has free control over the volume coming from the sound system and amplifiers in the premises which means regulated entertainment is extremely loud. Part of the sound system in the premises is in a far from ideal location and further exacerbates noise transfer. The front door is left open often, especially when regulated entertainment is occurring as a means to entice members of the public to enter the premises.

There is no dispersal policy in place. Patrons are free to stay inside the premises consuming alcohol past 11:00PM until staff decide patrons must leave the premises. Patrons are also free to stay outside past 11:00PM consuming alcohol until staff decide patrons must leave the premises. Patrons who decide to leave the premises are not directed by staff to leave the area and instead, will remain congregated outside of the premises while they wait for ride-hailing services.

There is no restriction of the use of the outdoor area after a set time, nor is there a limit to how many patrons can be in the outside area at any given time which means the public highway can be obstructed and can have an impact on public safety.

I am concerned that what I have outlined within this document will only get worse if the applicant's proposed licence variation is granted. Roman Road is a quiet densely populated residential area and the vast majority of businesses in the area are closed by 11:00PM. I presume the applicant will deny that The Bourbon is a bar with ancillary food provisions. However, the evidence I have presented speaks for itself, and in part, comes directly from the applicant herself. I would urge the Licencing Department to take the time to investigate this specific matter prior to the consideration of the applicants licence variation request. Public houses such as The Albert and The Young Prince that are nearby are permitted to stay open until 11:00PM and I believe the applicant's current licensed hours of operation should remain unchanged, thus in-keeping with other public houses in the area.

How The Bourbon operates has gone unchecked for a prolonged period of time and I have tried to tolerate as much of the issues presented as I can but I must object to the newly proposed licence variation. As mentioned previously, it is concerning that the applicant feels no need to reassure local residents and the Licencing Department of how she intends to promote the four licensing objectives. I believe I have presented information within this document that illustrates why the proposed licence variation should not be granted. I kindly request the Licencing Department take into consideration the information I have presented and consider the welfare of Roman Road and its residents.

Kind regards,
Mr Amit Patel

To note, the evidence I have presented within this document, unless previously specified, do not fall on dates where The Bourbon have been granted a Temporary Events Notice and or an Extension of Business Hours by the council.