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Re: Variation of Premises Licence at
Iberian Connections, 2-10 Ezra Street, E2 7RH

Dear Committee members,

I write to you as the representative of Iberian Connections with regard to the recent application for a full variation of the premises licence at the above venue. This letter is sent to bring you up to date with some of the history of the premises, the reasoning behind the application, and the lengths that the company have gone to in order to prove that they are a responsible operator and conducting their business with due diligence and regard for the Licensing Act 2003

History

Iberian Connections have operated their Oyster Bar in Ezra Street for many years now and have had a premises licence to sell alcohol at the venue for over ten years. The premises licence permits them to trade on Sundays only, between 8am and 3pm. Aside from the mandatory conditions, there are no other conditions within the operating schedule.

During this time, they have had no complaints from customers, members of the public or issues with the responsible authorities.

In July 2020 an alteration was made to the lay out of the premises which necessitated a variation. A minor variation was submitted at the beginning of August 2020. Over four months later, in December 2020, this application was refused. The licensing authority stated they had refused it due to the manner of the floor plan change. Previously customers would enter a small open 2 metres squared area. Customers would be served and step directly out onto the street. The new variation of the floor plan sees customers stood in the street being served from hatches. Albeit this was a minor difference, the authority decided that it may impact on the licensing objectives, especially due to apparent issues in the area. For that reason, the licensing authority

requested it be dealt with by way of a full variation so as to enable the full consultation process. The licensing authority later stated that these issues did not centre around the business of Iberian Connections.

Application

As a result of having to submit a full variation they decided to apply for further amendments to move the hours of trade two hours forward from 8am to 3pm to 10am to 5pm. A movement of the 7 hours permitted, no extension to their licensable hours. With this they also submitted no less than 13 new conditions onto the licence to counter any concerns with the licensing objectives. Furthermore, the company submit an annual temporary event notice to operate one extra day mid-week during the Christmas market which runs through November and December. This has never been refused. As the licence is so minor, it seemed sensible to incorporate this annual event into the licence as a seasonal variation. The application was submitted in April 2021.

Representations

The responsible authorities did not submit any representations to the application. Six representations were submitted by residents, one of whom resides in Ezra Street, the others nearby. The concerns raised by the representations stated the following;

- That there was a serious problem of public nuisance, noise pollution, littering
- That there was an unprecedented level of ABH in the area long after the market closes
- Concerns that the consumption of alcohol brings with it ABH, public urinating and drug dealing
- The lives of the residents who live in Ezra Street and its surrounds were being made miserable by this one weekly event
- That this two hour later finish would necessitate extra resources from licensing, street markets and the police

A letter was sent to each of those submitting a representation and their individual concerns were addressed. A copy of one of the letters is attached to this letter marked document A

Three of those submitting original representations replied and re-iterated their concerns. Their replies have been copied and pasted directly from the emails and are compiled in document B

Evidence

Customers of the applicant enquired as to whether the application had been granted or not and were informed of the position, that six representations had been received. The applicant then started to receive emails of support, from residents of Ezra Street and nearby, customers and other businesses in the locality. Many of these emails you will note contradict representations and provide excellent evidence of the manner in which the applicant conducts his business each Sunday. These emails are compiled in document C

Considering the claims made within the representations, one can only assume that there is indeed a grave issue in Ezra Street on a Sunday. Issues that are so serious there would be numerous reports cataloguing the complaints and crimes. In order to try and gauge the real problems in the area and how much of which was serious enough to be reported to or raise the attention of the police and or the council, on behalf of the applicant I submitted two freedom of information (FOI) requests. One to the police, and one to Tower Hamlets Council.

In relation to the police, I asked them for the following;

1. How many crimes have been reported to have occurred in Ezra Street, E2 specifically on a Sunday since 01/01/2019
2. How many crimes have been reported in Ezra Street, E2 specifically on a Sunday since 01/01/2019 where violence has been a feature
3. How many crimes have been reported in Ezra street, E2 specifically on a Sunday since 01/01/2019 where alcohol has been a feature
4. How many incidents of ASB have been reported in Ezra Street, E2 specifically on a Sunday since 01/01/2019
5. How many incidents of drug related crimes have been reported to have taken place in Ezra Street, E2 specifically on a Sunday since 01/01/2019

The report is shown at document D

In brief, the total amount of crimes recorded in Ezra Street on a Sunday in 2019 was 3, in 2020 there were 5, and at the time of publication none in 2021

Neither violence nor alcohol was a feature of these crimes. Only one of these crimes was drug related. Two of the incidents related to anti-social behaviour, one in 2020 and one in 2021.

It would be a far greater task for the police to have defined exactly where these incidents took place and the exact timings. One has to bear in mind that when searching for these reports, they will include hits that contain 'opposite Ezra Street' 'near to Ezra Street' and 'junction with Ezra Street'. One

also needs to consider that these searches cover a 24 hour period. In terms of alcohol related crime, if a suspect is arrested having been drinking, police are required to note this on the crime report. Similarly, if a witness or victim states that a suspect was drunk or had been drinking, this would also be noted on the report.

This somewhat dilutes the information further but nevertheless gives an excellent indication as to the validity of the claims from those submitting representations. In two and a half years there has been one incident involving drugs reported to the police.

No reports of violence and more significantly no incidents where alcohol was a feature.

Considering that the council deal with noise complaints and ASB the following FOI was sent to Tower Hamlets Council;

I asked between 01/01/2019 to 31/05/2021

1. How many recorded complaints of ASB have been made to EZRA STREET specifically on a Sunday
2. How many recorded complaints of noise pollution have been made to EZRA STREET specifically on a Sunday?

The request and response is at document E

The response was equally contradictory to the representations, no complaints of noise and in two and a half years only one report of Anti-Social Behaviour.

Similarly, this report would cover every Sunday 24 hour period, and could well be identical to that within the police FOI.

Conclusion

- There is overwhelming support from residents, businesses and locals in favour of the applicant.
- There are no complaints or concerns with the applicant's business – and they have been trading here with effectively an empty operating schedule for many years.
- Neither the police, environmental health, the licensing authority or any other responsible authority submitted a representation. The first three mentioned making no comment is highly relevant given the concerns from the residents.
- The issues complained of within the representations are either not occurring on a Sunday, in which case they are irrelevant to the applicant's business, or they are not serious enough for anyone to officially complain to the council or report to the police. Equally one can say the same for the level of alleged crime.

The evidence to back the claims of this resident group is just not there. For that reason, we are respectfully requesting that the committee grant the licence as applied for.

Kind Regards

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