

88652
14.10.10

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/we NOUREDDINE HASSANI
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description <u>REGINA CAFE</u> <u>66, LEE HIGH ROAD, LEWISHAM, LONDON</u>			
Post town	<u>LEWISHAM</u>	Post code	<u>SE135PT</u>
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ <u>8200</u>	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual * please complete section (B)
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname HASSANI			First names NOUREDDINE		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address		66, LEE HIGH ROAD LEWISHAM			
Post Town LONDON			Postcode SE73 5PT		
Daytime contact telephone number			07540 579442		
E-mail address (optional)		kassani463@hotmail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

Please give a general description of the premises (please read guidance note 1)

The premises is on 66, Lee High Road. It is a cafe that serves ~~coffee~~ Hot and Cold drinks (non alcoholic) and hot/cold refreshments eg sandwiches. We do not sell alcohol, tobacco or play live music. We are ^{aiming to} open indoors Monday-Sunday 7Am-2Am. We are open outdoors Monday-Sunday 7Am-10pm.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	03:00	<p>Please give further details here (please read guidance note 3)</p> <p>The outdoor space will close @ 22.00 everyday from Mon-Sunday.</p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p> <p>4 weeks a year during Ramadan the cafe will stay open until 13.00am. Most of the year to close @ 23.00</p> <p>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</p>	Both	<input checked="" type="checkbox"/>
Tue	23:00	03:00			
Wed	23:00	03:00			
Thur	23:00	03:00			
Fri	23:00	03:00			
Sat	23:00	03:00			
Sun	23:00	01:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name
Address
Postcode
Personal Licence number (if known)
Issuing licensing authority (if known)

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	<p>4 weeks a year during Ramadan the cafe will stay open until 3.00. Most of the year to close at 23.00</p> <p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p>
Mon	7.00	3.00	
Tue	7.00	3.00	
Wed	7.00	3.00	
Thur	7.00	3.00	
Fri	7.00	3.00	
Sat	7.00	3.00	
Sun	7.00	1.00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

For staff to be fully trained in all areas of the business.

b) The prevention of crime and disorder

Staff fully trained if any problems occur with customers.

To make sure we allow the right people ~~in~~ on the premises to avoid any problems occurring.

c) Public safety

We have all Fire Equipment in place and the staff are fully trained on how to use the equipment.

We have Fire Extinguishers and Fire blankets in place on the premises.

d) The prevention of public nuisance

We have signs up to notify customers when leaving the premises to leave quietly.

e) The protection of children from harm

All catering cutlery and equipment is out of reach of customers / children.
All children under 10 years old are to be accompanied by an adult. No alcohol is served on the premises.

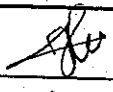
- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

Please tick yes

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	15/10/10
Capacity	

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

11th November 2010

Kim Giddings
Licensing Services
5th Floor Laurence House
1, Catford Road
London
SE6 4RU

Dear Kim Giddings,

Re: Application from Regina Cafe, 66 Lee High Road SE13 5PT to change license to allow Late Night Refreshment on Sundays, 23:00 – 01:00 and Mon-Sat, 23:00 – 03:00

I wish to object to the application from Regina Cafe to extend its opening hours to 01:00am on Sunday evenings and to 3:00am on all other evenings.

My grounds for this objection are:

1. the prevention of public nuisance
2. the prevention of crime and disorder
3. the protection of children from harm

Regina Cafe backs directly onto residential properties of Gilmore Road. In addition a large number of residential units will soon be built next to Regina Cafe, on Lee High Road, and they will look directly down onto the Café and its yard.

Throughout this summer Regina Cafe has ignored the licensing limits on its opening hours and only after considerable complaints about noise and antisocial behaviour along with intervention from Lewisham Council Enforcement have some of these infringements been brought under limited control. If they were to have permission to carry on as they have been doing this would continue the situation that has been inflicted on us in the neighbourhood.

Public nuisance

During the time when Regina Cafe did stay open beyond 23:00 it demonstrated a complete lack of care for its residential neighbours. The noise from the cafe was considerable. The noise was most commonly that of many young males shouting for long periods of time. This would often start during the afternoon of weekends and continue through the evening and night. During weekdays the noise would start in the early evening, around 6.30 or 7.00pm and then continue through the night.

I phoned the Council and have emailed a number of difference Councillors about this problem. I also called the police on 19th August 2010 – CAD 2660 - to report the situation at that time.

Crime and disorder

I was threatened when in 2006 I asked the cafe proprietors to reduce the noise. The men behaved in a very threatening and intimidating way and I have not approached them directly since as I was aware that a neighbour was also trying to get them to realise that their actions were having an impact on the neighbourhood.

I understand that neighbours had witnessed the people in the café repeatedly throwing rubbish over boundary walls and fences, especially at night. Giving them permission to be open during the night could only encourage this behaviour.

Children from harm

Bedrooms of all homes on Gilmore Road face the rear of the properties on Lee High Road, including Regina Cafe. In the summer it is natural to have bedroom windows open to keep rooms reasonably cool and comfortable. I know from neighbours that the noise nuisance does and will affect any children with bedrooms in the vicinity of the cafe. This will be especially true of the new social housing that is to be built soon next door to Regina Cafe.

Summary

The Regina Cafe has shown itself to have no concern for regulations, by flouting the current restrictions on its operations and has demonstrated no concern for the law or its neighbours by fly tipping over its boundaries. Furthermore the café has shown itself to have no concern for its neighbours by repeatedly being a noise nuisance, often until 3am, and by ignoring the fact that it is surrounded by residential properties

The Regina Cafe's application is an application to allow it to legally do what it has been doing illegally for some time. If this is granted it would result in a continuation of the years of nuisance and distress that its residential neighbours have endured. This summer was particularly severe and the noise nuisance was only been stopped by the threat of action under a breach of conditions that includes its opening hours.

Please reject the Regina Cafe's application so that we, its neighbours, can enjoy our homes and gardens as is our right, without the excessive noise and nuisance we have endured this summer.

Yours faithfully

Laurene Brooks

Kim Giddings
Licensing Services
5th Floor Laurence House
1, Catford Road
London
SE6 4RU

licensing@lewisham.gov.uk
020 8314 6400

11th November, 2010

Dear Kim Giddings,

Re: Application from Regina Cafe, 66 Lee High Road SE13 5PT to change license to allow Late Night Refreshment on Sundays, 23:00 – 01:00 and Mon-Sat, 23:00 – 03:00

I have heard that there is an application from Regina Cafe to extend its opening hours 03:00am Monday to Saturday and 01:00am on Sunday.
I have received no notice from LBL to notify my of the above.

I am concerned that I have not been officially notified since I noticed increased noise nuisance in the early hours of the morning, particularly the summer.

I wish to object to the above application on the basis of:

1. noise nuisance
2. anti-social/illegal behaviour

The rear of Regina Cafe faces Gilmore Road's residential properties

Furthermore a substantial number of residential apartments are planned for constructions adjacent to Regina Cafe, on Lee High Road, where the rear view bears directly down onto the Cafe.

The past summer I have noted that Regina Cafe have not abided by the licensing limits on its opening hours and only after significant complaints about noise and antisocial behaviour as well as involvement from Lewisham Council Enforcement have some of these breaches been brought under some control.

If Regina Cafe did stay open beyond its current opening hours, then past history only serves to demonstrate the public nuisance caused if their application is granted. If they've operated hours illegally, what else are they doing which is illegal? If they've flouted licensing hours before, it is most probable that they will do the same – an all night caf with all the nuisance that this brings.

I would be very grateful if you would reject the Regina Cafe's application so that council tax paying neighbours can have some management over our right to enjoy our private property without the appalling nuisance residents have suffered this summer.

Yours sincerely,
Martin Kicks

Kim Giddings
Licensing Services
5th Floor Laurence House
1, Catford Road
London
SE6 4RU

licensing@lewisham.gov.uk
020 8314 6400

10th November, 2010

Dear Kim Giddings,

Re: Application from Regina Cafe, 66 Lee High Road SE13 5PT to change license to allow Late Night Refreshment on Sundays, 23:00 – 01:00 and Mon-Sat, 23:00 – 03:00

Introduction and grounds for objection

I wish to object to the application from Regina Cafe to extend its opening hours to 01:00am on Sunday evenings and to 3:00am on all other evenings.

My grounds for this objection are:

1. the prevention of public nuisance
2. the prevention of crime and disorder
3. the protection of children from harm

Regina Cafe backs directly onto the residential properties of Gilmore Road. The Cafe has a common boarder with my home. In addition a large number of residential units are planned to be built next to Regina Cafe, on Lee High Road, and they will look directly down onto the Cafe.

Throughout this summer Regina Cafe has ignored the licensing limits on it's opening hours and only after considerable complaints about noise and antisocial behaviour along with intervention from Lewisham Council Enforcement have some of these infringements been brought under limited control. However, what happened during times when Regina Cafe did stay open beyond its current opening hours, demonstrates the public nuisance, crime, disorder and harm to children that will be caused if their application is granted.

Detailed reasoning - the prevention of public nuisance

During the time when Regina Cafe did stay open beyond 23:00 it demonstrated a complete lack of care for its residential neighbours. The noise from the cafe was considerable. Loud enough to keep me awake even with my bedroom window closed and earplugs in. The noise was most commonly that of many young males shouting for long periods of time, typically many hours. Usually it sounded as if up to six men were shouting competitively at the same time and sometimes there was chanting. Sometimes this noise was increased by clientele going into the rear yard or by the rear door being left open on warm evenings. The rear yard is often used by the clientele because they are smoking and recently also because the Cafe has been serving its clientele there (although the latter is in breach of their planning conditions).

At the beginning of this year I tried to complain directly to the Cafe about the level of noise and the manager threatened to break both my legs. (Crime reference 3210917 / 10)

I then tried to stop the noise by reporting it to Lewisham Council Noise patrol. On some occasions the noise was so late at night that the Noise Patrol had finished for the evening. However I also discovered that the Noise Patrol was unable to investigate any noise that was not mechanically generated. Because the main source of noise nuisance was loud continuous shouting Lewisham Council's Noise Patrol could only log my record of noise nuisance.

Because the Noise Patrol were unable to stop the nuisance I did on some occasions, when I felt myself almost insane with frustration and lack of sleep, resort to calling the police on their non-emergency number. The police would typically try to attend depending on other demands.

I also made numerous calls to Lewisham Council Enforcement to report the infringements on opening hours and planning conditions that were resulting in such considerable nuisance. After a number of visits and warnings to Regina Cafe, the Cafe made no changes to their behaviour, and so a warning letter was delivered by Lewisham Enforcement and procedures initiated to issue a Breach of Conditions Notice.

The threat of action as a result of Regina cafe infringing its licence and conditions has proved to be the only effective tool against the noise nuisance that this cafe has caused its residential neighbours. For this reason I beg you not to increase its currently allowed opening hours, and I would even ask you to consider reducing them?

Detailed reasoning - prevention of crime and disorder

I have already mentioned that the manager of Regina Cafe threatened me when I asked him to reduce the noise nuisance his cafe was causing.

In addition to this crime the Cafe has repeatedly thrown its rubbish, including very large items over its boundary walls and fences. Often it has done this in the night and I have seen evidence of this in the morning or heard crashes in the night. I have also witnessed items being carried up a ladder and thrown over a wall on their western boundary. In a further example of how the Cafe regards its neighbours I witnessed them throwing long metal poles and pieces of wood across gardens in a most reckless and dangerous way. I have attached photos of the flytipping. The photos are of locations impossible to flytip apart from the Cafe and they include items that are clearly from a re-fit of the Cafe. These incidents have been reported.

Allowing the Cafe to open into the night will only encourage this flytipping because night time is when the Cafe is most likely to be able to do it without being seen.

Detailed reasoning - the protection of children from harm

Bedrooms in my home, and that of every residential unit on Gilmore Road, face onto the rear of the properties on Lee High Road, including Regina Cafe. In the summer it is desirable to have bedroom windows open to keep rooms reasonably cool and comfortable. Although I do not have children living here at the moment, others in the street do and hopefully this residential street will always feel a safe place to bring up children.

The noise nuisance that I have described affects and will affect any children with bedrooms looking onto Regina Cafe. This will be especially true of the new social housing that is planned next door to Regina Cafe. To deny children sleep or to interrupt their sleep is harmful because it affects their concentration and ability to function the next day. But when that noise is the loud and aggressive

shouting of many men it can be quite terrifying, especially for very young children, and this can affect their sense of security and mental health.

Comment on reasons given by Regina Cafe for the need for a licence - Ramadan

From the separate planning application I believe that Regina Cafe has suggested that the reason for applying for a late licence is, in the main, to allow them to celebrate Ramadan. There seem to be two reasons why this is spurious:

- 1) If the cafe only intends to stay open late at Ramadan, I do not understand why they cannot simply apply for permission at Ramadan rather than apply for a blanket permission to stay open until 3am?
- 2) I have lived in a Muslim country during Ramadan and whilst I was invited to celebrate the breaking of the fast at sundown, I was not aware of any requirement, tradition or inclination for people to stay up until 3am. **The time for Iftar (the breaking of the fast) is sunset which in London during Ramadan will typically be between 19:15 and 20:30.** (It will get earlier as we move through the lunar month). This should mean that there is plenty of time for the Cafe to have their Iftar within the current restriction on opening.

Record of instances

I have attached a list of calls I have made this year regarding the nuisances that Regina Cafe has caused, as supporting evidence of my assertions above. However this is only a list of recorded calls and complaints and is in no way a complete list of all the instances of nuisance that Regina Cafe has caused me.

Summary

The Regina Cafe has shown itself to have no concern for regulations, by flouting the current restrictions on its operations. The Regina Cafe has shown itself to have no concern for the law or its neighbours by repeatedly fly tipping over its boundaries. The Regina Cafe has shown itself to have no concern for its neighbours by repeatedly being a noise nuisance, often until 3am, and by ignoring the fact that it is surrounded by residential properties.

The Regina Cafe's application is an application to allow it to legally do what it has been doing illegally this summer, and which if granted would result in repeating this summer's terrible nuisance to its residential neighbours. (Noise nuisance that has only been stopped by the threat of action under a breach of conditions that includes its opening hours)

Please reject the Regina Cafe's application so that we its neighbours have some control over our right to enjoy our homes and gardens without the terrible nuisance we suffered all this summer.

Yours sincerely,

Matthew Blumler

List of logged complaints made by myself against Regina Cafe – Summer 2010

Notes:

- The list is not a complete record of instances of nuisance and noise this summer. It only includes cases where I called to log or report instances.
- Lewisham Noise Patrol are unable to respond to noise unless it is mechanically generated (e.g. music or TVs) and thus I rarely called them.

Some of these are late night calls but those that are not still demonstrate a lack of care and consideration from Regina Cafe.

18/4/10 Sunday 17:30

Telephoned Police on non-emergency number - Crime reference: 3210917 / 10

After 2 hours of continuous loud shouting from the yard of the Cafe I went to the Cafe to ask them to be quiet. On returning to my garden the loud agitated and incessant shouting continued and I called over the fence to please be quiet. The manager responded by rushing at the fence and saying **he would break both my legs** if I didn't shut up or if I ever tried to complain again.

23/4/10 14:30

Phone call to **Lewisham Planning Enforcement** to report breaking of planning conditions and resultant noise disturbance.

5/5/10 14:00

Phone call to **Lewisham Planning Enforcement** to report breaking of planning conditions and resultant disturbance from noise of continuous loud shouting.

Also reported flytipping by the Cafe

Also called the **Police** contact I had been given - PC Hanna Tinwell – as requested to report further anti-social behaviour - **flytipping** by the Cafe, over 15ft wall using a ladder. Ref Chs7770 5May I reported witnessing a ladder being put up against the wall on the west side of the yard and rubbish including very large items being hauled up and thrown over the wall. Also witnessed people throwing long lengths of wood and metal, from the Cafe over the east fence of their yard. These missiles landed up to two gardens away and some even smashed through neighbours' fencing. Those neighbours were unwilling to make any complaint or statement to Police.

14/5/10 11:30

Reported **flytipping** by Cafe on adjoining land to **Lewisham Environmental Enforcement** and **Envirocall**

15/5/10 12:30

Reported continuous loud shouting to **Lewisham Noise Patrol**. No one available but call logged.

20/5/10 11:00

Neighborhood police visit me and then go onto Cafe re antisocial behaviour, including the flytipping.

28/6/10

Phoned **Planning Enforcement** to report breaking of planning conditions and resultant disturbance from continuous loud shouting

11/7/10 Sunday 15:25

Phoned **Lewisham Council** to log the fact that very loud shouting from Cafe has been going on non-stop for last three hours and is still going on. Unable to do anything except log the call.

Noise continues 16:20

Noise and shouting has not stopped (4 hours now).

Called Police – Colin Dickinson - **REF CAD7423** . Police will attend and speak to manager.

11/8/10 – 12/8/10 01:30am

Phoned **Lewisham Council** and logged noise complaint. No one is able to respond.

Phoned police ref CHS 447 12/8/10. Police will try to attend asap.

Has been making noise all evening from rear yard. Now 01:30am and noise continuous — very loud agitated shouting Unable to sleep.

15/8/10 - 16/8/10 Sunday eve/Monday morning 00:05am

Phoned **Police** – antisocial behaviour - crime reference **CHS 25 16/8/10**

Loud football chanting from within Cafe. Rear door to yard open – lights on in yard

17/8/10

Phoned **Lewisham Enforcement** to report – cafe was open last night with people in rear yard - making noise chanting and shouting and I was woken up at 00:50. Reported that I believe my neighbours children were also woken up.

18/8/10 – 19/8/10 early hours

Phoned **Police Safer Neighbourhood team** to report breaking of planning conditions and resultant extreme current levels of noise. Ref **CAD 291, 19 August 2010**. Police will try to attend.

25/8/10 01:10am

Phoned **Police** - 020 8297 1212 - to report breaking of licensing restrictions – open with customers. Rear door to yard open. Resulting in disturbance from shouting and chanting noise from inside cafe – very loud in my bedroom because rear yard doors open. Ref **CAD 291, 19 August 2010**

Noise gets worse 01:32

Phoned police to update - a lockin appears to be going on with everyone moved into the rear yard. Lights off in Cafe but lights on in rear yard. Visible from my bedroom.

Police say the issue needs to be dealt with by Local Council but they would still try to attend.

Emailed **Lewisham Enforcement** to report above. Reply states they will issue a breach of planning notice.

25/8/10 – 29/9/10 and a few days in October

I have notes of many instances of extremely loud shouting and chanting sessions all through September and odd days in October. However, because Lewisham Enforcement were now instigating action against the cafe I did not wish to trouble Police and Council officers further. I also observed, on **30/9/10 at 18:00, people in the rear yard flytipping**, putting a ladder up against the 15ft wall to west of yard and throwing stuff over that wall.



CARROT CAKE £1.50
CHOCOLATE CAKE £1.50
CHEESE CAKE £0.80
CROISSANT £0.80
RAIN-AU-CHOCOLATE £0.90
RAIN-AU-RAISIN £0.90
FRENCH PASTRIES £1.20

10/11/10

Dear Sirs,

re: License Application 66 Lee High Road
to allow late night refreshment

I object strongly to the granting of a late-
night licence for 66 Lee High Road.

(a) The premises are close to residential properties in Gilmore Road, and proposed new residential properties in Lee High Road. Late night opening will cause intolerable noise and other nuisance to these neighbouring properties.

(b) Disorder has occurred from fly-tipping on neighbouring properties. I understand, and this will surely get worse and may be associated with antisocial behaviour and come from drunkenness in the early hours of the morning.

(c) Children and elderly residents will have their night-time sleep severely disrupted.

Please do not accept an extension to this licence.

C/R Amari

Sent: 10 November 2010 12:17

To: Licensing

Subject: 66 Lee High Road

Dear Kim Giddings,

I would like to make a formal application against the planning proposal to allow use of the back yard at 66 Lee high Road for late night

refreshments. I understand that the proposal would allow use of the back yard until 3am on mon to sat and until 1 am on sundays.

You need to understand that the premises in question have not adhered to existing planning conditions in years past and it makes no sense for

LBL to consider extending permission in terms of use and hours:

Past use of the back yard at 66 Lee high Road has lead to our not feeling comfortable in our garden due to late night noise from 66 LHR.

Moreover, our children have suffered from the noise from 66 LHR such that they are kept awake at night and then find it difficult to focus on

getting to school in the morning.

Please take our concerns on board when advising your colleagues on the planning committee,

Yours sincerely,

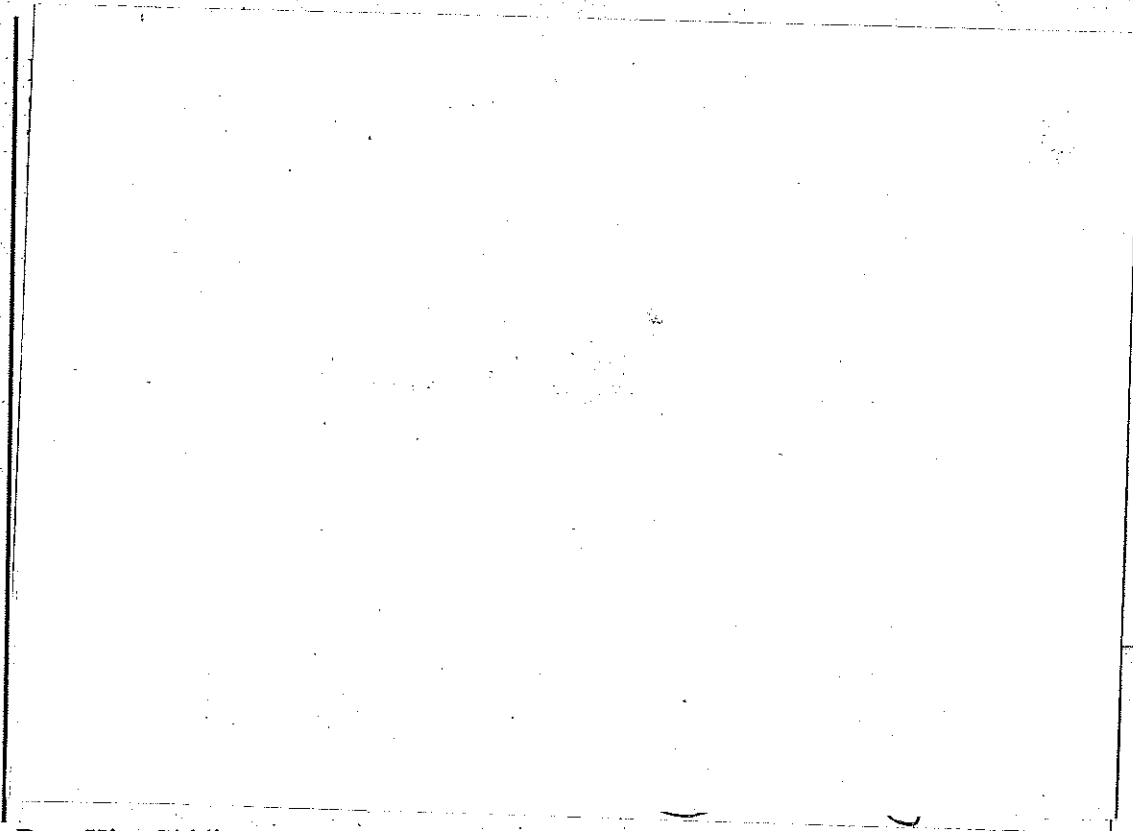
Mr and Mrs Ennis

I will also send you a copy of my objection to their planning application as it has a sample log of the times I have been disturbed (not a full log, for a full log please is it possible you can liaise with Mr Jody Solomons?)

Thanks

Denise

--- On Wed, 10/11/10, Licensing <Licensing@lewisham.gov.uk> wrote:



Dear Kim Giddings,

Re: Application from Regina Cafe, 66 Lee High Road SE13 5PT to change license to allow Late Night Refreshment on Sundays, 23:00 – 01:00 and Mon-Sat, 23:00 – 03:00

Please accept my objections to the above, as set out below.

10/11/2010

Introduction and grounds for objection

I wish to object to the application from Regina Cafe to extend its opening hours to 01:00am on Sunday evenings and to 3:00am on all other evenings.

First, there seems to be some confusion as to the current license held by this premises. Cllr Jeffrey who has been looking at the file can not see that they are licensed until the current midnight that the Regina cafe operates to. Please can we clarify the current license?

Secondly, when the current license was issued, according to Louise Holland, it specifically did not allow for the use of the rear yard, which backs onto my bedroom, for the consumption of food and drink. This current condition has been ignored by the Regina Cafe, with food, drink, parties, late night/early morning noise, chanting, shouting, arguing and the watching of sports going on until 3am. It has reached such a stage that Mr Jody Solomons was in the process of issuing a Breach of Conditions for the current use of the building.

When we have spoken to Regina cafe they have been threatening, abusive and acted in a totally disorderly manner, to the point that several times the police have been involved. Mr Solomons has all the evidence of this.

Further Regina cafe have currently broken the law by flytipping and verbal abuse to us.

My experience shows that Regina Cafe are not fit to hold their current license, let alone be rewarded and encourage to continue to break the law and act in such an anti social manner by having their current license and conditions extended. Please can their current license be revoked?

My grounds for this objection are, in order of importance are:

1. the prevention of public nuisance
2. the prevention of crime and disorder
3. the protection of children from harm

My bedroom backs onto Regina Cafe. Mr Solomons already has a diary of the anti social behaviour, the verbal threats and public nuisance already caused by Regina Cafe not adhering to their current license. This licensed should be revoked, as opposed to extended.

Throughout this summer Regina Cafe has ignored the licensing limits on its current opening hours. Many residents have complained about noise and antisocial behaviour to Lewisham Council Enforcement and the Police, but Regina cafe has ignored both these bodies. They have only moderated their behaviours since they put in their planning and licensing applications. Regina Cafe did stay open beyond its current opening hours, demonstrating the public nuisance, crime, disorder (as cited above) Mr Chris Ennis has emailed Mr Solomons about how his children have been 'sleep disturbed' as their bedrooms back onto Regina Cafe.

Detailed reasoning - the prevention of public nuisance

Regina Cafe does already create a public nuisance by breaching its current conditions, and stays open until up to 3am (well beyond its current 23:00). It also breaches current planning conditions by serving food and drink in its rear yard, often until 3am (with a 'lock out' in the front of the shop). Not only has it abused and threatened local residents but it has also

demonstrated a total lack of regard for Lewisham Council enforcement and the Police and its continues its anti social behaviour unabated.

The noise from the cafe has been considerable. Even with my window closed and ear plugs I have been forced out of my bedroom to sleep on the floor in another room. I have to get up for work at 6.45 am and their public nuisance behaviour has made me unfit for work.

The noise was most commonly that of many young males shouting and chanting, up to 3am. When I have been around to talk to them I have not seen any women. As a restaurant the rear yard is often used by the clientele because they are smoking and recently also because the Cafe has been serving food and drink to its clientele there (although the latter is in breach of their planning conditions). I do not think it a good idea to allow a restaurant to use the rear yard but then stipulate in their conditions of use that no food or drink (the whole reasons why they are running a business is to sell food and drink!) should be sold there.

I then tried to stop the noise by reporting it to Lewisham Council Noise patrol. On some occasions the noise was so late at night that the Noise Patrol had finished for the evening. However I also discovered that the Noise Patrol was unable to investigate any noise that was not mechanically generated. And could only be logged as public nuisance.

Because the Noise Patrol were unable to stop the nuisance I did on some occasions, when I felt myself almost insane with frustration and lack of sleep, call the police on their non-emergency number. The Police did their best, but there have been incidents of public nuisance even after Police visits.

The level of public nuisance behaviour has reached such a crisis point that Mr Jody Solomons was at the point of issuing a Breach of Conditions. I have now been told that this has been usurped by the Regina Cafe applying to alter their conditions of use and their license. I find it very hard to understand why the Breach can not be issued (as it deals with past behaviour) and not possible future behaviour. I feel that this Breach needs to be taken into consideration when looking at their current applications. I feel that the total misery currently caused by the public nuisance of Regina Cafe will only be exacerbated should their applications be successful. I can foresee that they will possibly then to on until 5am.

Please do not increase their current license. Please rescind the current license as the licensees are not fit or proper to hold such a license.

Detailed reasoning - prevention of crime and disorder

I have already mentioned that the manager of Regina Cafe threatened me when I asked him to reduce the noise nuisance his cafe was causing. Further, their defence was that they do not speak English so do not understand their current conditions or their license. A license should therefore not even be held by people who do not understand its conditions and times of operation; to think about extending the license is intolerable. Far from extension, the current license should be revoked.

In addition to this crime the Cafe has flytipped its rubbish, including very large items over its boundary walls and fences. I have reported this to Mr Solomons and have reported that they start after 11pm and go on to about 1.30am I have also witnessed items being carried up a ladder and throw over a wall on their western boundary and witnessed them throwing long metal poles and pieces of wood across gardens in a most reckless and dangerous way. These incidents have been reported.

Allowing the Cafe to open into the night will only encourage this crime of flytipping because

night time is when the Cafe is most likely to be able to do it without being seen.

I feel that Regina Cafe has been encouraged and has increased its anti social, its disorderly behaviour and its criminal activities because the Council and the Police have been unable to deal with them. I do not feel that they should be given further encouragement by extending their license and conditions of use; in fact their license should be revoked and their conditions of use (especially the yard) should be rescinded.

Detailed reasoning - the protection of children from harm

The noise nuisance that I have described and its affects has already harmed children, as described above. To deny children sleep or to interrupt their sleep is terribly harmful to them as it affects their concentration and ability to function the next day. But when that noise is the loud and aggressive shouting of many men it can be quite terrifying, especially for very young children, and this can affect their sense of security and mental health. It is for these reasons that I am not able to have my godchildren, nieces and nephews to stay over night.

Summary

I will also attach my objection to the change in conditions of use as it has a sample of the log of anti social behaviour, public nuisance and crime and disorder as previously reported to Mr Solomons. For a full log please would it be possible for you to ask Mr Solomons for a copy?

The Regina Cafe has shown itself to have no concern for regulations, by flouting the current restrictions on its use of the building and its license. I ask for its current license to be revoked and for its current planning conditions to be amended so that they are unable to use the yard in any way whatsoever.

Please reject the Regina Cafe's application so that we its neighbours have some peaceful enjoyment of our homes.

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Sent: 08 November 2010 20:33

To: Licensing

Subject: For the attention of Kim Giddings. Regina Cafe DC/10/75491.

Dear Kim Giddings,

I am writing to object very strongly to the application by the Regina Cafe to be granted a license to serve food and drink in their rear yard/garden and to be able to do this until 3:00 am. This yard/garden backs onto residential housing and there is an enormous amount of evidence to show that the disturbance this cafe has already caused is huge. Particularly during the warmer months there is shouting, loud music and often noise from television sets brought out into the yard and this has continued on a very regular basis until 2 or 3 in the morning, making sleep for the residents of Gilmore Road extremely difficult. Even during the day the amount of aggressive chanting and shouting is very disturbing and means that any chance of a peaceful weekend spent in the garden is impossible.

All this has happened without the cafe having the legal right to serve food and drink in this area and yet despite numerous complaints to police, noise enforcement and local councillors nothing seems to have been done to address this breach of license. I know I speak for a lot of Gilmore Road residents when I say that we feel quite helpless as to how to solve this problem. When my neighbour approached the cafe owners directly he received threats of physical violence so we all feel very intimidated by the situation.

I really hope that the licensing department will listen to our very real fears as to what the situation will be if this license is granted and also will think about the message it is giving to people who flagrantly contravene the licensing laws for months.

Yours sincerely
Elizabeth Robinson

Sent: 09 November 2010 14:32

To: Licensing

Subject: 66 Lee High Road application for a 3am licence

I write to object to the above on the grounds of public nuisance and noise. This cafe already has clientele that shout and chant to football for extended periods of time which can be heard in my home, even though it is some distance away.

Allowing this to continue until 3am will simply increase the anti social noise for me and my family. It is one of the loudest establishments on Lee High Road - quite an achievement in itself. I would be dismayed to see this rewarded with extended hours

Yours
Mr O'Shea

Collins, Cheryl

From: Adams, Peter
Sent: 27 October 2010 15:23
To: Collins, Cheryl
Subject: Licence application - Regina café lee high

Dear Licensing I would like to raise objections to the licence for Regina Café on the grounds of public safety - poor electrics., lack of hot water, lack of basic health and safety requirements

With regards

Peter Adams

Perrett, Thracia

From: paul@qwag.org.uk
Sent: 12 November 2010 11:03
To: Licensing
Cc: 'paul@qwag.org.uk'; David Larkin
Subject: Re: Regina Cafe - QWAG address to use

Hello Thracia,

papers can

ys Action

> From: Quaggy Waterways Action Group (QWAG)
> To: Lewisham Council Licensing
> Re: Regina Cafe, 66 Lee High Road
> Date: 11/11/2010
>
> For attention of Kim Giddings,
>
> It has come to our notice that the Regina Cafe at 66 Lee High Road,
> which is a riparian property, has applied to stay open until 3.00am.
>
> The Quaggy Waterways Action Group (QWAG) objects to this proposal on
> the grounds that permission to do so will encourage the activity of
> fly-tipping, which is both a public nuisance and a crime.
>
> The cafe in question has a rear yard backing on to the River Quaggy.
> QWAG members have observed that rubbish is illegally being dumped over
> the fence onto the river's bank and into the water.
>
> To allow the cafe to stay open to 3.00am, would encourage such
> behaviour, as illegal and irresponsible dumping is more likely to
> occur at times when it is not witnessed and, in consequence, becomes harder to stop.
>
> For this reason, the Quaggy Waterways Action Group ask the application
> to be rejected.

>
> Photos previously supplied to you in a separate email show rubbish
> thrown this year from the rear yard of 66 Lee High Road over its fence
> onto the river bank.

> Yours faithfully,

>
> Paul de Zylva
> Chair
> Quaggy Waterways Action Group (QWAG)
> www.qwag.org.uk

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Sent: 11 November 2010 17:33
To: Licensing
Cc: MATTHEW NEIGHBOUR
Subject: Licensing application 66 Lee high Rd

For the attention of Kim Giddings

LICENSE APPLICATION FROM 66 Lee High Road to allow Late Night Refreshment on Mon-Sat until 03:00am and on Sundays until 1:00am

12/11/2010

I would like to strongly object to these premises obtaining a 3.00am license due to the noise disturbance it would cause to all of us neighbours living along Gilmore rd. During the summer, the shouting, hollering and football chanting that came from these premises often kept my wife and I awake until late and was made even worse when the clientel would leave the premises by car and honk their car horns in jubilation of some sporting triumph. No attempt was ever made to keep the noise to a reasonable level even though I know some neighbours did complain. It seems completely unreasonable to me that a cafe of this type would need anything like a 3.00am license when even pubs in the local area do not need one!

yours sincerely

Glenn Hockley

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Jane Ferguson,

Licensing Services

F.A.O. Kim Giddings.

Ref: License application from 66 Lee High Rd to allow
Late Night Refreshment on Mon-Sat until 3.00am and
on Sundays until 1.00am

I wish to object strongly to the above License
application on the grounds of public nuisance.
This cafe lies next to residential properties on
Gilmore Rd., and will lie next to proposed new
residential property on Lee High Rd., I have already
been aware of undue noise and disturbances this
summer when the cafe stayed open beyond its licensed
hours. The idea of the cafe regularly staying open
until 3.00am in a residential area is intolerable
and will doubtless be so for the immediate
neighbours. I therefore ask you to reject the
application

yours Faithfully Jane Ferguson