

## Appendix 2.1

**In the matter of 'The Clifton' 96 Clifton Hill London NW8 0JT**

**Application to review premises licence under s.51 Licensing Act 2003**

### **Statement in support of application to review the premises licence**

1. My name is John Harrison. I live at 97 Clifton Hill. I have lived here for 22 years with my wife, Rachele, and two children.
2. This Statement is written in support of the application by Clifton Hill Residents Group (CHRG) to review the premises licence for 'The Clifton'. I am a member of the CHRG. I have no desire for the Clifton to close.
3. My house is directly opposite the pub and all of our 4 bedrooms face the pub as does our main living space/tv room.
4. This statement sets out my own personal experiences of the nuisance emanating from the Clifton and the impact it has on our lives and efforts that we have made to resolve the issues.

### **BACKGROUND INFORMATION**

From the commencement of trading of the Clifton Pub in May of this year we have experienced a variety of behavioral issues from the customers of the Pub and observed the

way the owners have managed such behavior. We have also noticed many breaches of the current conditions attached to their Licence some of which take place on a nearly daily basis. We attach a memory stick with a small number of videos and still photographs, and we have more such photographs if required by the Council.. We have also on many occasions telephoned the Westminster 24 hour noise line and have log numbers for all those calls if required.

For background as you may know Clifton Hill is a very quiet back street which is not a through road and therefore experiences a low traffic volume. It is predominantly residential with many families with children and older people in residence. It is a narrow Street where there is only room for one car at a time with parking on either side. For the majority of the time the road is silent.

**The nuisance we have experienced from the Clifton Pub is as follows.**

The Beer Garden at the Front

- i) There have been on many occasions a very loud level of noise from customers in the beer garden especially during the early evenings on Fridays, Saturdays and Sundays as well as during some mid-week evenings. This noise is normally intermittent but can also be continuous and carries on until closing of the beer garden. The beer Garden can also be very noisy on Friday Saturday and Sunday afternoons. The noise tends to come in waves as individual groups become more excited and intoxicated during their stay. Sometimes groups as small as 4 or 6 people who are sat there for maybe up to 4 hours drinking - the level of noise emanating gets louder and louder and disturbs us whether we be in our living room or bedroom with or without the windows being open. The beer

garden is often over full (standing room only) when on many occasions it has got so loud that calls have been made to the 24 hour noise line and to the Pub itself to try and alleviate the problem. The Pubs response is often to be seen to do nothing (as the noise does not quieten down) and to allow their customers to carry on drinking and disturbing our peace. The beer garden is also often busy and noisy in the evenings.

On occasions the Pub's customer also spill out into the side road where the Pub entrance is where they continue to drink and smoke and sometimes spill on to Clifton Hill. On one occasion there were more than 70 customers in the beer garden and side road at one time in the early evening.

- ii) There is also nuisance from customers in the side road and street when leaving the pub from 21:00 onwards waiting in groups of up to 10/15 saying goodbyes for long periods of time and awaiting transportation of taxis and ubers which seems to be a major way that customers arrive and depart from the Clifton (The uber/taxi culture has changed substantially from when the pub operated previously). The taxis and ubers wait outside of our gate and outside of the Pub and on occasions block the street when there are 2/3 cars at the same time. The nuisance from customers hanging around during the evening and late evening waiting for these taxis is often profound as the customers tend to make loud noise when waiting having presumably been in the Pub for some hours drinking. There seems to be no understanding by these groups, having just come out of a noisy environment, that they have arrived on a very quiet almost silent residential street at night and Management are absent the majority of the time from supervising such customers in an orderly manner – this can go on until 23:30/24:00 on any evening of the week.

- iii) We have also suffered nuisance by being woken up in the early mornings by vans delivering goods and then using trolleys to wheel the goods to the entrance of the Pub. Deliveries can be as early as 04:30 and run right the way through to 08:00. This has happened many times and is highlighted in our diary – attached.

**The impact this has had on our lives/household is:-**

- i) We have been woken up in the mornings by deliveries at various times.
- ii) We have been woken up after having gone to bed (we go to bed at about 22:00).
- iii) We have been woken up On Saturday and Sunday afternoons when we tend to have a rest somewhere between 15:00 and 18:00.
- iv) We are disturbed in our living/tv room when watching tv by the noise emanating from the front area of the Pub including the side road.
- v) It is now more difficult to park in Clifton Hill due to the higher volume of visitors and also our car gate is often blocked by waiting taxis/ubers.
- vi) The pub has therefore had a major impact on our ability to relax, and have quality leisure time within our own home and as all of our bedrooms have windows facing the front (and therefore the Pub) as does our living/tv room the impact of noise from the front area in the afternoons at weekends and early and late evenings throughout the rest of the week especially on Friday, Saturday and Sunday has impacted on the quality of our home lives substantially. We also hear the noise from the Pub in our garden to the rear of our property when we are sitting out there when there is a particularly noisy group which unfortunately does happen on a regular basis especially at weekends. For example one Sunday we were disturbed by an early delivery and then woken up

trying to catch a nap in the afternoon and then disturbed later that night – this is very upsetting

#### **The efforts to resolve the issues**

- i) We have had to complain to both the Council and the owners and Management of the premises on many occasions. By phone and letter and face to face meetings and chats.
- ii) I have personally had many meetings with Ed and Ben Robson and Adam Gostyn, to discuss the issues that we are experiencing and asking for their help to address these issues. We have also made numerous suggestions to them as to how they could improve life for neighbours living nearby and have agreed on many different proposals with them of which the majority have been agreed and then ignored. These meetings have taken place before the pub re-opened and also since opening. The only suggestions that the owners have adopted are to place some window boxes on the low wall adjacent to the beer garden/side road and the addition of some additional signage which unfortunately seems to be ineffective. They have in the past 2 weeks, Also at our suggestion, employed an individual to stand outside for limited hours at the weekends who we understand is meant to monitor the noise issues but our experiences is that he does not seem to do anything to help the situation. The suggestions which have been made and agreed in the past by the owners and not carried out are as follows:-
  - a) Put a lockable gate on the beer garden entrance
  - b) Put a very low railing on all the low walls surrounding the beer garden to stop customers sitting and drinking and smoking

- c) Incorporate additional signage near the rubbish bins in the side road to highlight where the smoking area is
- d) Put a removable rope barrier to guide customers in and out of the premises to stop them spilling on to the side road
- e) To put some form of acoustic barrier around the beer garden to mitigate the noise
- f) Put in place process for uber and taxi collections so customers do not have to wait on the road (this can be for up to 10 minutes with up to 10/15 people at a time during the mid-evening and late evening)
- g) Have a proper supervisor/security person who is well briefed to exclusively look after the outside areas at the front of the pub and to make sure all of the nuisance issues are supervised correctly
- h) Stop early morning deliveries before 08:00 to the premises. After numerous discussions on this points deliveries have reduced but still take place.

All the above points have been discussed with Ben and Ed Robson at meetings or in conversations and yet very little apart from the few window boxes and few signs have actually been actioned. I can only take from this behavior that their words and caring attitude (they are very affable guys) are hollow as they seem to have little intention of implementing any of these ideas which could help to mitigate the problems.

Unfortunately in a very quiet almost silent street a group of just 3 or 4 loud voices waiting for a taxi at 22:00 for 5 minutes at night can be heard clearly inside our house even with the windows closed – when there are more people the noise is obviously louder and can be much more intrusive. We also suffer from smokers sitting on the front low wall in front of the pub and drinking outside of the beer

garden and sometimes with glasses on Clifton Hill. These issues are more prevalent during the weekends but can take place on any night of the week as trading patterns are very hard to project. On one occasion 4 people were drinking in the street and when I approached them they were very abusive (they were carrying full wine glasses at the time) it was 22:20 on a weekend.

So in conclusion I have tried on so many occasions to try and communicate my and CHRG's concerns to Ben and Ed Robson and Adam Gostyn, but it seems they really have little interest in truly addressing the issues that we have raised in a positive and practical manner which would make the environment in Clifton Hill better for those residents who live near the Clifton Pub. They say they care but actions to improve the situation do not materialize even after they agree to do something. Hence our asking that the conditions on the Licence be reviewed and current conditions be enforced.





Soft opening Monday/Tuesday 16 MAY 2017

Friday 19 MAY

18:00 Drinking in side Road - 6 people  
+ Glasses + sitting on outside of wall - Photo -

21:30 2 Men walking towards Pub from  
Abbey Rd carrying 2 Pint Glasses (full)

22:05 1 Lady in front outside area  
smoking (sitting at 1 of tables)

Sat 20 MAY

NOT IN

Sunday 21 MAY

quiet day but getting warmer

Now have a wooden gate for late night

18:45 Man sitting on wall Drinking + Smoking  
- smoking area wall + Photo - - sitting on outside  
ledge

Went dark - Potential external light comes  
on every time someone arrives/leaves  
Light behind Portico

Monday 22.

out at National.

Back 9:45 - no one sitting outside.  
- 6 Benches - 6 People per bench = 36.  
Plan says 24.

Tuesday 23

9-25 PM

Noisy - talking at Loud Level - outside are quite full.

side light on + bicycle against side wall smoking in outside area.

9:45

closed the outside area. Side light on + off + on etc Hood.

10:05

4 Standing outside smoking area - with glasses + smoking - making noise.

10:30

6 people around outside (4 at 2 in smoking area)

Wed 24<sup>th</sup>

Friday 26<sup>th</sup> 7PM Very Very

noisy + 15 People in side Road  
Drinking + people standing in front  
area (50+) 6 at each table or more  
+ standing  
+ can't hear the sound in our  
garden

noisy in 3 front Bedrooms - unable  
to open windows

Taxi ~~pull~~ Picking up Blocking our  
drive/gate.

8-30 12 in side street  
50+ in front Area

still very noisy - getting louder  
as people get Drunkier.

8:30

27 People in side  
street + front area  
full  
taxi → again ←

9:10

25 in Side Street  
+ Garden Full.  
Very Noisy (Security  
called)

9:22

11 in Side Street.  
Noisy  
in 3 front Bedrooms

9:35

9 People ~~in~~ on side street  
(1 in Smoking area)

10:40

7 People outside &  
not in smoking area  
- 3 Cars -

SPOT Light outside on  
off every few minutes.  
- no roped off area-

10 41 2 more Taxis outside

They closed the outside area at  
9:05 but did not close it off so  
a few drifted back.

Saturday 27<sup>th</sup> - Cup final  
12:00 trying to serve drink through  
the ~~front~~ window

street

7:15pm Quiet outside

7:15pm  
front door open late

Sunday 28<sup>th</sup>

9.05 Front Door <sup>fixed.</sup> open.

9.02 Door shut

9.20 Door open ~~fixed~~ (fixed)  
+ noisy people - just s/b  
but shouting

9.27 Door closed again

1. or open again for 5 mins

Door fixed open again. 9.30

9.45 Again. - 9.50

9.56

10.10 Door open again

+ then ~~3~~ 4 people hanging around  
on street as there is no sign

10.11 - Door open.

22.20 4 People hanging  
around on street

10.23 - again

Monday 29th

8.58 - Bitta collected 2x Red  
Bins - video + stills

- some rubbish in street following  
morning - should be cleared up.

THURS 1st June 2017

9.15 2 people sitting on the wall  
(photo)

Friday 2nd June

people in side road drinking & loud  
talking - there was plenty of seats  
in Beer garden

All day people in side street  
when plenty of Room in Front Area.  
drinking - Bottles & glasses



Sat 3rd June

11:30 PM <sup>1/35/40</sup> 10/15 People leaving  
very slowly - very noisy  
- 1 had to <sup>go outside</sup> ask them to be quite  
NOT OK - 2nd time 20 people -  
Reported by phone to Westminster  
By JH - had to wait on hold for mins  
- said we were in bed - 15/20 people  
asked them not to ring back.

Sunday 4th June  
Had late lunch <sup>(3PM)</sup> here in front garden  
& spoke to Ed. Ben & Adam  
- Ed said they want to go to a restaurant after tea a  
~~Pub.~~ Pub. Food ok but pricey 2 course + water <sup>£35</sup>  
Door at Back open at 3/4 PM.  
Front window closed. - waitress service of  
food & drink in BR.  
Closed Sunday before 11 PM

Monday 5<sup>th</sup> June

10-10 PM outside open / no  
barrier in place

10-45 outside area still open  
But Raining

Tuesday - Friday 5PM - not at home.

\* on our way out I went over &  
saw Ed - and told him that drinking in side  
area outside Red line - not ok + noisy / nuisance  
- he said Enforcement officer said it was ok  
(think he was blinking) anyway he cleared the  
customers into front garden & hope he policed  
it for rest of evening !! At 9.30pm just  
area was closed.

Friday - after GB 9 June.

6:30 Start of Noise

7:00 7 people in side drinking

4-7:09 - 11 " " " "

getting noiser \*

noise coming out:

9:57 → front window open - told Robson  
who suggested we sit down on Monday to  
discuss any issues

But front area closed.

told him he really had to be on it  
as they are in breach of conditions

Track him for clearing side area

11:25/30 8/15 Guys outside waiting

for 2/3 UBERS - talking but + people ②  
sitting on wall until moved on by Adam.

- There must be a better way - wait inside -

Saturday 10<sup>th</sup>  
we were out

Sunday 11<sup>th</sup>  
we were out

Monday 12<sup>th</sup>  
we were out

Tuesday 13<sup>th</sup>  
we were out

told guys that I am busy this week  
but can we set down next, + Janine

Wednesday 14<sup>th</sup> June  
outs unsorted 9:30 PM.

Rubbish in Road - Smelly

9:30 PM and noisy so we need to close  
our bedroom window

People sitting on side low wall

tidying up in BG after 10:00 (10:17)  
\* Letter to W re: Rubbish

Friday 15<sup>th</sup> 10:36 PM 2 guys in  
smoking area - 1 Drinking & sitting  
on wall.

Sat 16<sup>th</sup>\*

plenty of noise from 6 PM to late  
with up to 10 on side street after 10

& drinking - Phoned Ed & Ben & Adam  
& lab but only reply from Ben who  
was not on site after 10 PM

Sunday 18<sup>th</sup>  
Early Van noise 6:15  
Smoking after 10PM outside  
the concert area. + during day  
drinking in side street  
Poss drinking outside after  
10PM

Monday 19<sup>th</sup>  
Early Van noise 6:30AM  
Letter to Pub. - Woke up -

Friday 23<sup>rd</sup> June  
Early van - wake up 6:30/7  
Roller sound.

~~17/10/294~~ Welnes 9-30

17/19294 Ref

Complaint re: excess noise.

19<sup>th</sup> June - clock on CC TV  
Put correct.

Saturday 6-7pm Screening  
guests <sup>(24)</sup> at the pub. for about an hour  
email to W from RFF  
+ Lots of users late 11/12PM (midnight)

Sunday 25<sup>th</sup>  
Early Van again!

Wednesday 28<sup>th</sup> June. LETTER to W.  
After 22:00 Smoking in Side Road.  
+ people in BF after 10.

Thursday 29<sup>th</sup>  
Door open after 9 - TG near 10PM  
After 10PM lots of smoking unsupervised in  
Side Rd + not in Smoking Area.  
+ noisy groups leaving late in Cth

Friday 30<sup>th</sup>  
People in Side Road after 10:00PM  
smoking outside of SA unsupervised.

AWAY on Holiday / Jim & Scott  
at home



Saturday - 15 July 2017

just back  
from holiday

4:50 PM sitting on porch well  
smoking & in side ~~st~~ ally - getting  
loude

5:15 PM - every loud for small  
group

6:00 - Noisy

6:15 - still Noisy

7:00 sounds like large outside dinner party  
for 20+ people - over noisy people getting  
drunk

7:45 - still the same

8:00 but lower

8:30 louder again

over

email to WC (16 July with complaint)

log - 17/22477

+Rang Ben twice (on Sunday)

Sunday 16<sup>th</sup> July

18.15 Woken with noise thru  
side window.

18.20 inside front room with all  
windows closed - Noisy - Loud overtop  
laughing

18.40 Rang Ben Robson to ask  
him to quieten the Big table  
with the American voice - he went  
out & a bit better for a short while  
- when 12/15 get together its just loud

17.10 had a second work with  
Ben about loud table - he had spoken  
to Hen & they are a touch lower  
it went on for a while & Hen  
questioned down. - see quilts tonight

Disturbing enough to Ring the 24 hour  
help line @ 9.25 (Hold on for some  
time) - They closed outside area at 9.30  
what a relief - nice and quiet just a  
low noise from building  
It's the outside area that is the main  
problem at present.

DIARY NOTES DICTATED TO  
THIS POINT

9.50 Andrew Bolton of Noise team rang  
back

~~22~~ 22-20/30 Smokers in side road  
and C Hill

23/30-40 waiting for uber - noisy  
& smoking

The noisy table were active for over 3  
hours before Management did anything!!

Monday 17 July

22-15 Delvey from a silver van

22-30 Groupe outside on Clifton H.  
noisy - for about 5 mins.

22-40 Smokers not in S.A. & unsupervised

23-25 for 5 mins - groupe of noisy (6+)  
on Clifton Hill & then I think  
another separate noisy groupe at  
23-40

Wednesday 19 July

8:30 PM - Noisy table in Beer Garden  
(end table) for 30/40 minutes

Thursday 20<sup>th</sup>

22-10 We were woken up in bed by  
very noisy group of women (video) &  
I think smoking - no supervision for some  
time. Think later noisy group but too  
tired to action.

Saturday 22 July

10.45 PM. Customers on way out smoking  
unsupervised - This is so common  
- most days

Sunday 23 July  
out

Monday 24 July  
out

Tuesday 25 July

Noisy evening in B6.  
7.20 to 7.30 PM.

Friday 28 July

after 10 PM - Smokers outside of  
SA. + inside SA for 5/7 minutes  
unsupervised.

+ 10.10 PM Big Noisy groups in street

Saturday 29th.

After 10 PM - Lots of smokers outside  
of SA - up to 8 people unsupervised  
and on Clifton Hill - very loud. ATO

all ending to 11PM ++  
video

often more smokers / leavers at  
23.25 / 35 s/o People very  
loud + smoking (some) in S  
Road

This was a very loud evening  
we were woken up by leavers  
by first group at 11PM + then a  
second @ 11.15/30  
emailed westminster ref 17/24760/ANC

1 August ~~Monday~~ Tuesday

Rubbish collection @ 7.45AM

Wednesday 3rd August

UMBRELLAS  
PUT INTO  
BE

out until 8PM at hospital

Side

10:12 - Smokers outside not in SA

10:25 - Smokers outside not in SA

(while one of Robson Bros  
drive off in his white mini

- not doing anything about  
supervision

C45

Thursday - out

Friday out back at 7:45

8:55/ to after 9 (6/8mins) Loud group  
of say 6 customers in street (middle across)  
moving from one side to the other i. loud  
saying goodbye for 8mins - no supervision -

Saturday 5 August. (email to WC 17/25031/FNC45)

Many taxis/whores - say 10/12.  
each one people in street waiting for up  
to 10mins.

Tuesday 8<sup>th</sup> August

Before 8AM - Rubbish collection  
Email to Robson on this day?

wed / out

THURSDAY. 10<sup>th</sup>.

22.40 7+ people smoking in & outside  
of S.A.  
& then others on street - unsupervised

23.30 + 10 minutes.

Various groups by Gate on  
Clifton Hill - Smoking & noise  
some waiting for users

sometimes getting worse with users  
2/3 turn up at same time  
blocking the street & lights etc



cont Fri/Sat/Sun/Monday

Tuesday 15 August

7:30 AM Very Noisy bottle  
collection - woke us up - Reported to  
WC Log number: ~~1~~

Thursday 17<sup>th</sup> August

From 22:10/20 Smokers in Side Road  
unsupervised.

22:30 Same outside Smoking Area

23:08/10 " "

23:20 Very loud groups outside on C.H.  
by Gate.

23:00 Women's Voices - very loud.

Friday 18<sup>th</sup>

~~at~~ 11:20 PM on Clifton Hill by gate.  
female voices loud on C.H.

19<sup>th</sup>

Noisy Group (10+) at 23:20 on  
Clifton Hill.

outside

revised

one

Sunday 20 August.

Shift: 8-15 AM in Beer Garden  
loud. - waiting until 10.09 for manager  
to arrive. - disturbed in my front room

21/8:

22.00 Loud groups on C.H.  
Hill. - not supervised &  
some smoking.

Rang Ben & Ed as we were  
disturbed in our bedroom. & said would not  
ring W.C.

Tuesday 22nd August

JWH Diary ~ on C.H.

- 21 Aug  
10-15/30

2  
zet: 7109/1

2/3 Groups having  
smoking & noise  
- called Ben  
Ed. told  
him I would not call W.C.

25<sup>th</sup> August

smokers on Side Road outside of S.A.  
after 22.00 many times

+ Big crowd on C.H. 15/20  
very noisy. - video -

after 23.00 Ben around + doing little to  
move people on - on C.H.

noisy Rang W.C. Ret

26 August - Saturday

after 10 PM - Same as always

- smokers not in S.A. + unsupervised  
up to 23-15.

Another.

29<sup>th</sup> Letter to Pub.

27/8/9 out

30 Aug - out

31 Aug - Thursday

22.25.

Smokers in Side Road

22.50

2 Wers together again

1st Sept Friday

5.00  
+ 7.30.

early morning delivery

very noisy evening -

20:30/45 on wards - very very noisy  
crowd in B6 - Singing & at  
22:20 Drinking on Clifton Hill  
& smoking/drinking on Blackford's wall  
Jtt took photo while on phone to  
Westminster & they (Gug) & 2 girls & 2 men  
were rude/drunk & abusive to Jtt & told  
noise officer on phone to "F off"  
- girl had glass of wine in hand.

Not a good evening - I am very annoyed  
about the incident with these people outside  
my home - They were very abusive  
Log call - 17/28291/INC 45

2nd Sept Saturday

early morning delivery SAM.  
25:30

afternoon - 16:20 Noise table  
woke me up (afternoon nap) - They  
were here in B6 for 4 hours drinking  
(Indian group - 1 table)

Think I raise Westminster again

1  
H  
1  
M  
F  
g  
not  
9H

22:00  
23:00 - People on street again.  
Dancing & noicey!

3rd Sept Sunday

6AM Delivery - woken up

- meet with Ed R in evening after  
Text from Sacha - its getting out of  
hand - them & us!! All over playing.

- good chat in Pub.

- Think Ed understood that its not all  
about them - they are doing <sup>some</sup> things wrong

- we are fed up telling them. - can  
they now AERON & sort this issue out.

- its not difficult to do

Monday/Friday - not around

4-8th Sept

Friday evening

Big goodbye's @ about 23:15 - new  
guy (security?) was just standing there doing  
nothing to move people on

9th Sept Saturday

Chucklet groups 18:00 on 1st table

in Beer Garden - very noisy  
celebrating England's Victory - Toasting victory  
getting drunk

call to W 17/29101 at 6pm  
by Rachelle

- New outside guy arrived at 18:30  
and does not quieten them down

+ Lots of UBERS/Taxis today!  
no system in place to organise this issue  
as suggested to owners many many times  
- up to 22:30.

Sun/Mon/Tues/Wed - not in

Thursday 14 Sept } Both fairly ok.  
Friday 15 Sept }

Sat 16<sup>th</sup>

kids party in afternoon  
18:30 - noisy leaving at 20:00 about

22:00 + Big good by's - Adam  
comes but to deal with it  
after 5 mins

00:40 Front door still up locked!

Sunday 17<sup>th</sup> SEPT

12

Noisy around 20.00  
& quite later

Tuesday 19

Early morning Delivery (white van)

Noisy

Friday 22 Sept

18.00 Big / crowded in BG.

Noisy - standing room only

19.10/30 very noisy to this  
time - I called the noise line at Westminster

library

30

this issue  
times

ok.

at

had 1

