

1. Mrs Christine Bumstead

- Crime Objections
- Noise Disturbance
- Opening Hours
- Parking
- Prevention of Public Nuisance
- Protection of Children from Harm

This part of the High Street is inappropriate for such late night hours. The noise from the guests disturbs all in the vicinity who would like to sleep at reasonable hours, especially the children. The Police were concerned about the previous application for fear of increased disorder. There are no parking facilities for the guests so further disturbance could be caused as they find their transport home. The neighbouring restaurants, The Sun Do and Branded, appear to run successful businesses without any inconvenience to neighbours - they both close at 11 pm at the latest.

On leaving The Sun Do at about 10.45 pm recently it seemed that a lot of Ephesus' (smoking) customers crowded on the pavement at the front of the restaurant, increasing the noise level.

We need to act now to prevent the extension of opening hours and not wait for increased crime and disorder, public nuisance and children suffering from disturbed sleep. If anything, the hours need reducing in line with the other restaurants.

2. Denis and Jean Carrigan

With reference to Ephesus 57-59 High Street Sevenoaks. We are residents in [REDACTED] Rockdale Road and strongly object to Ephesus extending their hours of operation.

We already experience noise and disruption from their clientele which goes on into the early hours of the morning with shouting and car doors banging. Extending their hours of operation would be absolutely intolerable.

Regards

Denis and Jean Carrigan

3. Thomas Gold and Susan Wood

Dear Ms. Foley,

My name is Thomas Gold. My partner Susan Wood and I reside at [REDACTED] Rockdale Road [REDACTED]. We have lived here for 3 and a half years and in this neighbourhood for over 8 years.

The purpose of this letter is to express our inexorable objection to any extension of Ephesus Restaurants' operating hours. As our home is directly affected by the noise created by the restaurant itself including their outdoor patio as well as the noise created by their patrons as they come and go from the restaurant, the anti-social behaviour we have witnessed at the rear of the restaurant and in the adjacent driveways as well as Rockdale Road we are certainly in a position to understand the needs of the neighbourhood and how the residents are affected by the conduct of the patrons as well as the facilities and entertainment offered by the restaurant.

The restaurant seems to be unwilling to adhere to their existing license restrictions as they periodically have music playing well into the early morning hours. On these nights the noise coming from the restaurant as well as from the cars parked illegally on Rockdale Road (both sides are double yellow lines and are most often ignored in the evenings). But beyond the nights when they do have music the noise, congestion and general nuisance of a late hours bar which seems to get busier once the local pubs close is absolutely unbearable. Sleep is impossible as people leave via the rear entrance of the establishment singing, screaming, urinating on any wall they want then get in their cars slamming their car doors, playing loud music and screeching their tyres as they leave the neighbourhood.

Regarding the parking situation, Rockdale Road as you may know is wide enough for two cars to pass. As we mentioned the street is double yellow on both sides of the road which is generally ignored. When you do get cars parked illegally on both sides of the road it is extremely difficult for any vehicle to get through and a concern is always that an ambulance or other emergency vehicle should need to get into Rockdale Housing facility at the end of the road where many elderly people reside.

An extension of their existing hours would only compound the problem and extend our agony caused by living so close to this establishment.

Online reviews of the restaurant refer to it as a nightclub and extending their operating hours will just add to the opinion of their customers that it is indeed an after hours venue intended for the rowdy and boisterous to frequent into the very early hours of the morning.

While we are tenants in this property we do know that others who own their homes are concerned about property values in the area which will be directly effected

should this extension of hours or any other modification to their business license terms be allowed.

We want to make it clear that we are not opposed to any business succeeding in the area. The other two restaurants within 30 seconds from our front door, Branded and Sun-Do, have never caused any problems for us. The only business that seems to push the limits of the residents of this neighbourhood is Ephesus.

Their clientele are often a nuisance with the potential to be disorderly thus effecting our safety as well as the enjoyment of our home. The establishment seems to encourage their late light business and are willing to bend the terms of their existing business license to secure that trade.

We strongly encourage the council to deny this request.

Respectfully,

Thomas Gold

Susan Wood

4. J R Hacker

REASONS FOR OPPOSING THE PROPOSED EXTENSIONS TO THE LICENCE

1. The Prevention of Crime and Disorder

- If this revised application to extend licensing hours on Fridays and Saturdays is approved, these premises will still have the latest closing times in the area. This will inevitably act as a magnet to customers from public houses etc with an earlier closing time.
- The later hours will act as a precedent for applications for licence extensions from competing pubs and restaurants.

2. Public Nuisance

- The narrow pavement outside Ephesus is already attracting gatherings of customers. This can be intimidating to residents returning home during the evening given that the customers are unlikely to be 100% sober.
- The presence of a “bouncer” suggests that some sort of trouble is expected. These concerns are also referred to in Kent Police’s objections to the previous application (reference 21/01465/LAPRE) which stated that *“Kent Police believes that the extended hours prolong the exposure to alcohol and would suggest that a terminal hour of midnight would be more appropriate for all licensable activity. This is to limit the potential for disorder due to excessive intoxication and increased tension from such activities.”*
- Parking in the area is already tight and Rockdale Road needs to be kept clear, in particular for emergency access to Rockdale House care home.
- The coming and going of private cars and taxis up to 2am, or later, on Fridays and Saturdays will create unacceptable levels of noise.
- I leave the question of general noise levels to others who are more directly affected. However, I am aware that this is already a problem for those not protected by intervening buildings.
- Extract from Police comments on previous application: *“Signage will be displayed at the exit and in any outside area used by patrons requesting customers to respect the neighbours/patrons and not cause unnecessary noise.”* I don’t have much confidence in the effect of such notices at any time but certainly not at closing time.
- Extract from Police comments on previous application: *“There will be no admittance or re-admittance to the premises after 23:00 hours, customers leaving to smoke must remain within a designated smoking area at all times or re-admittance will be refused.”*

Apart from the public pavement outside the restaurant, the only potential smoking area on the premises is the so-called garden, which now has a very flimsy structure enclosing it. This provides very little protection from the noise caused by customers.

- It is noted that this application makes no reference to Live and Recorded Music or to the Performance of Dance. If this application is approved, it could open the way to a later application to include these activities which would undoubtedly add to the existing Public Nuisance issues.

5. Mrs Clare Hadden

- Noise Disturbance
- Opening Hours
- Public Safety
- Traffic

There is very limited parking and a small pavement space, and close parking is by residential buildings (including Rockdale housing for the elderly). Having extended hours for serving alcohol will result in noise and possibly disorder in the street, and disturbance on the High Street with a risk to road safety for pedestrians, road users and residents.

6. J & J Murphy

Dear Madam

We object to the above Application based on the following concerns.

The close proximity of quiet Residential Housing.

Longer opening hours which allows customers to consume Alcohol most definitely increases the risk of disorderly and criminal behaviour.

Already Residents have to keep windows closed at the weekend when the music has been clearly audible, plus the recent addition of an outdoor space for the use of Ephesus customers adds to the noise level and disturbance of sleep.

We would be grateful if the Licensing Team would give every consideration to our concerns as we feel strongly that should the Application by Ephesus to extend their opening hours be granted, the noise nuisance would not be tolerable and will have a detrimental effect on the mental health and well being of the Local Residents.

7. Jane Kostelnyk

Dear Sir/Madam

I live in the High Street and am concerned to learn that Ephesus has submitted an application to extend the sale of alcohol and late night refreshment until 1am on Fridays and Saturdays.

There is already an issue with noise nuisance emanating from Ephesus at weekends, especially in summer when customers congregate outside and music is audible. If the licensing hours are extended, this will without doubt increase the noise created by Ephesus. It is also likely to increase the incidence of anti-social behaviour in what is primarily a residential area.

I would ask the Licensing Committee to bear these points in mind and reject the application.

Regards

Jane Kostelnyk

8. Mr and Mrs Man

We are writing in reference to the above-mentioned Licence application submitted by Ephesus. At the moment, with the current arrangements, the Police have been called on numerous occasions by our tenants and other property owners in the area, all unable to sleep, to address the noise from the restaurant beyond the opening hours as far into the morning as 4am. The current external construction/temporary polymer structure has no acoustic properties allowing for total transfer of noise from within to the exterior. The conduct of the applicant has amply demonstrated that it pays no respect to licensing hours.

Given that the current licence is being abused on a regular basis - we therefore object to the application.

Kind regards,
Mr. Mrs. Man

9. Susan Marling

Dear Jessica Foley,

I am the owner of the house at [REDACTED] just around the corner from the Ephesus restaurant.

I want to object to the application made by that establishment to extend their 'refreshment' hours to 1pm on Fridays and Saturdays.

This is a residential area and one that includes a care home. We have already experienced late night music and revellers regularly and especially before Christmas (16th, 17th and 18th) after 12.30am. This is not allowed.

In fact the place is listed on Trip Advisor (see attachment) as a 'nightclub' where you can have a good time dancing to live music til late. So the idea that the management is going to serve soft drinks to a quiet crowd until 1pm at weekends is a nonsense.

The police chipped in with the last application and pointed to the likelihood of 'disorder' and the 'adverse effect on the local area from the public nuisance perspective.' The comments remain valid.

Please nip this in the bud. The extension to the licence will otherwise be the thin end of the wedge.

Best wishes,

Susan Marling

10. Mrs Louise Marshall

- Crime Objections
- Noise Disturbance
- Opening Hours
- Parking
- Protection of Children from Harm
- Public Safety
- Traffic

My husband and I strongly object to the proposed extension of the opening hours and alcohol license at Ephesus restaurant. We are disturbed every Friday and Saturday night by very loud music and noise coming from Ephesus. To the point where we can hear the words of the songs and the heavy bass in our bedroom until the early hours. Despite repeated calls and complaints to Sevenoaks council and the Environmental team this restaurant make no attempt to contain the noise and music by closing their back door. They frequently play loud music into the early hours and pay no consideration to those residents living nearby. We believe they are already contravening their current license by having a live DJ every Friday and Saturday night until 2am. Ephesus post live videos on their Facebook page with this footage and of their staff serving drinks until 2am. We have lived in the area for five years and moved here from London to get away from late night noise pollution. This restaurant are ruining the peace and quiet in the area and the situation is becoming increasingly stressful to deal with. We have young children and the music wakes them and disturbs all of our sleep two nights out of seven a week. We have grave concerns about the traffic and noise pollution and crime levels that also come hand in hand with a late night venue so close to not only our house but the nursing home nearby.

11. Andrew Monk and Ly Truong

Dear Jessica,

Re: Ephesus application number 21/03522/LAPRE

We strongly object to the application by the Ephesus bar/club and restaurant to extend their hours of operation on Friday and Saturday evenings until 1:30am for the following reasons. We do not feel that it is appropriate for the use of this premises for a late night club-style bar, due to its close proximity to Rockdale supported living and home for the elderly, high-street residences, and our own neighbouring residences on [REDACTED] [REDACTED] where we live. This is an area of quiet residential character that is within the Conservation Area. We fear the application, if approved, will cause significant noise disturbance to the surrounding residences, and will lead to an increase of anti social behaviour, and causes concern to public safety due to crowing on the narrow pavement..

Objection 1 : The significant noise disturbance granting this application will cause falls under 'Public Nuisance'.

We already experience significant noise disturbance from the Ephesus bar. The patrons, as well as the music, are clearly audible from our property approximately 80 metres away, even with our windows closed, which currently disturbs our sleep. We fear that later opening hours will cause us greater disturbance until the early hours of Saturday and Sunday mornings.

Our property has single glazing, as do many of our neighbours, that cannot be changed due to the Grade II listing. In the summer with windows open the disturbance will be greater.

The Ephesus restaurant has developed an external terrace, enclosed by lightweight construction that is not suitable for late night hospitality; plastic sheeting and a retractable fabric roof, as an extension of its bar operation. This construction offers very little sound reduction, enabling customers and music to be clearly audible by local residences. The construction is not 'fit for purpose'.

Kent Police objected to the previous applications to extend operations (August 2020). We note their response which we feel is directly applicable to the current application: "Naturally the noise of customers leaving the

venue during the late hours is likely to have an adverse effect on the local area from a public nuisance perspective”.

In summary, we fear that granting this license application will cause significant disturbance to the surrounding residences, will alter the character of this peaceful conservation area, and set a precedents for such permitted activity. Plus ‘opens the door’ for further applications in line with those submitted August 2020, for louder music and dancers.

Objection 2: Anti social behaviour ‘Public nuisance’

We fear that we will experience anti social behaviour in the area with the extended alcohol license. We can already hear customers leaving and have noticed people gathering in the park opposite our house, which add to the noise disturbance. We fear that this type of behaviour will increase with extended hours of alcohol sales and operation.

Kent Police objected to the previous applications (August 2020). We note their response which we feel is directly applicable to the current application: “Kent Police believes that the extended hours of prolong the exposure to alcohol and would suggest that a terminal hour of midnight would be more appropriate for all licensable activity. This is to limit the potential for disorder due to excessive intoxication and increased tension from such activities”.

The bar currently shows a focus on alcohol offering fixed price ‘all you can drink’ lunches.

This leaves us greatly concerned about the potential for anti-social behaviour, due to the prolonged licensing hours, in addition to the noise of patrons gathering and departing the Ephesus until the early hours of the morning.

Objection 3: Crowding on the narrow pavement ‘Public safety’

We are also concerned by crowds; queuing to enter and smoking, blocking the narrow footway in front of the bar. At present one often has to walk in the road to pass the bar. These crowds can also be intimidating to residents and passers-by.

In addition to our three main objections, we site below other relevant policy and points we wish to raise: **Sevenoaks Neighbourhood Plan** (March 2021 Final Draft): Please be aware of Section 2.3 ‘Issues for the Neighbourhood

Plan' 'Movement and public realm', which sets-out the need to promote pedestrian movement in the town centre at this 'significant junction'.

The congestion on the footway that is likely to be caused goes against the sentiment of this strategy.

Conservation Area

Relevant extracts from: Sevenoaks High Street Conservation Area Appraisal and Management Plan (Planning Guidance 2008):

1.3 'Conservation areas can also play a key part in promoting economic prosperity by ensuring that an area offers attractive living and working conditions which encourage further investment'. We do not feel that the application fits with the sentiment of this statement.

5.13 Crime (page 48) - 'All new development should be carefully designed to provide a safe and secure environment'. As expressed above our concerns about health and safety do not fit with the sentiment of this statement. Managing a conservation area is as much about preserving character as it is historic building fabric.

Ecology

We also feel there should also be consideration to the rich diversity of birdlife in this area, including many nesting birds, at a time when so many bird species are in decline. Research has shown that loud music can impact bird behaviour and reproduction.

Ephesus building fabric

In addition to the above points, we do not believe Ephesus terrace building fabric is fit for purpose for this application. I am an architect and am aware of the need for an acoustic assessment when submitting for planning. The terrace enclosure at the rear of the venue clearly has little sound reduction performance (non when the roof is open) making it not fit for purpose.

As acoustic assessment is required as a planning submission document. The assessment would cover the sound reduction performance of the building fabric relative to the sound generated within, in comparison with existing ambient sound levels, and acceptable sound to the surrounding area. Please advise if an assessment was submitted with the planning application?

In conclusion

To conclude, we **strongly object** to this application and hope that Sevenoaks Council see sense in not granting this application for a late license/music, to protect the character of the area, and the health and safety of its residents, and not to set a precedent for out of character development in Sevenoaks town.

Yours sincerely,

Andrew Monk and Ly Truong

12. Claire Billis - Head of Housing and Maintenance

Dear Sirs

I wish to make representation on behalf of Rockdale Housing in relation to the current Licensing Application 21/03522/LAPRE.

Rockdale Housing is a registered social landlord providing accommodation for older people which was founded in 1947. The Association is also a registered Community Benefit Society. Our mission is to provide affordable homes, care and other help to improve the quality of life for older people. On our site in Rockdale Road we have a Residential Care Home with 48 rooms and 152 sheltered rent/leasehold apartments and 28 leasehold properties in Akehurst Lane.

I have reviewed the licensing application and have strong reservations around the revised opening times and proposal for 'late night refreshments' and how this is likely to impact the quality of lives for a number of Rockdale's older residents and on-site staff. I have outlined these as below:

- **The prevention of crime and disorder:**

In this residential and commercial area, we are concerned at the potential for disorderly behaviour if large numbers of people congregate in and around the area, specifically in Rockdale Road. There is also restricted off road and office parking in the area and a number of our Care and Support staff leave their cars parked in this area overnight, by increasing the number of people in the area late in the night you put peoples cars at risk of damage; both accidental and deliberate. It is also likely there would be an increase in litter, particularly from takeaway wrappers, cigarette butts and packets and other littered items.

- **Public Safety**

Rockdale provides 24 hour support for its elderly residents and staff are located on-site overnight. Whilst we have effective lone working policies in place there is an increase risk to their safety when leaving the site in Rockdale Road to attend to an emergency overnight in Akehurst Lane (rear of Waitrose), with large numbers of people congregating, potentially under the influence of alcohol in the area heightens risks further.

- **The prevention of public nuisance:**

The 'Ephesus' premises is in close proximity of Rockdale Housing properties, predominately those in Rockdale Road. There is a real concern that guests will cause a serious noise nuisance in the early hours of the morning. Rockdale feel that allowing the sale of alcohol up to 30 minutes before closing this late at night

could lead to noise and anti-social behaviour in local streets at a time when most respectable local residents are in bed and trying to sleep.

If you wish to discuss in more detail please do not hesitate to contact me.

Kind regards

Claire Billis Head of Housing and Maintenance

13. Gaëlle & Matthias Voss

Dear Ms Foley

We refer to the above revised licence application that we understand the restaurant Ephesus has submitted to Sevenoaks District Council to extend operating hours on Fridays and Saturdays by one hour.

We previously objected, by way of email of 26th August 2021 to Ms Susan Lindsey, to Ephesus' original licence application (21/01465/LAPRE), on the grounds that the proposal, if implemented, would adversely impact on the safety of people living in the neighbourhood and having to pass the restaurant late in the evening, including by forcing people to step into a street with fast passing traffic and also being intimidated by some of Ephesus' clientele in front of the restaurant. There was also a concern over increased noise and general nuisance exposure for people living in the vicinity.

We understand that these concerns were shared by Kent Police in their assessment of the application at the time.

Whilst the scope of the current revised application is obviously reduced, we maintain the same concerns over the now proposed extension of working hours. Longer opening hours on Fridays and Saturdays will inevitably lead to increased alcohol and drug consumption (the former presumably being the primary purpose behind the proposed extension), in turn leading to enhanced nuisance, a greater risk of crime and a general adverse impact on public safety, for the people living in the neighbourhood.

We therefore would like to register our objections to the revised application with you.

Best regards

Gaëlle & Matthias Voss

14. Environmental Health Team

The Environmental Health Team has been investigating residents' complaints of noise nuisance from this premises since last summer and therefore opposed a variation at that time proposing to extend opening hours, sale of alcohol and to allow regulated entertainment.

Whilst this application to vary the licence does not include regulated entertainment, I remain concerned: residents have complained for some time that there are regularly breaches of Ephesus' licence. Environmental Health Team has recently undertaken noise monitoring using recording equipment and is still analysing the results. However, our preliminary findings indicate that regulated entertainment has been played well beyond 23:00 hours (which is allowable under the de-regulation provisions) and that there has therefore been a significant breach of licence conditions.

It is therefore my opinion that this is not the right time to consider extending the licence, particularly as this may facilitate further such breaches, potentially resulting in disturbance to nearby residents.

The Police have confirmed a report that a fight occurred outside of Ephesus on 8th January 2022 during the early hours of the morning (reports received by Police were timed at 01:55 and 01:58). We do not currently have full details of the incident but once again, it is an obvious cause for concern and if it is confirmed that those involved had recently left Ephesus, then this is further evidence of a breach of licence conditions.

For these reasons, Environmental Health Team opposes this application to vary the licence.

CH