



Licensing Committee

Date: MONDAY, 17 FEBRUARY 2014
Time: 1.45pm
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Marianne Fredericks (Chairman)	Sophie Fernandes
Edward Lord (Deputy Chairman)	Michael Hudson
Alex Bain-Stewart	Graham Packham
Deputy John Barker	Judith Pleasance
Jamie Ingham Clark	Chris Punter
Revd Dr Martin Dudley	Tom Sleigh
Peter Dunphy	James Tumbridge
Kevin Everett	

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Lunch will be served for Members in the Guildhall Club at 1pm

John Barradell
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **PUBLIC MINUTES**

To agree the public minutes of the meeting held on 21 October 2013.

For Decision
(Pages 1 - 6)

4. **MINUTES OF LICENSING (HEARING) SUB COMMITTEES**

For Information

- a) Ground Floor Commercial Unit, 5 Moor Lane, London, EC2Y 9AP - 16 October 2013 (Pages 7 - 14)
- b) Loose Cannon, 13-15 Allhallows Lane, London, EC4R 3UL - 29 October 2013 (Pages 15 - 20)
- c) The Spectator, 6 Little Britain, London, EC1A 7BX - 30 October 2013 (Pages 21 - 26)
- d) Sainsbury's, 90 Cannon Street, London, EC4N 6HA - 17 October 2013 and 5 November 2013 (Pages 27 - 34)
- e) Patch Bar, 58-60 Carter Lane, London, EC4V 5EA - 8 November 2013 (Pages 35 - 42)
- f) Peony, 46 Gresham Street, London, EC2V 7AY - 15 November 2013 (Pages 43 - 46)
- g) The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ - Summary Review & Full Review Hearing - 2 December 2013 & 30 December 2013 (Pages 47 - 68)
- h) Feng Shui, 1A Pudding Lane, London, EC3R 8AB- Summary Review - 28 January 2014 (Pages 69 - 72)

5. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**

The Comptroller & City Solicitor to be heard.

For Information

6. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**
Report of the Director of Markets and Consumer Protection.
For Information
(Pages 73 - 84)
7. **POOL OF MODEL CONDITIONS**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 85 - 94)
8. **CORPORATE GOVERNANCE - SCHEME OF DELEGATIONS**
Report of the Town Clerk.
For Decision
(Pages 95 - 114)
9. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

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Agenda Item 3

LICENSING COMMITTEE

Monday, 21 October 2013

Minutes of the meeting of the Licensing Committee held at the Guildhall EC2 at 1.45pm

Present

Members:

Marianne Fredericks (Chairman)	Peter Dunphy
Edward Lord (Deputy Chairman)	Kevin Everett
Alex Bain-Stewart	Michael Hudson
Deputy John Barker	Judith Pleasance
Jamie Ingham Clark	Chris Punter
Revd Dr Martin Dudley	

Officers:

Natasha Dogra	- Town Clerk's Department
James Goodsell	- Town Clerk's Department
Jon Averbs	- Port Health & Public Protection Department
David Smith	- Markets & Consumer Protection Department
Steve Blake	- Markets & Consumer Protection Department
Peter Davenport	- Markets & Consumer Protection Department
Paul Chadha	- Comptrollers and City Solicitors
Jenny Pitcairn	- Chamberlain's Department

1. APOLOGIES

Apologies were received from Tom Sleight, Sophie Fernandes and James Tunbridge.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations of interest.

3. PUBLIC MINUTES

RESOLVED: That Members approved the public minutes of the previous meeting as an accurate record.

Matters Arising:

Officers circulated a breakdown of gambling fees and sex establishment fees for new applications and annual fee renewals.

Members requested that a letter of thanks be sent to Simon Walsh for facilitating the training session for the Licensing Committee, which was well received by Members. The Town Clerk agreed to action this. A Personal

Licences training session was due to take place in November; the Town Clerk would circulate the date to Members of the Committee.

The Committee also thanked Alistair MacLellan and Xanthe Couture (Committee and Members Services Officers) for their hard work in managing the recent Licensing Sub Committee hearings.

4. **MINUTES OF LICENSING (HEARING) SUB COMMITTEES**

RESOLVED: That Members noted the public minutes of the Sub Committee hearings.

Matters Arising:

The Town Clerk was asked to make one amendment to the minutes of the hearing held on 4th July 2013 by removing paragraph 21 of the document.

5. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**

The Committee received an update from the Comptroller and City Solicitor informing Members that there had been no appeals against Licensing Sub Committee decisions.

6. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**

The Committee received a report of the Director of Markets and Consumer Protection informing Members of premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 July 2013 to 30 September 2013. Members also noted data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013.

In response to a query from Members, officers explained that the names of premises had not been included in the report due to the significant changes to the points calculation system. Therefore, premises names would be included in the future to ensure officers' calculations were fair and accurate.

7. **RESOLUTION OF THE PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

The Committee received a resolution from the Port Health and Environmental Services Committee in relation to the annual review of fees and governance arrangements for Sex Establishments in the City as follows:

RESOLVED - That,

- a) the proposed fees for 2013/14 be approved;
- b) the governance of all types of sex establishments be dealt with by the Licensing Committee, which includes sex shops, sex cinemas, hostess bars and SEV's;
- c) the Terms of Reference be updated accordingly.

8. **TERMS OF REFERENCE OF THE LICENSING COMMITTEE AND FREQUENCY OF MEETINGS**

The Committee received a report of the Town Clerk which informed Members that as part of the post-implementation review of the changes made to the

governance arrangements in 2011 it was agreed that all Committees should review their terms of reference.

RESOLVED: That Members:

- a) approved the Terms of Reference for submission to the Court, and that any further changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman;
- b) did not wish to change the frequency of the Committee's meetings.

9. REVENUE BUDGETS - 2014/15

The Committee received the report of the Chamberlain and Director of Markets and Consumer Protection informing Members of the annual submission of the revenue budgets overseen by the Licensing Committee.

Members were informed that the business priorities for the forthcoming year included the introduction of a Late Night Levy for certain premises if agreed by Members. This had not been reflected in the budget changes presented in this report, as the financial implications were dependent on the option chosen.

In response to a query from Members, officers confirmed that there were currently no recharges from the Town Clerk's Department in the budget, and agreed to review these charges to ensure the full cost of supporting the Committee was properly reflected in its budget.

RESOLVED: That Members:

- reviewed the provisional 2014/15 revenue budget to ensure that it reflected the Committee's objectives and approved the budget for submission to the Finance Committee; and
- authorised the Chamberlain, in consultation with the Chairman and Deputy Chairman, to revise these budgets to allow for further implications arising from potential budget developments including the introduction of a Late Night Levy, review of premises licence fee structure to ensure full cost recovery, and changes in respect of recharges.

10. TABLES AND CHAIRS AND OTHER LICENSING FUNCTIONS INCLUDING OVERLAP WITH OTHER COMMITTEES

The Committee considered the report of the Director of Markets and Consumer Protection informing Members that at a meeting of the Licensing Committee in May 2013 it was requested that a report be produced detailing the overlaps, if any, of the various licensing activities undertaken to look at whether any changes or improvements could be made.

Officers informed Members that there was significant interaction of responsible authorities with the Licensing Service particularly in the primary role of administration of the Licensing Act 2003. In addition there were parallel but separate regulatory processes operating through the Department of the Built Environment (DBE) and the Planning and Transportation Committee for planning applications.

The administration of Tables and Chairs licences did not in practice cause conflicts with premises licences but policy and guidelines for granting of the licences needed to be updated.

The Committee noted that similarly changes in legislation for street trading were anticipated next year if the City of London (Various Powers) Bill proceeded through Parliament and a policy on this issue would need to be produced and agreed by the appropriate Committee.

Members noted that an email had been circulated to the Committee by a Member the night before the meeting, however as the email had not been sent to Officers and was not tabled at the meeting it was agreed that the Member speak to officers directly to address his concerns.

RESOLVED: That Members agreed the proposals and asked officers to submit the draft policy to the Licensing Committee for comments before it was considered by the Planning and Transportation Committee.

11. JOINT ACTION BY THE CITY POLICE, CITY CORPORATION LICENSING SERVICE AND LONDON FIRE BRIGADE

The Committee considered the report of the Director of Markets and Consumer Protection which informed Members that at a meeting of the Licensing Committee in July 2013 the Chairman requested that a report be produced concerning the joint night time inspections being undertaken by the responsible authorities over the last year.

Members noted that the issues being raised during inspections fell into three main areas of the licensing objectives; public safety, crime and disorder and public nuisance. Members noted how information was shared and used in the new Traffic Light Assessment Scheme which was introduced this year. Officers agreed to circulate information regarding the Traffic Light Assessment Scheme to new Members of the Committee for information.

12. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman considered one item of urgent business regarding Late Night Levy introduction which was presented by the Director of Markets and Consumer Protection. Members noted that if a Late Night Levy were to be introduced the earliest it would come into effect would be June 2014. Officers would bring the analysed result of the recent consultation to the next Committee Meeting in February; Members noted that 76 responses had been received, a majority of which were from licensed premises.

The meeting closed at 2.40pm

Chairman

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MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 16 OCTOBER 2013

APPLICANT: ALAXIA LIMITED
PREMISES: GROUND FLOOR COMMERCIAL UNIT, 5 MOOR LANE,
EC2Y 9AP

PRESENT

Sub Committee:

Marianne Fredericks CC (Chairman)
Jamie Ingham Clark CC

City of London Officers:

Alistair MacLellan – Town Clerk's Department
Ru Rahman – Comptroller & City Solicitor's Department
Andre Hewitt – Markets & Consumer Protection Department
Aggie Minas - Markets & Consumer Protection Department

Applicant:

Saba Naqshbandi (Counsel representing Applicant)
Lisa Inzani (Solicitor representing Applicant)
Stefano Portorti (Designated Premises Supervisor)

Representations from Other Persons:

Robert B Barker (Barbican Association)
Brian Parkes (Speed House Group)
Simon Ebbins (Willoughby House Group)
Nazar Sayigh (Witness nominated by Simon Ebbins)

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 10.30am in the Committee Rooms, Guildhall, London, EC2, to consider and determine the application for a new premises licence for 'Ground Floor Commercial Unit, 5 Moor Lane, London, EC2Y 9AP'.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

- Appendix 1: Copy of Application
- Appendix 2: Conditions consistent with the operating schedule
- Appendix 3: Plan of Premises

Appendix 4: Representations from Other Persons

Appendix 5: Map of subject premises together with other licenced premises in the area and their latest terminal time for alcohol sales

In addition the following documents were tabled at the Hearing:

Additional Papers (1) Plan of premises layout with accompanying email submitted by Lisa Inzani.

Additional Papers (2) Photographs depicting spatial relationship between premises and adjacent Barbican properties submitted by Robert B Barker.

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1. The Hearing commenced at 10:30am.
 2. At the suggestion of the Chairman, those assembled briefly introduced themselves and explained in what capacity they were attending the Hearing.
 3. The Chairman explained to those present that, given she was a member of the Board of Governors of the Guildhall School of Music and Drama (GSMD) and that the premises in question were situated within the new Milton Court building of the GSMD, it was appropriate that she ask those present if they had any issue with her chairing the Hearing. She emphasised that the premises was unrelated to the overall operation of the GSMD, and therefore she did not consider herself as having an interest in the application in question.
 4. Furthermore the Chairman noted that due to unforeseen circumstances a member had been forced to withdraw from the panel considering the application. Nevertheless, she noted that the panel remained quorate with two members present.
 5. Those assembled confirmed that they were happy for the Chairman to consider the application and for the hearing to proceed.
 6. The Chairman therefore referred to page 12 of the agenda pack, noting that the description of the proposed premises was overly brief and lacking detail. She therefore invited the Applicant to provide more background on the proposed character and operation of the venue.
 7. Saba Naqshbandi therefore began by introducing the Designated Premises Supervisor, Stefano Portorti, noting that he had 15 years of experience in the catering industry, 7 of which had been spent in the UK. Furthermore she noted that both the Director and General Manager of Alaxia Limited were restaurateurs of considerable experience in Italy.
 8. Ms Naqshbandi continued by outlining the concept behind the premises operating model, that of serving excellent Italian food in a canteen-style setting.

She referred those present to the proposed menu and artist-impression picture of the interior of the premises within the agenda pack to illustrate her points. She added that the proposed target market for the premises included school groups, local residents, and white collar workers. She noted that given the proposed operating model it was not expected that the premises would be one in which patrons stayed to linger over their food, emphasising the fact that it would function more as a canteen than a bar.

9. Turning to the layout of the premises, Ms Naqshbandi confirmed that the proposed main entrance for the premises was located on Silk Street. She referred those present to the plan of the premises set out in Additional Papers (2), which depicted the proposed double lobby layout of the Silk Street entrance. She described the intended visibility of refrigerated goods and the process whereby patrons would queue to be served hot and cold foods. She noted that the design of the premises saw the serving counter located opposite the Silk Street entrance, which meant staff would be on hand to ensure patrons left the premises responsibly. She argued that the Silk Street entrance was higher than the Moor Street entrance and communicated a clearer impression of the nature of the premises to those passing in the street outside. Whilst acknowledging the concerns of those making representations for the amount of footfall of patrons through the Silk Street entrance, Ms Naqshbandi reiterated that the character of the premises was not equivalent to that of a bar or public house.
10. Ms Naqshbandi continued by noting the premises would be responsibly and appropriately managed: it was envisaged that the premises would have 12 full time staff, supported by part time staff as and when was operationally appropriate. She drew the attention of those present to the proposed conditions set out on page 25 of the agenda pack which sought to guarantee the appropriate management of the premises. She added that, although the premises had a capacity for 100 persons, it was unlikely that the premises would be operating at full capacity at any one time.
11. Ms Naqshbandi noted that the application was for alcohol sales and for recorded music. She stated that the recorded music would be for background purposes, and that proposed opening hours were modest - it was envisaged that the premises would be open for breakfast at 07:00hours during the week and at 08:00 hours at weekends, and that early operation of the premises had formed part of the original planning permission that had been granted in January 2008.
12. In concluding her statement on behalf of the Applicant Ms Naqshbandi addressed some common concerns that had been highlighted by those making representations. She noted that the application did not include, nor was there any intention to apply for, the use of tables and chairs outside of the premises. She emphasised that the plan of the proposed Silk Street entrance had been modified from that detailed on page 32 of the agenda pack to include a double lobby design. She argued that any concerns over off-sales did not take into account the proposed character of the premises, nor was it anticipated that a canteen-style premises would see patrons congregating outside on the street

smoking and making noise. She pointed out that deliveries and rubbish collection would take place in the area at the far right of the plan, well away from both Silk Street and Moor Lane, and that furthermore there were planning conditions governing the process of collections and deliveries. Returning to the issue of the Silk Street entrance, she said that the Applicant was happy not to use this for entrance or exit after 21:00hours and that notices would be displayed in the premises to remind patrons to leave quietly. Lastly, she drew attention once more to the proposed conditions on page 25 of the agenda and noted that the applicant intended to implement these even if the City of London Corporation considered them unenforceable.

13. The Chairman thanked Ms Naqshbandi for her statement and noted, for future reference, that there existed a pre-application process to assist potential applicants. She noted that the Licensing (Hearing) Sub Committee could not control the opening and closing hours of the premises or music broadcast before 23:00hours, and that furthermore the amended entrance was a planning issue. The Sub Committee could only rule therefore on the sale of alcohol. The Chairman then invited Robert B Barker to make his statement to the Sub Committee.
14. Mr Barker noted that he was representing the Barbican Association, and that the Barbican Estate consisted of 2000 flats with 4,500 residents. 1,200 of these flats subscribed to the Barbican Association. He noted that the Association objected to the application on grounds of the potential for public nuisance, and that it had concerns that the proposed character of the premises would change, in practice, from that of a canteen to that of, for example, a wine bar during the course of its operation. He stated that concerns over the congregation of patrons remained despite the amended plan for the Silk Street entrance. Furthermore he noted that the map of existing premises on page 75 of the agenda pack depicted the footprint of the old – now demolished – GSMD building. The new Milton Court building, he noted, had been moved several metres further south onto Silk Street and its current frontage with the incorporated 5 Moor Lane premises, was closer therefore to the Barbican flats overlooking Silk Street.
15. Mr Barker referred those present to the Additional Documents (2) submitted by himself which consisted of three colour photographs. In the first image of Silk Street looking east he noted that the GSMD Milton Court building was glazed on its lower three floors and that such glazing was an excellent reflector of sound. In the second image of Silk Street looking west he highlighted the location of the Silk Street entrance, near the pedestrian on the right of the photograph. In the third image he reiterated the point regarding noise from street level being reflected from the glazed Milton Court building, onto the curved balconies of the Barbican flats, and thence into residents' bedrooms.
16. Mr Barker continued by noting that the 5 Moor Lane premises had originally been designed as a refectory for the GSMD Milton Court building, and that as part of this design the Moor Lane entrance was wider and arguably more appropriate for use as a main entrance/exit to the premises. Despite having met with the Applicant, Mr Barker stated that the Association was still of the opinion

that the Silk Street entrance/exit should be used for emergency purposes only. Despite the new double lobby design of the Silk Street entrance he argued that the Association remained concerned over the potential for a high amount of footfall from patrons on the Silk Street pavement, and the potential for high levels of evening trade, and the use of the pavement by smokers. He concluded by referring to the City of London Corporation's strategy to concentrate residential uses into certain areas of the City, such as the Barbican Estate, and that the Corporation should focus therefore on preserving the residential amenity of such areas.

17. In response to questions from the Chairman Mr Barker stated that it was his opinion that patrons leaving the premises via Moor Lane would do so in the direction of Liverpool Street rather than towards the Barbican Estate; that he was concerned that patrons would congregate in the street outside the Silk Street entrance to smoke; and that the walkway depicted on the right hand side of his first image was a public walkway.
18. At the invitation of the Chairman, Brian Parkes then addressed the Sub Committee. Mr Parkes explained that he was attending the hearing as a representative of the Speed House Group and that the Group was concerned with the prevention of public nuisance, particularly that of noise. He emphasised the point that the Silk Street façade of the GSMD Milton Court building was glazed and therefore an excellent reflector of noise, and in this respect contrasted negatively with the design of the previous building. He noted that residents of both Speed and Willoughby Houses, which faced Silk Street, had already noticed an increase in noise from the street since the GSMD Milton Court building had opened. He argued that the Sub Committee should therefore be concerned with preventing any further increase in noise. He argued that patrons of the premises would likely congregate in Silk Street to smoke and use their mobile phones. Referring to the proposed conditions put forward by the Applicant, particularly that stating staff would be trained to ask patrons to leave quietly, he argued that these were flawed in that patrons were free to ignore staff requests to be quiet, and furthermore that staff would arguably become less likely to adhere to such training the longer the premises was in operation. In concluding, he argued that overall the Moor Lane entrance was more suitable for use by smokers and patron entering and exiting the premises.
19. There were no questions for Mr Parker from either the Sub Committee or the Applicant, and so therefore the Chairman invited Simon Ebbins to address the Sub Committee.
20. Mr Ebbins introduced himself and noted he was representing the Willoughby House Group on the Barbican Estate. He reiterated the argument that the use of the Silk Street entrance as the main entrance/exit would lead to public nuisance. He highlighted the example of the Corney & Barrow premises at 1 Ropemaker Street, EC2Y, at which the main entrance was located away from Barbican residences, but that nevertheless patrons exited from the rear of the premises to smoke on Moor Lane, causing public nuisance. He noted that he had raised this issue with Corney & Barrow management on a number of occasions, and that they had responded by putting up notices to regulate the

use of the rear exit to the premises. Whilst this approach had largely worked, he noted that patrons still exited to smoke on Moor Lane on occasion. As a positive example he highlighted the redesign of the Jugged Hare premises on Chiswell Street, where the main entrance to the premises had been moved away from Barbican residences and smokers therefore redirected to Chiswell Street rather than Silk Street. He argued that the Applicant should follow this example and 'design away' the potential for public nuisance by locating the main entrance to the premises on Moor Lane. He concluded by saying that any conditions imposed on the application by the Sub Committee should therefore stipulate the use of Moor Lane as the main entrance/exit to the premises.

21. In response to a question from the Chairman, Mr Ebbins replied that the proposed double lobby was immaterial to the concerns of Willoughby House residents as the issue of public nuisance would arise outside of the premises, when people congregated to smoke. Similarly, in response to a suggestion from the Chairman that the Applicant was entitled to locate its main entrance on Silk Street for commercial reasons – Silk Street being a busier thoroughfare – Mr Ebbins replied that Moor Lane was equally commercially viable for a premises entrance/exit.
22. The Chairman invited Nazar Sayigh to address the Sub Committee. Mr Sayigh informed the Sub Committee that he had been a resident of the Barbican for 9 years and that at present his living room faced onto Silk Street and his bedroom onto Moor Lane. He told the Sub Committee that thus far the Barbican Estate had been a peaceful environment in which to live. He argued that, given he had children and that there were other children residing in the same block, it was crucial that residents be guaranteed a quiet period beginning from 22:30 hours at night to allow a decent night of sleep so that school work and studying for exams was not affected. He argued that the Corney & Barrow example was a good one in that it demonstrated the potential for public nuisance to arise from smokers congregating in the street. Regarding the Applicant's commercial argument for locating the main entrance on Silk Street, Mr Sayigh argued that the Wagamama on Moor Lane had no entrances/exits facing onto Moor Lane itself and did not suffer commercially as a result, and therefore it was not necessary for the Applicant to have an entrance/exit on a arguably busier thoroughfare.
23. At the invitation of the Chairman the Applicant agreed to sum up their case. Ms Naqshbandi refuted the claim that the Moor Lane and Silk Street entrances were of significantly different sizes, arguing that in fact they were similar. Furthermore, she reminded the Sub Committee that it had no power to stipulate which entrance/exit was used by the premises as its primary entrance. She concluded by saying that the Applicant was entirely different in character to a wine bar such as Corney & Barrow and that instead the premises aimed to be operated as very much part of the local community.
24. At the invitation of the Chairman, Mr Barker argued that the City of London Corporation had a Code of Good Practice and yet did not appear to make sure applicants adhered to it. He acknowledged that the Applicant had committed to not using the Silk Street entrance/exit after a certain time but he stated that he

wanted this made a condition of the licence. The Chairman acknowledged his concerns, noting however the Corporation only put conditions on licences that it could actually enforce, and that the Code of Good Practice served as precisely that, not a code of enforcement. She clarified that, if the Applicant committed to operating the premises in a certain way and in practice failed to do so, and public nuisance arose from that, then the licence could be reviewed. She noted that the Applicant had made the effort thus far to engage with those making representations and had also amended the proposed plan of the premises in response to concerns raised with them.

25. Mr Ebbins stated that the Applicant was free to use Moor Lane but was purposefully choosing not to. It remained his opinion that, to ensure the Code of Good Practice was met, that the Sub Committee should refuse the application.
26. The Chairman explained that the Sub Committee would withdraw to consider the application and would return in a short time to deliver its decision.
27. The Sub Committee, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor, withdrew at 11:40hrs and returned at 11:55hrs.
28. The Sub Committee informed those present that it had decided to grant the application subject to conditions and an informative. The conditions would include:
 - that prominent signage be displayed at all exits from the premises requesting that patron leave quietly;
 - that there shall be no sale of alcohol in unsealed containers for consumption off the premises.
29. Furthermore the Sub Committee included the following informative:
 - that the licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising.
30. The Sub Committee also noted the Applicant's commitment to training staff to ask patrons to leave the premises quietly and for the exit on Moor Lane to be used after 21:00hours.
31. The Chairman concluded the meeting by noting that the decision would be circulated in writing.

The meeting closed at 12.00pm

Chairman

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MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 29 October 2013

APPLICANT: ALLHALLOWS TRADING LTD. LOOSE CANNON

PREMISES: LOOSE CANNON 13-15 ALLHALLOWS LANE LONDON
EC4R 3UL

PRESENT

Sub Committee:

Kevin Everett CC (Chairman)
Marianne Fredericks CC
Graham Packham CC

In attendance:

City of London Officers:

Xanthe Couture -Town Clerk's Department
Paul Chadha - Comptroller & City Solicitor's Department
Peter Davenport - Markets & Consumer Protection Department

Applicant:

Mr Soner Osman, Director Allhallows Trading Ltd Loose Cannon
Mr Ewan Johnston, Director Allhallows Trading Ltd Loose Cannon

Representation of objection:

Mr John Hall, City of London Police Licensing Officer
Hector McKoy, Police Licensing Team

Licensing Act 2003 (Hearings) Regulations 2005

- 1) A public Hearing was held at 11:00 am in the Committee Rooms, Guildhall, London, EC2, to consider the representations submitted in respect of an application for a variation to a premises license for the premises known as Loose Cannon at 13-15 Allhallows Lane, London EC4R 3UL.

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Sun-Sat 11:00 – 02:00	Fri-Sat 11:00 – 06:00
Live Music/Recorded Music/Performances of Dance	Sun-Sat 11:00 – 02:00	Fri-Sat 11:00 – 06:00
Plays/Films/Indoor Sports Events/Making	Sun-Sat 11:00-02:00	Sun-Sat 11:00-02:00 (No Change)

Music		
Late Night Refreshment	Not currently licensed.	Fri-Sat 23:00 – 06:00

The sale of alcohol was for 'on' sales only.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

- Appendix 1: Copy of Application
- Appendix 2: Current Licence
- Appendix 3: Conditions consistent with Operating Schedule
- Appendix 4: Possible new conditions consistent with the operating schedule
- Appendix 5: Representation from Other Persons (City of London Police)
- Appendix 6: Map of subject premises, together with other licensed premises in the area and their latest terminal time for alcohol sales.

- 2) The Hearing commenced at 11 am.
- 3) The Chairman opened the Hearing by introducing himself, along with the other Member of the Sub Committee, the officers present and the nature of the application.
- 4) The Applicant sought a variation to extend the permitted hours as set out in paragraph (1) above and requested that the name of the application should be referred to as Allhallows Trading Ltd Loose Cannon.
- 6) The Chairman invited Mr Hall and Mr McKoy to present their objections; submitted on behalf of the City of London Police Licensing Team.
- 7) Mr McKoy stressed that his concerns centred around the fact that, should the variation be granted as sought, the venue would be used for "promoted events" on Friday and Saturday nights. Mr McKoy detailed the crime and disorder issues that had been encountered at other late night licensed premises which ranged from crimes of violence to drug related offences.
- 8) The Panel noted the potential public safety issues raised by the City of London Police relating to the dispersal of patrons. It was confirmed by the Panel that Upper Thames Street was considered a busy thoroughfare with significant traffic movement at all times of the day and

night. There were no questions from the Applicant relating to Mr McKoy's statements.

- 9) The Panel queried if there had been concerns with the premises use of past use of TENS, to which the City of London Police advised that there had been no past incidents and the premises was considered quiet and not a late night venue. The situation discussed in the email from Mr Hall (Appendix 5i), relating to the submission of TEN applications in the past by the premises, which had been withdrawn, had been resolved with the Applicant.
- 10) The Applicant (Mr Johnston) opened their case by stating he had been running late night venues for the past 15 years in London, of which many had been shut down for redevelopment. The Applicant had no desire to create a club, and the variation was being sought to ensure the premises could compete with other top end corporate event spaces to provide promoted events operated by the venue. The Applicant stated the premises would not host urban music promoted events, which he felt were a major factor in recorded instances of crime and disorder at promoted events and would operate a last entry policy of 03:00 or 03:30. The Panel clarified that discounted alcohol and bottle service would not be offered.
- 13) The Applicant advised that it would be their intention to employ 3 stewards to marshal patrons across Upper Thames Street and have further stewards situated on the riverside walkway directing patrons towards London Bridge. There would be 4 to stewards in total including staff and security guards. A mini-cab service would park on Duke's Hill and provide transportation for patrons to ensure taxis would not create traffic jams on Upper Thames Street and public transport could be used. Stewards would provide a line of sight and minimise the possible noise nuisance or risk to their safety caused by patrons leaving the premises late at night and crossing a potentially busy road.
- 14) In respect to alterations to the venue, the Applicant would include a CCTV system, an enhanced ID system as well as provide notification for any events on weekends to the City of London Police.
- 15) The Applicant and the City of London Police Licensing Team discussed the availability of parking at the premises and the Applicant advised that there were two parking lots located nearby and variations to the hours of the premises for promoted events were only expected to be sought on weekends, or two nights a week. The Panel was informed the premises would have no bottle or table service. The Police Licensing Team expressed concern that the variation to the hours would attract the after-party scene and there was no control over who would be allowed into the premises. The Applicant replied that it was essential the premises be granted a variation for 03:00 mid-week, 05:00 on Friday, 06:00 on Sunday in order to reach the corporate event market and was confident

that with their experience in this industry, they were able manage late night events and had a targeted audience in mind.

- 16) In response to a query from the Panel on the specifics of the dispersal policy which had not been received in a covering email as stated by the Applicant had been provided, the Applicant advised that the dispersal policy would be staged with the assistance of stewards to avoid many people outside the premises at once. It was clarified the premises could hold up to 499 people at one time, and patrons could only be asked leave quietly as they were no longer the responsibility of the premises once outside. The Applicant advised they were confident in the management of their dispersal policy and had operated a smoking area on residential streets without noise complaints.
- 17) The Chairman and the Applicant discussed the nature of the premises being located in an area where no residents lived. With regards to other late night premises that the Applicant had operated, he explained they had developed a positive relationship with Police and licensing teams. He advised that in the structure of Allhallows Trading Ltd, he owned and operated venues. In the past when noise nuisance concerns had existed with other premises, this could be pinpointed to the music policy which attracted a certain kind of clientele and event promoter companies that had caused any concerns were not contracted in the future.
- 18) In response to a query from Mr Hall, the Applicant advised that the Designated Premises Supervisor was experienced in operating large events. The Panel was informed that roughly 30 to 40 per cent of tickets for promoted events would be sold online ticketed online and not through event flyers.
- 19) The Panel and the Applicant discussed the number of door staff the premises would employ and the Applicant advised there would be 1 door person for every 75 people. The Panel queried as to why it was necessary to have the capacity to operate until 06:00 rather than 03:00 and the Applicant explained it would allow the premises to reach a different market and a different closing time would not affect the operation of a successful dispersal policy.
- 20) There were no more questions, and having put their cases and answered questions from the Panel, the Objector and Applicant were invited to make closing statements.
- 21) Mr McKoy explained there had been issues with other late night licensed premises and any problems with this premises would fall on Licensing Officers to deal with. He was not convinced that the role of stewards would be successful in minimising risks to public safety or crime and disorder and was concerned over the risk of crowds congregating outside the premises.

- 22) The Applicant summarised that a considerable investment would be made in the premises only if the variation to the premises license was granted. The extension of hours of licensable activities was not being sought to establish a night club atmosphere, but was required to ensure the full commercial potential of the premises was achieved in a climate where business rates and rent were increasing. He added that if issues were caused by the variation to hours of licensable activities, then a review would be required.
- 23) Members of the Panel withdrew to deliberate and make their decision, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor.
- 24) Upon conclusion of the Panel's deliberation, the Town Clerk advised those present at the Hearing that due to the need to ensure the conditions of the premises license would ensure minimal risk of crime and disorder and public nuisance, a full decision would be circulated in due course. All parties were thanked for attending the Hearing.

Contact Officer: Xanthe Couture
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MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 30 OCTOBER 2013

APPLICANT: THE SPECTATOR LIMITED
PREMISES: THE SPECTATOR, 6 LITTLE BRITAIN, LONDON, EC1A
7BX

PRESENT

Sub Committee:

Marianne Fredericks CC (Chairman)
Deputy John Barker OBE CC
Graham Packham CC

City of London Officers:

Alistair MacLellan – Town Clerk’s Department
Ru Rahman – Comptroller & City Solicitor’s Department
Peter Davenport – Markets & Consumer Protection Department

Applicant:

Craig Baylis – Solicitor representing the Applicant

Representations from Other Persons:

None

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 10.00am in the Alderman’s Dining Room, Guildhall, London, EC2, to consider and determine the application for a new premises licence for ‘The Spectator, 6 Little Britain, London, EC1A 7BX.’

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

- Appendix 1: Copy of Application
- Appendix 2: Lapsed Licence
- Appendix 3: Letter to Licence Holder
- Appendix 4: Representations from Other Persons
- Appendix 5: Map of subject premises together with other licenced premises in the area and their latest terminal time for alcohol sales

Appendix 6: Plans of Premises

1. The Hearing commenced at 10:00am.
2. The Chairman introduced the panel members and officers present and invited the Mr Baylis to summarise his client's application.
3. Mr Baylis noted that the application before the Sub Committee was a simple one. His clients had purchased the premises earlier in the year from an insolvent company, and were advised by the Markets & Consumer Protection Department that the existing licence had therefore lapsed due to the insolvency. His clients were now in a position where they wished to sell the premises to the operator of Yager Bar in St Paul's, and needed a current licence on the premises to do so, hence their application before the Sub Committee today.
4. Turning to the operation of the premises itself, Mr Baylis noted that there were no plans to allow drinks to be consumed in its courtyard and that furthermore the double doors opening from the premises into the yard likely functioned as a fire escape. He indicated that his client would be happy to accept that the courtyard should not be used as a smoking area.
5. At the invitation of the Chairman, the panel proceeded to question Mr Baylis. In response to a question from a member of the panel, Mr Baylis replied that his client was applying for a licence ahead of selling the premises as a current licence was required in order for the sale to take place, and that despite appearing unusual this was in fact an ordinary commercial arrangement.
6. In response to a question from the Chairman, Mr Baylis replied that he had no explicit instructions from his client regarding whether a licence granted until midnight would be acceptable. He noted that the previous licence on the premises had run until midnight, and that it was up to the Sub Committee to decide what hours it wished to grant. He concluded by noting that his client had operated the premises from March 2013 for around five months and that during this time no issues of public nuisance or otherwise had arisen as a result of the operation of the premises until midnight.
7. At the invitation of the Chairman, Mr Baylis and Mr Davenport left the room whilst the Sub Committee considered its decision. The Sub Committee, with representatives of the Comptroller and City Solicitor and the Town Clerk in attendance, considered and reached their decision, upon which Mr Baylis and Mr Davenport were invited back into the room.
8. In response to a final question from the Chairman, Mr Baylis replied that he did not think the courtyard was used for deliveries to the premises, as the only means of access was via a narrow lane.

9. The Sub Committee therefore decided to grant the application as follows:

<u>Activity</u>	<u>Proposed Licence</u>	<u>Licence</u>
Supply of Alcohol, Recorded Music	Mon to Thu 11:00–0:00	Mon to Sat 11:00–00:00
	Fri to Sat 11:00–01:00	Sun 12:00–23:30
	Sun 12:00–23:30	
Late Night Refreshment	Mon to Fri 23:00–00:00	Mon to Sat 23:00–00:00
	Fri to Sat 23:00–01:00	Sun 23:00–23:30
	Sun 23:00–23:30	

10. Furthermore the Sub Committee added the following conditions:

- The doors opening onto the courtyard be used in the event of emergencies and deliveries only.
- Prominent signage shall be displayed at all exits from the premises requesting the customers to leave quietly.

The meeting closed at 10.32am

Chairman

Alistair MacLellan
020 7332 1416
alistair.maclellan@cityoflondon.gov.uk

Copy of Decision Letter circulated to all parties on 7 November 2013

Applicant: The Spectator Limited
Application: New Premises Licence
Premises: The Spectator, 6 Little Britain, London, EC1A 7BX
Date of Hearing: Wednesday 30 October 2013, 10:00 hours

I write to confirm the decision of the Licensing Sub Committee at the hearing on 30 October 2013 in relation to the above-mentioned application. The Sub Committee's decision is set out below.

1. This decision relates to an application made by the Spectator Limited for a new premises licence in respect of the premises 'The Spectator, 6 Little Britain, London, EC1A 7BX'.

The application sought to provide the following activities:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Supply of Alcohol, Recorded Music	Not Applicable	Mon to Thu 11:00 – 00:00 Fri to Sat 11:00 – 01:00 Sun 12:00 – 23:30
Late Night Refreshment	Not Applicable	Mon to Thu 23:00 – 00:00 Fri to Sat 23:00 – 01:00 Sun 23:00 – 23:30

2. The Sub Committee considered the application and carefully considered the representations submitted in writing by those making representations, and those made verbally by the Applicant's representative at the hearing.
3. In reaching the decision the Sub Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London's own Statement of Licensing Policy dated January 2013.
4. Furthermore, the Sub Committee took on board the duty to apply the statutory test as to whether an application should or should not be granted, that test being that the application should be granted unless it was satisfied - on the balance of probabilities - that it was necessary to refuse all, or part, of an application or necessary to impose conditions on the granting of the application in order to promote one (or more) of the licensing objectives.
5. In determining the application, the Sub Committee first and foremost put the promotion of the licensing objectives at the heart of their decision. In this instance, the most relevant of those objectives being the prevention of public nuisance given the premises is located under residential flats.
6. In reaching its decision the Sub Committee took into account the nature of the operation proposed by the applicant, the intention of the applicant to sell the premises and subsequent desire to secure a licence. The Sub Committee noted the hours on the lapsed premises licence ran until midnight. Furthermore the Sub Committee noted the concerns raised by those making representations over the potential for public nuisance to

arise by extending the licensable hour to 1.00 am and the use of the courtyard by patrons of the premises.

7. The Sub Committee then considered whether it was necessary and appropriate to impose any conditions upon the licence, to promote the relevant licensing objectives and concluded that it was necessary and appropriate to impose conditions upon the licence so as to address the concerns relating to public nuisance.
8. It was the Sub Committee's decision to therefore grant the new premises licence, subject to the amended hours and conditions set out below.

<u>Activity</u>	<u>Proposed Licence</u>	<u>Licence</u>
Supply of Alcohol, Recorded Music	Mon to Thu 11:00–0:00	Mon to Sat 11:00–00:00
	Fri to Sat 11:00–01:00	Sun 12:00–23:30
	Sun 12:00–23:30	
Late Night Refreshment	Mon to Fri 23:00–00:00	Mon to Sat 23:00–00:00
	Fri to Sat 23:00–01:00	Sun 23:00–23:30
	Sun 23:00–23:30	

9. The Sub Committee decided to impose the following conditions:
 - The doors opening from the premises into the courtyard be used in the event of emergencies and deliveries only.
 - Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
10. If any party is dissatisfied with this decision, he or she is reminded of the right to appeal, within 21 days of the date of this letter, to a Magistrates' Court. Any party proposing to appeal is also reminded that under s181(2) of the Licensing Act 2003, the Magistrates' Court hearing the appeal may make such order as to costs as it thinks fit.

[Ends]

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MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 17 OCTOBER 2013

APPLICANT: SAINSBURY'S SUPERMARKET LTD
PREMISES: SAINSBURY'S, 90 CANNON STREET, LONDON, EC4N 6HA

PRESENT

Sub Committee:

Marianne Fredericks CC (Chairman)
Deputy John Barker OBE CC
Judith Pleasance CC

City of London Officers:

Xanthe Couture – Town Clerk's Department
Paul Chadha – Comptroller & City Solicitor's Department
Peter Davenport – Markets & Consumer Protection Department

Applicant:

Represented by Charlotte Edwards (Licensing Assistant, Winckworth Sherwood LLP)

Representations of objection:

Adam King (Junior Barrister, QEB Hollis Whiteman Chambers)

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 10.30am in the Committee Rooms, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises 'Sainsbury's, 90 Cannon Street, London, EC4N 6HA'.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

- | | |
|-------------|---|
| Appendix 1: | Copy of Application |
| Appendix 2: | Current Licence |
| Appendix 3 | Conditions consistent with the operating schedule |
| Appendix 4: | Representations from Other Persons (1) |

Appendix 5: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

1. The Hearing commenced at 10:30am.
2. The Chairman opened the Hearing by introducing herself, the other Members of the Sub Committee and the officers present.
3. The Chairman noted that the Applicant had requested the Hearing be adjourned to a later date. Mr King, who was in attendance on behalf of the persons making representations, stated that he agreed with the decision to adjourn and added that QEB Hollis Whiteman Chambers would be seeking to bring two individuals in support of the representation to the future Hearing.
4. The Sub Committee noted that negotiations between the Applicant and those making representations were on going. The Chairman remarked that she was disappointed the Applicant had not been aware of the legal time scale required for a public Hearing and hoped all parties would be present at the future Hearing.
5. The Sub Committee and those present agreed that the Applicant would liaise with the Town Clerk to set a new date for the Hearing in November 2013.

The meeting closed at 10.37am

Chairman

Contact Officer: Xanthe Couture
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MINUTES OF THE RECONVENED LICENSING (HEARING) SUB COMMITTEE

HELD ON 5 NOVEMBER 2013

APPLICANT: SAINSBURY'S SUPERMARKET LTD
PREMISES: SAINSBURY'S, 90 CANNON STREET, LONDON, EC4N 6HA

PRESENT

Sub Committee:

Marianne Fredericks CC (Chairman)
Deputy John Barker OBE CC
Judith Pleasance CC

City of London Officers:

Rakesh Hira – Town Clerk's Department
Paul Chadha – Comptroller & City Solicitor's Department
Steve Blake – Markets & Consumer Protection Department
Peter Davenport – Markets & Consumer Protection Department

Applicant:

Represented by Robert Botkai (Winckworth Sherwood LLP) supported by Joanne Surguy (Licensing Manager, Sainsbury's)

In Attendance:

Mark Wheatley CC

Unable to Attend:

Representations by Other Persons:

Alastair Rhodes (QEB Hollis Whiteman Chambers)

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 2.30pm in the Aldermen's Dining Room, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises 'Sainsbury's, 90 Cannon Street, London, EC4N 6HA'.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

- | | |
|-------------|---|
| Appendix 1: | Copy of Application |
| Appendix 2: | Current Licence |
| Appendix 3 | Conditions consistent with the operating schedule |

Appendix 4: Representations from Other Persons (1)

Appendix 5: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

1. The Hearing commenced at 2:30pm.
2. The Chairman opened the Hearing by introducing herself, the other Members of the Sub Committee and the officers present.
3. The Chairman outlined that the Hearing had been re-convened following an adjournment on 17 October 2013 at the request of the Applicant, as he was not able to attend and that the person making the representation was also content for the Hearing to be adjourned.
4. The Sub Committee noted that both the Applicant and Mr Rhodes had reached an agreement but were displeased with the amount of time taken to arrive at this point.
5. Mr Botkai began explaining that the application had originally sought for the Supply of Alcohol for Monday to Sunday from 06:00hours until 24:00hours. However after the representation had been received it had been offered, to Mr Rhodes, that the application would be amended to reduce the hours to 07:00hours until 23:00hours for the Supply of Alcohol. Mr Rhodes maintained his representation and no progress was made until yesterday, at which point Mr Rhodes agreed to withdraw his representation. The issue of litter and anti social behaviour had been discussed at length with Mr Rhodes and assurances had been provided to him as no conditions, which would be enforceable, could be placed on the licence relating to these issues.
6. Mr Botkai pointed out that the two conditions being suggested at Appendix 2 relating to CCTV and the Challenge 25 scheme were not appropriate and were not placed on any other Sainsbury's stores in the City. In response to a question by the Chairman on how staff ensured that alcohol was not sold to underage customers, Mr Botkai explained that if staff believed customers were below the age limit they would challenge the customer, the self checkout tills would flag up whenever alcohol was being purchased, staff were reminded of the Think 25 policy and signage and badges were displayed.
7. In relation to CCTV, it was noted that there would be CCTV within the store in any event.
8. It was noted that in addition to reducing the hours for the supply of alcohol the Applicant had agreed to provide a telephone number of the Store and Area Manager to Mr Rhodes.

9. All parties withdrew from the room to allow Members of the Sub Committee to deliberate, accompanied by the representatives of the Town Clerk and the Comptroller & City Solicitor.

All parties returned to the room

10. The Chairman explained that the licence would be granted for the Supply of Alcohol for Monday to Sunday from 07:00hours until 23:00hours with no conditions being placed on the licence. The Chairman encouraged the Applicant to take the City of London's Code of Good Practice for Licensed Premises and Traffic Light System into consideration.
11. The Sub Committee noted that the Applicant had undertaken to provide a contact telephone number, to the individual making the representation, of the Store and Area Manager.
12. The Chairman highlighted that the Licensing Authority was duty bound to hold a Licensing (Hearing) Sub Committee within the appropriate timescales, if a representation against a premises licence was received. The Applicant was reminded that this should be considered when submitting any future applications in order to avoid any adjournments.
13. The Chairman thanked all those present at the hearing and informed them that a written decision would follow in due course.

The meeting closed at 2.46pm

Chairman

Contact Officer: Rakesh Hira
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E-mail: rakesh.hira@cityoflondon.gov.uk

Decision letter circulated to all parties on 12 November 2013

Applicant: Sainsbury's Supermarkets Ltd
Application: New Premises Licence
Premises: Sainsbury's, 90 Cannon Street, London, EC4N 6HA
Date of Hearing: Tuesday, 5 November 2013, 2.30pm (*Previously adjourned on 17 October 2013*)

I write to confirm the decision of the Licensing (Hearing) Sub Committee at the adjourned hearing on 5 November 2013 in relation to the above-mentioned application. The Sub Committee's decision is set out below.

1. This decision relates to an application made by Sainsbury's Supermarket Ltd for a new premises licence in respect of the premises 'Sainsbury's, 90 Cannon Street, London, EC4N 6HA'.

The application sought the following:

Activity	Proposed Licence
Supply of Alcohol	Mon-Sun 06:00 - 24:00

2. The Sub Committee considered the application and carefully considered the representations submitted in writing and orally at the hearing.
3. In reaching the decision the Sub Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London's own Statement of Licensing Policy dated January 2013.
4. Furthermore, the Sub Committee took on board the duty to apply the statutory test as to whether an application should or should not be granted, that test being that the application should be granted unless it was satisfied that it was necessary to refuse all, or part, of an application or necessary to impose conditions on the granting of the application in order to promote one (or more) of the licensing objectives.
5. In determining the application the Sub Committee first and foremost put the promotion of the licensing objectives at the heart of their decision. In this instance, the most relevant of those objectives being the prevention of public nuisance.
6. The Sub Committee noted that discussions had taken place, albeit with some delay, between the Applicant and the individual making the

representation and that agreement had been reached in relation to reducing the hours for the Supply of Alcohol.

1. The Sub Committee decided to grant the licence for the following activity:

Supply of Alcohol - Monday to Sunday from 07:00 until 23:00hours.

2. The Sub Committee considered the conditions consistent with the operating schedule and concluded that it was not necessary or appropriate for these to be included on the premises licence.
3. It was noted that the Applicant had undertaken to provide a contact telephone number, to the individual making the representation, of the Store and Area Manager.
4. The Chairman of the Sub Committee highlighted that the Licensing Authority was duty bound to hold a Licensing (Hearing) Sub Committee within the appropriate timescales if a representation against a premises licence was received. The Applicant was reminded that this should be considered when submitting any future applications.
5. The Sub Committee encouraged the applicant to take the City of London's Code of Good Practice for Licensed Premises and Traffic Light System into consideration with regard to the premises.
6. If the Sub Committee was wrong all parties are reminded that any responsible authority, business, resident or a Member of the Court of Common Council is entitled to apply for a review of the licence which may result, amongst other things, in a variation of the conditions, the removal of a licensable activity or the complete revocation of the licence.
7. If any party is dissatisfied with the decision, he or she is reminded of the right to appeal, within 21 days, to a Magistrates' Court. Any party proposing to appeal is also reminded that under s181(2) of the Licensing Act 2003, the Magistrates' Court hearing the appeal may make such order as to costs as it thinks fit.

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MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 8 NOVEMBER 2013

APPLICANT: TATIANA LARA THEISS
PREMISES: PATCH BAR, 58-60 CARTER LANE, LONDON, EC4V 5EA

PRESENT

Sub Committee:

Edward Lord OBE (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE

City of London Officers:

Rakesh Hira – Town Clerk’s Department
Ru Rahman – Comptroller & City Solicitor’s Department
Steve Blake – Markets & Consumer Protection Department
Peter Davenport – Markets & Consumer Protection Department

Premises User:

Represented by Gareth Hughes, Barrister (Jeffrey Green Russell) and supported by Andy Buchanan (Owner of Swizzlestick)

Representations by Responsible Authorities:

John Hall, City of London Police
Hector McKoy, City of London Police
Garry Seal, Environmental Health

In Attendance:

Alderman Vincent Keaveny
Ann Holmes CC
Graham Packham CC
Henrika Priest CC
Virginia Rounding CC

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 10.08am in the Aldermen’s Court Room, Guildhall, London, EC2, to consider the representations submitted in respect of an application for three Temporary Event Notices (TENs) for the premises ‘Patch Bar, 58-60 Carter Lane, London, EC4V 5EA’.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

-
- Appendix 1: Temporary Event Notices
- i) Copy of Temporary Event Notice (6-7 December 2013)
 - ii) Copy of Temporary Event Notice (12-15 December 2013)
 - iii) Copy of Temporary Event Notice (18-20 December 2013)
- Appendix 2: Current Premises Licence
- Appendix 3: Current Conditions attached to Premises Licence
- Appendix 4: Objection Notices
- i) City of London Police
 - ii) Environmental Health
- Appendix 5: Previous Hearings/Reviews
- i) Hearing Decision - August 2008
 - ii) Review Decision - May 2012
- Appendix 6: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales
-

1. The Hearing commenced at 10:08am.
2. The Chairman opened the Hearing by introducing himself, the other Members of the Sub Committee and the officers present.
3. The application sought three temporary events which were as follows:
 - Event 1**
 - Date and time of event:
 - Friday 6 December 2013 (00:00 to 01:00)
 - Saturday 7 December 2013 (00:00 to 01:00)
 - Licensable activities sought:
 - i) Sale of alcohol (on sales only)
 - ii) Provision of regulated entertainment
 - iii) Provision of late night refreshment
 - Maximum number of people:348

Event 2

Date and time of event:

Thursday 12 December 2013 (00:00 to 01:00)

Friday 13 December 2013 (00:00 to 02:00)

Saturday 14 December 2013 (00:00 to 02:00)

Sunday 15 December 2013 (00:00 to 01:00)

Licensable activities sought:

- i) Sale of alcohol (on sales only)
- ii) Provision of regulated entertainment
- iii) Provision of late night refreshment

Maximum number of people:348

Event 3

Date and time of event:

Wednesday 18 December 2013 (00:00 to 01:00)

Friday 20 December 2013 (00:00 to 02:00)

Licensable activities sought:

- i) Sale of alcohol (on sales only)
- ii) Provision of regulated entertainment
- iii) Provision of late night refreshment

Maximum number of people:348

4. In response to a question by the Chairman on the nature and operation of the three events Mr Hughes explained that the events had been booked by corporate clients for seasonal Christmas parties who had used the premises in previous years. The events had been organised with viewings and tastings done beforehand, corporate clients would arrive after 5.30pm with a champagne/mulled wine reception with canapés. A buffet style dinner would be served at approximately 7:30/8:00pm with a desert buffet thereafter. Late night snacks such as pizza/burgers would be served, if required, at approximately 11:00/11:30pm. The cost totalled approximately £100 per person. The premises would be closed to the general public when the events take place.
5. In response to a question by the Chairman on the steps being taken to manage the noise nuisance from patrons inside and outside the premises, Mr Buchanan explained that the historical problems associated with the premises related to 'promoted events' and that as these were Christmas parties for corporate clients, after people had finished work, there were no problems anticipated. A list of those attending the events would be provided in advance, operating procedures and other policies would be implemented with security door staff being on hand throughout the event.
6. Mr Buchanan explained that a Memorandum of Understanding (MoU) existed when the premises first opened however it was felt that the MoU was dated and no longer relevant. Following a meeting with the City Police and Environmental Health the MoU was amended and an agreement was drawn up which was due

to be formally signed off by the local residents including the City Police and Environmental Health.

7. In terms of the management of the 'promoted events', Mr Buchanan pointed out that the dispersal policy had been enhanced, announcements were made by the relevant DJs with winding down music being played and patrons were directed towards Ludgate Hill.
8. In relation to the TENs the premises would provide extra security door staff, with three managers on the premises for each event and the closing time being tailored for each event with the corporate client.
9. Mr Buchanan noted that an incident had taken place on 20 September 2013 whereby a birthday booking had been taken but the party group had arrived later than expected and then left the premises later than expected. He noted that on reflection poor judgement had been taken in accepting the booking.
10. It was noted that the premises had a small number of points on the traffic light scheme but was nothing of concern that had been raised with the premises. It was intended that the premises would be re-launched in the New Year as a cocktail lounge bar to attract more walking trade and with a view to increasing food sales in the evenings.
11. In response to a question on the delay in formulating the Operating Procedures, Mr Buchanan explained that he had not made contact with the City Police and on reflection this should have happened sooner.
12. Mr McKoy began explaining that since the residents had taken the premises to a Review the hours had been amended from allowing licensable activities from 03:00 hours to midnight. This had reduced the anti-social behaviour which was occurring and complaints had also decreased. As the TENs went beyond midnight there would be an issue around there being a noise nuisance. The MoU was a working document and was in the process of being formalised with the local residents, City Police and Environmental Health.
13. No complaints had been made to the City Police relating to crime and disorder. Mr Buchanan reported that he had asked Environmental Health to notify him of any complaints being made about his premises.
14. Mr Hughes summed up explaining that it was a seasonal time for such events to take place, the TENs impacted financially on his client and as extra measures, such as additional security and enhanced operating procedures/policies were being implemented, the events should be allowed to go ahead.
15. Members of the Sub Committee withdrew from the room to deliberate, accompanied by the representatives of the Town Clerk and the Comptroller & City Solicitor.

All parties returned to the room

16. The Chairman explained that having taken the licensing objectives into consideration and taking into account that the premises were situated next to and opposite residential units on a narrow lane, and the past history associated with the premises, in particular, the Review Hearing and decision made by the Sub Committee, it was the Sub Committee's decision to issue a Counter Notice for Events 1 and 2 for reasons relating to the 'public nuisance' licensing objective. In relation to Event 3, as that particular week would most likely be busy, in the run up to Christmas in the City, there would be noise to the general public during the course of that week regardless of whether Event 3 took place or not. The Sub Committee therefore decided that it was not necessary or appropriate to issue a Counter Notice for Event 3. The Chairman pointed out that the Licensing Authority was hopeful that the premises would run Event 3 well and would give Swizzlestick the opportunity to demonstrate the improved management style that it was adopting.
17. The Chairman thanked all those present at the hearing and informed them that a written decision would follow in due course.

The meeting closed at 12.00pm

Chairman

Contact Officer: Rakesh Hira
Tel. no. 020 7332 1408
E-mail: rakesh.hira@cityoflondon.gov.uk

Decision Letter circulated to all parties on 22 November 2013:

Premises: Patch Bar, 58-60 Carter Lane, London EC4V 5EA
Reason for Hearing: To consider whether to issue a Counter Notice
Date of Hearing: Friday 8 November 2013, at 10.00am

I refer to the above matter and write to confirm the decision of the Licensing (Hearing) Sub Committee which was held on 8 November 2013.

A Temporary Event Notice was served on the Local Authority on 25 October 2013 for events to be held in respect of the premises 'Patch Bar, 58-60 Carter Lane, London, EC4V 5EA'.

Details of the proposed temporary events were as follows:

Event 1

Date and time of event:

Friday 6 December 2013 (00:00 to 01:00)

Saturday 7 December 2013 (00:00 to 01:00)

Licensable activities sought:

- i) Sale of alcohol (on sales only)**
- ii) Provision of regulated entertainment**
- iii) Provision of late night refreshment**

Maximum number of people:

348

Event 2

Date and time of event:

Thursday 12 December 2013 (00:00 to 01:00)

Friday 13 December 2013 (00:00 to 02:00)

Saturday 14 December 2013 (00:00 to 02:00)

Sunday 15 December 2013 (00:00 to 01:00)

Licensable activities sought:

- i) Sale of alcohol (on sales only)**
- ii) Provision of regulated entertainment**
- iii) Provision of late night refreshment**

Maximum number of people:

348

Event 3

Date and time of event:

Wednesday 18 December 2013 (00:00 to 01:00)

Friday 20 December 2013 (00:00 to 02:00)

Licensable activities sought:

- i) Sale of alcohol (on sales only)**
- ii) Provision of regulated entertainment**
- iii) Provision of late night refreshment**

Maximum number of people:

348

In response to the application, representations were served by the City of London Police and the City of London Environmental Health Pollution Team on 30 October 2013, on the basis that the proposed events would undermine the 'public nuisance' licensing objective.

At the hearing to consider the representations, the Sub Committee had to determine whether it would be appropriate or necessary to issue a counter notice for the promotion of the licensing objectives, in particular a 'public nuisance'.

Having heard from Mr Hughes, Mr Buchanan, the City of London Police and the City of London Environmental Health Pollution Team, the Sub Committee considered each of the events separately.

In reaching its decision the Sub Committee took into consideration the location of the premises being situated in a narrow lane, opposite and next to residential premises. The Sub Committee also took into account the past history associated with the premises, in particular, the Review Hearing and decision made by the Sub Committee, which was held on 4 May 2012.

The Sub Committee noted that whilst a new Memorandum of Understanding had been developed by the management of the premises to promote the licensing objectives, this was yet to be signed by the City Police, Environmental Health and the local residents, and thereafter implemented.

The Sub Committee had concerns that as Event 1 and Event 2 were relatively close together there would be a cumulative effect to give rise to the potential for a public nuisance. The Sub Committee therefore decided that it was appropriate and necessary to issue a Counter Notice for both Event 1 and Event 2.

The Sub Committee then took into account Event 3 and were of the view that the evenings of Wednesday 18 December 2013 (00:00 to 01:00) and Friday 20 December 2013 (00:00 to 02:00) would most likely be busy, in the run up to Christmas, in the City. There would be noise to the general public during the course of that week regardless of whether Event 3 took place or not. The Sub Committee therefore decided that it was not necessary or appropriate to issue a Counter Notice for Event 3. The Sub Committee then considered whether it was necessary and appropriate to impose conditions on the standard temporary event notice, to promote the relevant licensing objectives. The Sub Committee concluded that it was necessary and appropriate to impose the current licence conditions on the temporary event notice so as to address the concerns relating to public nuisance.

If any party is dissatisfied with the decision, he or she is reminded of the right to appeal, within 21 days, to a Magistrates' Court. An appeal may not be brought later than five working days before the day of the planned event pursuant to Schedule 5, Part 3, paragraph 16 of the Licensing Act 2003.

Any party proposing to appeal is also reminded that under s181(2) of the Licensing Act 2003, the Magistrates' Court hearing the appeal may make such order as to costs as it thinks fit.

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

Held on 15th November 2013

APPLICANT: Peony Club Ltd
PREMISES: Peony, 46 Gresham Street, London EC2V 7AY

PRESENT

Sub Committee:

Dr Rev Martin Dudley CC (Chairman)
Deputy John Barker
Jamie Ingham Clark CC

In attendance:

City of London Officers:

Julie Mayer -Town Clerk's Department
Ru Rahman – Comptroller and City Solicitors'
Peter Davenport - Markets and Consumer Protection

Applicant:

Philip Somarakas – Davenport Lyons Solicitors
Alan Koh – Assistant Manager, Peony
Chung Lep Mak – Manager, Peony

Representation of objection:

John Hall – City of London Police

Licensing Act 2003 (Hearings) Regulations 2005

- 1) A public Hearing was held at 2.30 pm in the Committee Rooms, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the variation of a premises license for Peony, 46 Gresham Street, EC2V 7AY

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Mon-Sat 10:00 – 00:00 Sun 12:00 – 23:30	Mon-Sun 10:00 – 03:00
Live Music, Recorded Music, Performance of Dance, Anything similar to above	Mon-Sat 10:00 – 00:00 Sun 12:00 – 23:30 (Recorded Music Only)	Mon-Sun 10:00 – 03:00
Late Night Refreshment	Mon-Sat 23:00 – 05:00	Mon-Sun 23:00 – 03:00

	Sun	23:00 – 05:00	
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The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

APPENDIX 1 – Copy of Application
 APPENDIX 2 – Copy of Licence
 APPENDIX 3 – Current Conditions
 APPENDIX 4 – Conditions Consistent with Operating Schedule
 APPENDIX 5 – Representation from City of London Police
 APPENDIX 6 – Map of subject premises – together with other Licences Premises in the area and their latest Terminal Time for alcohol sales
 APPENDIX 7 – Current and proposed plans of premises

- 2) The Hearing commenced at 2.30 pm.
- 3) The Chairman opened the Hearing by introducing himself, along with the other Members of the Sub Committee, the officers present and the nature of the application.
- 4) No Members of the Sub Committee made declarations.
- 5) The Applicant sought a variation to extend the permitted hours as set out in paragraph (1) above.
- 6) At the start of the Hearing, the Panel noted an email exchange, agreed earlier in the day, which had been agreed by both parties. The Applicant had accepted a request by the City of London Police to remove the reference in their application to extend the terminal hour for licensable activities on New Years' Eve and to agree a Condition relating to promoted events. The Police were happy to withdraw their representation provided that, in reaching their decision, the Sub- Committee accepted what was proposed. The Sub-Committee was also mindful of the fact that, to date, the Police were not aware of any crime and disorder incidents on the premises.
- 7) The Chairman invited Mr Hall to make his representation. Mr Hall advised that, as promoted events had been key to the change of use, the City of London Police's had made representation. Whilst acknowledging that many promoted events were good natured, there had been some incidents with known, troublesome individuals at smaller 'basement' style venues. The Panel noted that Police intelligence on gang activities had caused venues to close on some occasions. Mr Hall confirmed that the Police were working with the Metropolitan Police and promoters to ensure safe events, but were concerned that smaller venues might not have the capacity to deal with public disorder incidents.

- 8) The Police were pleased that the request to extend opening hours on New Year's Day had been withdrawn. In response to a question, the Police representative advised that, to date, the City of London Police were not aware of any crime and disorder incidents on the premises.
- 9) The Chairman then invited the applicant's representative to speak. Mr Somarakis confirmed that his client had been happy with to accept the amendment in respect of promoted events. The panel noted that events would be limited to private, family parties and weddings and any promoted events would be subject to a Temporary Event Notice.
- 10) The Sub Committee carefully considered the Applicant's request to extend the hours of operation to 3 am. The applicant explained their rationale; i.e. the provision of late night facilities for patrons in the catering business, who might be travelling from the West End. The applicant's representative advised that the Managers would be very discerning about late night clientele and were very experienced in late licensing hours, having run similar premises in Westminster. However, the Panel were concerned that the variation would extend beyond the neighbouring premises and, whilst provision of 'last orders' might not be the intention, it might be a consequence.
- 11) The sub committee retired to consider its decision.
- 12) It was the Sub Committee's decision to grant the Variation of permitted hours; the extension of permitted hours to 3 am on Saturdays only, and 2 am on Monday to Friday and Sundays. The Committee noted that the application was for 'on sales' only and, further to the agreement reached earlier in the day, there would be no promoted events without a Temporary Event Notice. The Applicant would also remove the reference in their application to extend the terminal hour for licensable activities on New Years' Eve.
- 13) The Sub Committee went on to consider whether it was necessary and appropriate to impose any additional conditions and imposed the following conditions, consistent with the operating schedule.
 1. *No Promoted Events may be held on the premises. " A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public"*
 2. *All doors and windows shall remain closed after 21:00 hours and at all times during the provision of regulated entertainment save for access or egress or in the event of an emergency.*

- 14) The applicant was encouraged to take the City of London's Code of Good Practice for Licensed Premises and Risk Assessment Guidance into consideration with regard to the premises.

**MINUTES OF THE SUMMARY REVIEW LICENSING (HEARING)
SUB COMMITTEE**

HELD ON 2 DECEMBER 2013

APPLICANT: CITY OF LONDON POLICE
PREMISES: THE DOLLHOUSE, 7-8 BISHOPSGATE CHURCHYARD,
LONDON, EC2M 3TJ

PRESENT

Sub Committee:

Edward Lord OBE JP CC (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

City of London Officers:

Alistair MacLellan – Town Clerk’s Department
Paul Chadha – Comptroller & City Solicitor’s Department
Peter Davenport – Markets & Consumer Protection Department
Steve Blake – Markets & Consumer Protection Department

Applicant:

Gary Grant – Counsel representing the Applicant
Superintendent Norma Collicot – City of London Police
Inspector Hector McKoy – City of London Police
PC Daniel White – City of London Police
PC Neil McMillan – City of London Police

Premises:

David Wilcox – Premises Licence Holder
John Agdomar – Premises Head of Security Operations

Licensing Act 2003 (Hearings) Regulations 2005

A Summary Review Hearing was held at 2.30pm in the Committee Room 3, Guildhall, London, EC2, to consider and determine interim measures regarding the application for a summary review of the premises licence for ‘The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ.’

The Sub Committee had before them the following documents:-

- Appendix 1: Application for Review of a Premises Licence
- Appendix 2: Certificate issued by Superintendent Collicot in

support for the Application

Appendix 3: Grounds for Summary Review

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1. The Hearing commenced at 2.40pm.
 2. The Chairman introduced the panel members and officers present and invited the Mr Grant to summarise his client's application.
 3. Mr Grant informed the panel that the City of London Police were of the opinion that the premises licence should be suspended in the interim before a full review hearing. He referred to the trigger incident described in the Grounds for Summary Review, a prolonged incident of serious public disorder outside of the premises on the night of 28/29 November which had seen three streets closed whilst police restored order and calm. The incident had involved up to 200 persons at its height and had been typified by several pockets of 15-20 persons fighting. It was the opinion of the Police that the trigger incident was consistent with an emerging pattern of both poor management and public disorder at the premises, a summary of which was within the Grounds for Review document. The premises was currently assessed as 'red' in the City of London's licensing traffic light system, and its management were consistently poor in both completing and submitting standard documentation such as event risk assessments. Furthermore he noted that in a bid to improve its financial position the premises typically used external promoted events such as that which had preceded the trigger incident. He illustrated the City of London Police's concern over the premises' management by citing an example of a recent assault by a male on his ex-girlfriend which had been witnessed – but not responded to - by two door supervisors. Moreover, the two door supervisors had refused to give statements to Police regarding the incident.
 4. *The panel was then shown approximately ten minutes of CCTV footage of the trigger incident, taken from a CCTV camera located adjacent to the entrance of the premises.*
 5. Both Mr Grant and Inspector McKoy provided commentary to the footage. They said that it demonstrated the escalation of the incident given that persons could be seen apparently using their mobile phones to summon friends in the immediate vicinity to join them. Furthermore, premises security personnel could be seen doing nothing to respond to the escalating disorder, and an eye-witness report from the incident endorsed the impression that premises security was ineffectual, given that when questioned a member of premises staff had claimed to have ten colleagues on duty but was unable to locate where they were. He noted that the premises did not call for Police assistance. As the incident escalated further, a police dog was deployed and Police Support Group Officers arrived and closed off adjacent streets. It was noted that the footage did not give an adequate impression of the high volume of noise being generated by the disorder. At one point a male engaged in the disorder was

heard to call for a firearm to be fetched, whilst separately a group of females collected a baseball bat from a nearby vehicle.

6. In response to a question from a member, Inspector McKoy confirmed that it was the opinion of the senior Police officer present at the incident that the persons involved in the disorder were patrons of the premises.
7. In response to a question from the Chairman, Inspector McKoy confirmed that the cause of the incident was still under investigation.
8. In summary, Inspector McKoy noted that City of London Police had been engaging with premises management and had expressed their concern to them over their inability to respond to and control the emerging disorder.
9. The Chairman informed those present that the Sub Committee would retire to consider its decision.
10. On returning, the Chairman informed those present of the Sub Committee's decision to suspend the premises licence ahead of a full Review Hearing on 30 December 2013, given the Sub Committee's concern over the potential for further public disorder. He then invited those present representing the premises to make any representations regarding this interim suspension of the license.
11. Mr Wilcox expressed the opinion that the interim suspension of the license was not the correct decision to make. He noted that prior to the trigger incident the largest disorder issue at the premises had been a simple fistfight, and in this context the trigger incident had been a one-off. He noted that the promoted event on the night of the trigger incident had organised with a promoter with whom the premises had not previously worked with, and in light of the incident would not work with again. He added that he had met with Inspector McKoy before the trigger incident and had been told crime associated with the premises was down. Furthermore, he argued that management of the premises was responsible, given that the venue was routinely closed at 3:00am rather than at the licensed hour of 7:00am.
12. The Chairman explained that the premises would have the opportunity to explain its management practices at the full review hearing on 30 December, and that for the time being Mr Wilcox was being offered the opportunity to respond specifically to the Sub Committee's interim decision to suspend the premises licence.
13. Mr Wilcox requested that the premises be allowed to operate in the interim on the understanding that it would not run any promoted events, given that the Christmas and New Year period was crucial for its revenue.
14. Mr Agdomar took the opportunity to note that the trigger incident had begun as an argument between two brothers, and that contrary to what the Sub Committee had heard, door staff had done their best to respond to the incident and had not called Police as they had been fully committed in attempting to restore calm. Regarding the failure of two door staff to intervene in the earlier

incident of a male assaulting his ex-girlfriend, he noted that the door staff had refused to give statements to Police as they were reluctant to have their time taken up by attending court as witnesses.

15. Mr Grant summed up the Application by noting that the CCTV footage was the best argument in support of the application – it demonstrated that the premises management had no capacity to manage major events, which given the upcoming busy Christmas and New Year period was a major risk to public order.

16. *The Panel briefly consulted amongst themselves.*

17. The Chairman said that the Sub Committee recognised the interim suspension of the license would be economically difficult for the premises given the Christmas and New Year period but that they remained of the opinion that the management lacked the ability to run the premises responsibly. He noted that the premises in the meantime was entitled to make representations against the interim decision, and that in such a case a public hearing will take place within 48 hours of the receipt of those representations.

The meeting closed at 3.21pm

Chairman

Alistair MacLellan
020 7332 1416
alistair.maclellan@cityoflondon.gov.uk

Copy of the Interim Decision circulated to all parties on 3 December 2013

THE COMMON COUNCIL OF THE CITY OF LONDON

LICENSING SUB-COMMITTEE

Edward Lord OBE JP (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

Monday 2 December 2013 (14:40-15:21)

IN RE:

THE DOLLHOUSE
7-8 BISHOPSGATE CHURCHYARD EC2M
(WARD OF BISHOPSGATE)

The Sub-Committee was addressed by Mr Gary Grant of Counsel for the Applicant and by Inspector Hector McKoy.

This was an application made by the Commissioner of Police for the City of London pursuant to Section 53A of the Licensing Act 2003 for a Summary Review of the premises licence for premises known as The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ.

We received the required certificate submitted by Superintendent Collicot on behalf of the Commissioner and the application from Inspector McKoy, which was accompanied grounds for a summary review dated 1 December 2013 that included details of the trigger incident on the night of 28/29 November 2013.

The Sub-Committee considered the matters were of the upmost seriousness and accepted the view of the Commissioner that they needed to be dealt with as expediently as possible to prevent a repeat incident of the public disorder that took place on 28/29 November.

There had been an on-going failure to co-operate and communicate with the City of London Police and to inform them of promoted events, and unfortunately this most recent incident occurred at such an event.

In light of all the evidence presented to the Sub-Committee, we considered that pending the substantive hearing, and in accordance with Section 53B (1) of the Act, it was appropriate and necessary to take the interim step of suspending the premises licence with immediate effect, which we considered to be the only interim step we could reasonably take in the circumstances.

We then proceeded to hear the representations of Mr David Wilcox, the premises licence holder, against the interim steps. Mr Wilcox submitted that the

incident of 28/29 November was a “one off” and that there had been no previous serious instances of violence and disorder and that the problems arose as a result of allowing a previously unknown promoter to promote the event on that night. He went on to submit that, despite assertions to the contrary, he had co-operated with the City Police in the past. Furthermore, he submitted that suspending the premises licence would have an extremely adverse effect on the business as it had a number of bookings in the period leading up to Christmas. Mr Wilcox suggested that a more appropriate course of action would be to prohibit promoted events and, possibly, reduce the permitted hours until 3am pending the full review hearing.

The Sub-Committee acknowledged that its decision to suspend the premises licence pending the full review hearing could adversely affect the business. However, it was unconvinced that the premises licence holder had engaged with the police and has serious concerns regarding the premises licence holder’s ability to maintain order at the premises. Furthermore, the Sub-Committee remained of the view that the levels of violence and disorder on 28/29 November were so serious that it was necessary and appropriate to suspend the premises licence pending the full review hearing.

The Sub-Committee set down a substantive review hearing for this matter on the morning of Monday 30 December 2013.

**C E Lord
M Fredericks
J Barker**

**MINUTES OF THE LICENSING REVIEW (HEARING) SUB
COMMITTEE**

HELD ON 30 DECEMBER 2013

APPLICANT: CITY OF LONDON POLICE
PREMISES: THE DOLLHOUSE, 7-8 BISHOPSGATE CHURCHYARD,
LONDON, EC2M 3TJ

PRESENT

Sub Committee:

Edward Lord OBE JP CC (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

City of London Officers:

Alistair MacLellan – Town Clerk’s Department
Paul Chadha – Comptroller & City Solicitor’s Department
Peter Davenport – Markets & Consumer Protection Department

Applicant:

Gary Grant – Counsel representing the Applicant
Superintendent Norma Collicot – City of London Police
Inspector Hector McKoy – City of London Police
PC Daniel White – City of London Police

Premises:

Andrew Woods – Solicitor representing the Premises
Robert Wright – Designated Premises Supervisor

Responsible Authorities and Other Persons:

Jon Averbs – City of London Environmental Health and Trading Standards
Nigel Bedford – London Fire & Emergency Planning Authority

In Attendance:

Rakesh Hira – Town Clerk’s Department
Loretta Wright - wife of Robert Wright
Daniel Munt – potential partner in The Dollhouse

Licensing Act 2003 (Hearings) Regulations 2005

A Review Hearing was held at 11.00am in Committee Room 3, Guildhall, London, EC2, to consider and determine, through review, measures regarding the application

for a review of the premises licence for 'The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ.'

The Sub Committee had before them the following documents:-

Appendix 1 – Report of the Director of Markets and Consumer Protection

Application for Summary Review
Grounds for Review
Additional Information in support of Application

Appendix 2 – s.53A Certificate

Appendix 3 – Copy of Current Licence

Appendix 4 – Plan of Premises

Appendix 5 – Hearing Decision – October 2011

Appendix 6 – Decision of Licensing Sub Committee (Consideration of Interim Steps) – 2 December 2013

Appendix 7 – Representations from Responsible Authorities

City of London Trading Standards
London Fire & Emergency Planning Authority

Appendix 8 – Representations from Other Persons]

City of London Environmental Health

Appendix 9 – Map of subject premises together with other licenced premises in the area and their latest terminal time for alcohol sales.

Together with late papers circulated subsequent to the Sub Committee agenda being published:

Email dated 24 December 2013 from Andrew Woods to Gary Grant outlining in brief proposals designed to reform the operational management of the Premises;

Witness Statement of Michael Watson, a licensing consultant engaged by the Premises;

Proposed Staff Licensing Guide and Operational Manual drafted by Michael Watson on behalf of the Premises;

Curriculum Vitae of Daniel Munt, a proposed joint-partner in the Premises.

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1. The Hearing commenced at 11.00am.
 2. The Chairman introduced the panel members and officers present and summarised the papers that had been considered by the panel in advance of the hearing. Given the number of attendees, those present introduced themselves and stated in what capacity they were attending the sub committee.
 3. In response to an observation by Mr Woods, the Chairman noted that the sub committee had not seen or considered an application submitted by the premises to change the details of the Designated Premises Supervisor on Friday 27 December 2013.
 4. The Chairman invited Mr Woods to explain the existing and proposed ownership arrangements concerning the premises, including the identity of existing and proposed partners. Mr Woods explained that the premises were currently owned by Mr David Wilcox (Premises Licence Holder) and Mr Robert Wright (Designated Premises Supervisor), as partners on a 50:50 basis. He stated for the record that Mr Wilcox and Mr Wright were half-brothers. It was proposed that this ownership model be changed to involve four investing partners, namely Mr Wilcox, Mr Wright, Mr Daniel Munt and Mr Charles Oakley.
 5. Mr Wright intervened to explain that each of the four partners would hold a 25% investment in the premises. He added that Mr Charles Oakley was involved in Oakley Horseboxes and would be able to bring considerable marketing experience to the premises. He noted that the proposed partnership arrangements were not formal (being only a partnership-at-will at present) but that it was intended to formalise arrangements through a limited company.
 6. The Chairman stated that the sub committee would be reviewing how the premises had been operated to date, and how the premises may be operated if its operating model were to be changed. He added that the sub committee would be basing its decision on the evidence it had before it and asked therefore if those present accepted the evidence that had been published to date.
 7. Mr Woods stated that his client did not accept all of the published evidence. He said that it was the aim of his client – at the hearing - to outline how the premises would move forward from the current situation. He added that his client accepted the need for a review of the premises licence and that there were clearly some issues over how it had been operating to date.
 8. The Chairman commented that it would be helpful for Mr Woods to make clear how much of the published evidence his client did or did not accept. Mr Woods replied that his client was happy with the purely factual evidence, such as information held on the Police Computer and within Police Witness Statements. His client did not accept more subjective evidence however – an example being a claim that his client had a ‘blank expression’ on his face when approached over an issue regarding the operation of the premises. Mr Woods concluded by

saying that principally his client did not accept the claim that there had been a completed lack of engagement between the premises and the City of London Police. His client did accept however that there had been operational failures in the management of the premises and accepted the need for the review of the premises licence following the trigger incident on the night of 28/29 November.

9. The Chairman invited the Applicant to open their evidence. Mr Grant drew the sub committee's attention to a witness statement by the local police commander within the agenda pack that stated that the premises were a source of great concern to him and that 'chaos was commonplace'.
10. Mr Woods intervened to note that the page numbers of his agenda pack did not match with those being used by the Applicant.

The Sub Committee took a short break whilst this issue was resolved. It reconvened at 1145.

11. Mr Grant stated that he would deal with the highlights of the evidence before the sub committee. He argued that the trigger incident of 28/29 November was not an isolated event but should instead be regarded as a culmination of the consistent failure of the premises management to operate the premises responsibly. He noted that three of the police statements – given by local beat officers - with the agenda pack supported this view in that they each referred to the premises as being the location of flashpoints of disorder and violence.
12. Mr Grant continued by noting that the view of the Police was supported by the Estate Manager of neighbouring Dashwood House. He drew the sub committee's attention to the Incident Log kept by security staff at Dashwood House that demonstrated consistent issues of criminal damage, urination, vomiting, sexual acts, disorder and other anti-social behaviour by patrons of the Dollhouse that affected Dashwood House.
13. Mr Grant went on to note deep concern over the 18 incidents of serious disorder, crime and violence that had been recorded in relation to the premises. He noted that of these, 14 had gone unreported by the premises and therefore it was a fair inference that similar incidents were going similarly unreported. He added that it was the view of Inspector McKoy that the level of disorder associated with the premises was disproportionate to its size. It was apparent that some patrons carried knives into the premises, and there was police intelligence that some patrons attended with handguns – which gave troubling context to the shout of 'Go get the gun' heard by Police responding to the trigger incident on 28/29 November. Furthermore, the disorder associated with the premises was not restricted to alcohol-related anti-social behaviour, in that police intelligence had identified some patrons who had links to gang-related activity.
14. Mr Grant noted that the typical character of the premises' clientele was that of those who chose to use violence as a means of communication. He highlighted incidents of disorder associated with the premises. On 10 June 2012 a car had been used to deliberately mount the pavement so that it could be driven into a

group of persons. On 21 May 2012 a fight that had started within the premises had continued into the street, during which two individuals had been stabbed. The premises had failed to report this incident to the police. On 22 April 2013 a male had argued with his ex-girlfriend within the premises and then violently attacked her within full view of two SIA-approved premises security staff who later refused to provide evidence on what they had witnessed to police, claiming fear of reprisal. He added that when police did attend, there was often an atmosphere of latent hostility shown towards them by the patrons of the premises.

15. Mr Grant said that it was the Applicant's opinion that the licence holder appeared to place profit before sensible management. Irresponsible sale of alcohol was compounded by late opening hours that allowed already-drunk patrons attend the premises, consume more alcohol and typically fight each other. It was clear that the premises had gained the reputation for those who were intent on engaging in violence and disorder. He illustrated the irresponsible sale of alcohol by noting that an undercover police officer had witnessed large, wholesale bottles of vodka served with lit flares, encouraging the celebration of overindulgence. This practice had been raised with premises management but had continued despite assurances to the contrary. Throughout, it was clear that management was ineffective in both preventing, and dealing with, violence and disorder. It was for this reason that the Applicant was seeking complete revocation of the licence rather than the simple reduction in licenced hours.
16. Mr Grant went on to note that the response of the premises to the interim suspension of the premises licence had been to seek to involve Mr Daniel Munt as a proposed partner.
17. Inspector McKoy intervened to note that he had discussed Mr Munt's background with Metropolitan Police colleagues based in Westminster, and had been given generally negative feedback on Mr Munt's experience of operating licenced premises.
18. Mr Grant continued by drawing the sub committee's attention to the Schedule of Incidents within the agenda pack, and noted that it was an informative exercise to relate this chronologically to the meetings held between the Police and the premises management. For example, the 21 May 2012 stabbing and 10 June 2012 fight had been raised with management at the meeting on 14 August 2012. At that meeting the Police had expressed concern and requested for speedy reporting of such incidents so that they could respond. Despite this, there had been 18 incidents of violent disorder subsequently, of which 14 were unreported. Furthermore, management was warned about irresponsible drinks promotions and told not to glorify drinking from large wholesale bottles – this practice had nevertheless continued.
19. Mr Grant noted that under the proposed partnership model, Mr Wright and Mr Wilcox would still control 50% of the premises between them and would therefore still exercise significant control over its management. This was concerning given evidence of their previous approach to management. For

example, their inability to adequately deal with misleading promotional literature used during 2012 that falsely claimed that the premises was the venue of Lady Gaga's Official Afterparty following her London concert. The seriousness of this had been compounded by the fact that the date clashed with the Paralympic Marathon and would have conflicted with scheduled road closures in the vicinity of the premises.

20. Mr Grant reiterated the example of police intelligence that a handgun had been displayed within the premises on 19 November 2012, and that this had been echoed in the '*Go get the gun*' shout overheard by police responding to the November 2013 trigger incident.
21. Mr Grant highlighted the evidence gathered by a covert police officer who had visited the premises, who had noted inadequate searching of patrons by bar staff and the obvious use of drugs by patron in the toilets. When a drug user had later been arrested it transpired he was a member of the Promoter's team using the premises that evening, and moreover when the premises management had been informed of this their reaction had been one of indifference. Lastly, the covert police officer had witnessed lit flares coming dangerously close to lighting low-hanging decorations within the premises.
22. Mr Grant added that when police had attended the premises on 1 January 2013 there had been a strong smell of cannabis with the venue; there were no female door supervisors, meaning all female patrons had been admitted without being searched for drugs and offensive weapons; and that there had been an atmosphere of hostility to the police, including an overheard instruction to '*Go get the knife*'.
23. Mr Grant said that the issues apparent at the venue during the Christmas 2012 and New Year 2013 had been raised with premises management at a meeting on 14 January 2013. At that meeting it had been suggested that Mr Wright become the Designated Premises Supervisor, and that the problems – which were described by management as 'one-off' in nature – be dealt with by adopting some new premises policies. These policies were similar to the proposals now given by the premises management once more. Nevertheless, following the January 2013 meeting, problems at the venue had continued. Management was arguably part of the problem therefore, than part of the solution. Mr Grant noted that it was interesting to see that the premises management was proposing to no longer work with promoters, given the example of Mr Wright informing the Police in December 2012 that the premises would no longer work with a certain promoter – and nevertheless the promoter in question had continued to run regular events at the venue subsequent to this.
24. Mr Grant highlighted two further incidents, including the so-called St Valentine's Day Massacre in February 2013 that police had been told would be a relaxed afro-beat music event but was instead promoted using images of 50-Cent. Moreover, in the same month there was a serious fight at the venue which police intelligence reported to involve a known drug dealer.

25. Mr Grant then referred to an incident that took place on 19 October 2013 (he noted this was incorrectly listed in the documentation as having occurred on 27 October). Around 100 persons had been ejected from the premises and proceeded to fight in the street outside. The large scale disorder had to be dealt with by deploying police dogs. The premises had not assisted, save simply locking its doors. Premises management did not call police for assistance.
26. Mr Grant went on to note that the trigger event of 28/29 November then occurred. He expressed concern that at the Interim Hearing on 2 December, Mr Wilcox had described the premises as peaceful during the evening – but it was now known that on that night a male had – within the venue - been repeatedly bottled and had his face slashed with either a broken bottle or knife so severely that part of his face had to be reattached in hospital.
27. The Chairman intervened to ask if the premises had provided CCTV footage of the interior of the premises for the night of 28/29 November. Inspector McKoy replied that, despite numerous attempts to contact Mr Wright, this had not been provided. The Chairman noted that this meant the premises was technically in breach of its licensing conditions.
28. Mr Grant went on to briefly note that the premises – following a visit by City of London Trading Standards - was also apparently serving cheap vodka in branded-bottles, and that moreover it appeared that some of these bottles had not had the appropriate duty paid on them. Furthermore, at a subsequent visit by the London Fire and Emergency Planning Authority (LFEPA) empty cheap and branded bottles had once more been witnessed in the basement of the premises. This was in addition to issues raised by the LFEPA in their submission to the sub committee.
29. Mr Grant concluded by noting the Applicant was unimpressed by the proposed new management model. Moreover the Applicant was unimpressed with Mr Munt's reputation in the operational management of licenced premises. He drew the sub committee's attention to Inspector McKoy's written submission that issues concerning the management of the premises were 'not superficial', and that the licencing objectives had been consistently undermined. The Applicant therefore remained of the view that the premises licence should be revoked.
30. Mr Bedford addressed the sub committee, noting that both he and colleagues from the LFEPA Peak Activity Team had concerns with the premises management's approach to fire safety, following visits to the venue. He noted that on one visit to the premises, he had not been able to access the fire alarm panel due to large items being stored in front of it. Moreover, the premises manager had failed to keep a scheduled appointment for a routine fire safety audit and that fire safety standards at the premises had not been maintained as expected.
31. Mr Avern summarised both the Environmental Health and the Trading Standards submissions to the sub committee, noting that four potential offences

under the Serious Crime Act 2007 had been identified following visits to the premises, two of which were classed as 'serious'.

At the request of Mr Woods the sub committee took a short break from proceedings.

32. When the sub committee reconvened, Mr Woods was invited to state his client's case. He said that he would aim to be concise in addressing issues in the written evidence, and to propose in part remedial action that was planned by the premises management. He said his client agreed that the past operation of the premises had encouraged disorder, but that much of the disorder had been associated with promoted events.
33. The Chairman intervened to note that whilst a promoted may be responsible for disorder, the licence holder of the premises remained accountable to how it was managed.
34. Mr Woods agreed. He suggested that the approach outlined in his 24 December email be adopted. He said that his client agreed that the character and genre of the premises needed to change, and that his client was prepared to resolve issues associated with its management. He noted that Mr Munt had been involved in the management of licenced premises in London for several years, and had recently been runner-up on Best Bar None Awards. Despite Inspector McKoy's statement that Metropolitan Police colleagues had given negative feedback over the management of premises that Mr Munt had been involved in, Mr Munt had been unaware of any issues when he had last been in touch with the Metropolitan Police a fortnight ago. Mr Woods added that no part of his evidence was intended to be defensive or sought to challenge the reasons for the review of the premises licence. He added that his client accepted there had been some failings in the management of the premises.
35. The Chairman suggested that this was an understatement, given that even if half of the evidence provided to the sub committee were true the failings would remain very serious indeed. He added that many of the incidents of serious disorder – particularly on 19 October 2013 and 28/29 November 2013 had occurred when Mr Wright was the Designated Premises Supervisor.
36. In response to a question from the Chairman, Mr Wright confirmed he had been present on the night of 28/29 November and that he had not reported the escalating violence to police as it had occurred quickly and the police had begun to respond by the time he had a chance to report it. The Chairman noted that the sub committee had seen CCTV footage that demonstrated it had in fact taken a significant period of time for the police to respond. Mr Wright stated that trouble had started as a small scuffle at the top of the stairs into the venue with which premises security staff had been dealing with.
37. In response to a question from the Chairman over why the sub committee should believe the nature of the premises management should change given both Mr Wright and Mr Wilcox would remain controlling partners, Mr Wright replied that he had always demonstrated a willingness to change the character

of the premises. For example, he had attempted to diversify the business model of the premises by offering food. He had been canvassing Mr Oakley's involvement in the premises for quite some time. He added that, as a teacher by profession, he did not want to be running a venue that was associated with crime and disorder. He accepted the failings of the past two years but argued these had given him the experience to move on and change the character of the venue.

38. Mr Woods noted that the last meeting between premises management and the Police had been on 31 July 2013, and therefore there had been a significant period on non-engagement by the Police before the trigger incident of 28/29 November. Furthermore, the event held at the venue on 28 November had been a repeat of a previously peaceful event held in 2012. Moreover, management had submitted a 696 form for the event, based on which the event had been classed 'low-risk'.
39. In response to questions from the Chairman, Mr Wright confirmed that CCTV of the interior of the premises on 28 November had been submitted to the City of London Police during the week commencing 23 December, and that the delay in submitting it had been due to the fact he lives outside of London.
40. Mr Woods noted that one of the incidents referred to in the agenda pack – during which a male had assaulted a transgender companion – had taken place between a couple rather than two strangers. The Chairman commented that nevertheless the incident remained very serious indeed given it represented domestic violence. Mr Woods agreed.
41. In response to a question from the Chairman, Mr Wright confirmed the venue had been open as normal during the summer period.
42. Mr Woods suggested that the pattern of incidents associated with the premises was consistent with that of a comparative venue. The Chairman replied that, based on the evidence before the sub committee, the number of incidents associated with the venue was clearly above average.
43. In response to a question from Mr Woods over why the police had failed to meet with the premises between 31 July and the November trigger incident given its management was as bad as was alleged, Inspector McKoy replied that routine diary pressures had precluded a meeting from taking place. Mr Woods noted that this was not an acceptable reason given characterisation now made of the premises management by the Applicant. A member of the sub committee observed that City of London Police had held a number of meetings with Premises management, commitments arising from which the premises management had often failed to maintain. Moreover, when Police had attended the Premises they had often been met with hostility by the Licence Holder.
44. In response to a question from the sub committee over how much confidence could be placed in the ability of the premises management to translate their commitments into actual outcomes, Mr Wright provided examples of management having done so in the past, namely through the provision of staff

uniforms; installation of rigid barriers; prioritising the timely submission of 696 forms; ceasing to sell jeroboam and methuselah-sized bottles.

45. Mr Woods added that Mr Wright was keen to promote a good working relationship with the Applicant, and that he felt he had a good working relationship with Inspector McKoy – this was demonstrated by the tone of emails within the agenda pack.
46. The Chairman questioned the contrast between Mr Wright's expressed desire for a good working relationship with the Police, and the documented hostility shown by patrons of the premises to visiting Police. Mr Grant intervened to note that documented hostility was the result of clientele and Mr Wilcox, rather than Mr Wright.
47. In response to a question from the Chairman, Inspector McKoy confirmed police officers had been injured during the trigger incident on 28/29 November.
48. Mr Woods asked the sub committee, when coming to its decision, to consider the pattern of incidents over the past six months. He asked them to consider also the fact that Mr Wright had invested around £100,000 in the premises. He asked that the sub committee consider that Mr Wright was the individual who was able to take the premises forward. Commenting on various issues, he noted that lit flares had been risk assessed; mention of the police intelligence on the handgun within the venue was the first time Mr Wright had been made aware of it; and that a female door supervisor had been hired and retained within 24-hours of the suggestion for the premises to do so.
49. The Chairman replied that proper searching of both males and females was an expectation of any licensed premises. Mr Wright agreed, noting that the January and February 2013 meetings with police had focused on searching. Inspector McKoy intervened to note the police had witnessed ineffective search practices at the premises subsequent to those meetings.
50. In response to a question from a member of the sub committee over whether door searches had ever revealed and weapons or drugs, Mr Wright replied that they had not, and that moreover door staff had been using wands to carry out those searches. A member of the sub committee commented that this was concerning given that weapons and drugs had been evidenced to be within the venue during the course of its operation over the past two years.
51. The Chairman noted that he found it hard to believe that any London nightclub would fail to find any weapons or drugs among its patrons, particularly over a 12 month period. He asked how many persons the premises had refused entry to over the past year. In reply, Mr Wright commented that 100 persons had been refused entry on the night of the trigger incident – he added that the premises aimed to only admit smartly dressed over-21 year olds.
52. In response to a question from the sub committee Mr Wright replied that the permitted capacity of the venue was 210 persons. Mr Bedford commented that the premises had originally been given a 150-person capacity and that this had

later been extended to 191 (including staff). This capacity had been provided in writing. Mr Grant intervened to note that the premises' website claimed they could hold private functions for 300 persons.

53. In response to a question from the Chairman, Mr Wright confirmed that the premises kept an incident log. Mr Bedford intervened to note that, when he visited the premises and requested to see such a log, he was told that this would not be possible.
54. Mr Woods intervened to suggest that, in addition to the proposals outlined in his 24 December email, the sub committee choose to adding standard conditions onto the premises licence.
55. In response to a question from the Chairman, Mr Munt confirmed that he was prepared to make a full 25% investment in the premises and remain committed for the long-term, noting that it would not benefit him financially to abandon his investment after a short period of time.
56. In response to a question from Mr Grant over why he had left his previous employment and instead invest in the premises, Mr Munt replied that he had already left his previous employment and was planning to make an investment when the opportunity arose. He noted that he had been approached by Mr Wright through a third party in early December 2013. He confirmed that he had been made aware of issues associated with the premises during the course of December after the Summary Review had taken place on 2 December. Moreover the current Review Hearing was giving him the opportunity to become familiarised with these issues further.
57. In response to a comment from a member of the sub committee over the size of his investment compared to the shared investment of Mr Wright and Mr Wilcox, Mr Munt replied that he had been promised full operational control over the premises. A member of the sub committee expressed concern that Mr Munt, as a minority shareholder, would not be able to exercise control over Mr Wilcox, particularly given Mr Wright – as his half-brother – had been unable to also.
58. In response to a question from a member of the sub committee regarding the trigger incident on 28/29 November, Mr Wright confirmed that disorder had started on the stairs of the venue as guests were leaving. He added that the bar had stopped serving at 0300 and the music had ceased by 0315, and that lights had been switched on at that time. He had been present on the dancefloor handing out cake. The member of the sub committee noted that it was clear from the evidence that the disorder had started within the premises, on the dancefloor, with the bottle attack that resulted in the severe facial injury to an individual. She noted that the premises was a small venue and asked how staff had failed to notice such a serious incident occurring in such a small space. Mr Wright replied that a lot of people had been leaving the venue at that time and so the incident had not been spotted amongst the crowd. The member of the sub committee noted further that the written report of the incident suggested that security staff had in fact noticed the incident and had ushered the victim off the premises whilst failing to call either an ambulance or the Police.

59. Mr Woods reiterated his request that the sub committee consider the pattern of incidents over the past six months when reaching their decision. He added that the inclusion of Mr Munt as a partner in running the premises was a statement of intent.
60. Mr Grant added that – with four partners – Mr Munt would always face being outvoted on matters regarding operational control of the other partners chose to do so. He added that, even if the licence was amended to include reduced hours, this would not solve the failings in premises management such as the apparent sale of cheaper vodka in branded bottles.
61. Mr Wright added that the premises had taken a delivery of alcohol on the night that Environmental Health officers had seized alcohol that had not had its duty paid, and in response the premises had passed on details of the supplier to the authorities for further investigation.
62. The Chairman thanked those present and noted the sub committee would retire to consider its decision. He advised them that the decision would be circulated by email that afternoon, and a full written decision would be circulated in writing in due course.

The meeting closed at 1.55pm

Chairman

Alistair MacLellan
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Copy of the Decision circulated to all parties on 7 January 2014

THE COMMON COUNCIL OF THE CITY OF LONDON

LICENSING SUB-COMMITTEE

Edward Lord OBE JP (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

Monday 30 December 2013 (11:00-13:55)

IN RE:

THE DOLLHOUSE
7-8 BISHOPSGATE CHURCHYARD EC2M
(WARD OF BISHOPSGATE)

The Sub-Committee was addressed by Mr Gary Grant of Counsel for the Applicant and by Mr Andrew Woods for the Premises. The Sub-Committee also heard from Mr Jon Averbs, Port Health and Public Protection Director and Mr Nigel Bedford of the London Fire and Emergency Planning Authority on behalf of the responsible authorities.

This was a substantive Review Hearing convened, following an Interim Steps Hearing, for premises known as The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ held on Monday 2 December 2013.

The Sub-Committee had before it an agenda pack including a Report of the Director of Markets and Consumer Protection, the application for summary review along with the detailed grounds for review and supporting evidence, representations from responsible authorities and other persons, as well as papers circulated on behalf of the premises licence holder subsequent to the publication of the Agenda but prior to the commencement of the hearing, including brief proposals for reform of the operational management of the premises outlined by Mr Andrew Woods, and copies of a proposed Staff Licensing Guide and Premises Operational Manual.

The Sub-Committee considered the verbal evidence provided on behalf of the Applicant, namely that the trigger incident of serious public disorder on the night of 28/29 November 2013 was the culmination of serial mismanagement of the Premises, preceded as it was by a similar incident on 19 October 2013 and typified throughout the period of operation of the venue by the failure to adequately implement commitments made to the City of London Police during licensing engagement meetings; failure to responsibly stage and manage promoted events; failure to adequately report instances of public disorder to the

Police; and failing to promote an atmosphere within the premises consistent with one to be expected of a responsibly managed venue of night-time entertainment.

The Sub-Committee also considered the evidence put forward in the representations from responsible authorities and other persons. They noted the fact that materials seized at the premises by City of London Trading Standard had led to breaches of the Food Safety Act 1990, Trademarks Act 1994 and the Fraud Act 2006 being identified. Furthermore they considered the fact that the premises licence holder had engaged unsatisfactorily with officers from the London Fire & Emergency Planning Authority and had failed to implement safety measures required by that authority. Moreover, the Sub-Committee noted the Designated Premises Supervisor's unawareness, when questioned, of the permitted capacity of the premises.

The Sub-Committee went on to consider the verbal evidence put forward on behalf of the premises licence holder with the intention of reforming the way in which the premises was operated, including the proposed new joint-partnership model that would see operational control of the premises handed to Mr Daniel Munt; confirmation that Mr David Wilcox would cease to have any involvement in the management of the premises; the willingness expressed by Mr Robert Wright to change the character and operating model of the business; and commitments to cease running promoted events and reduce the licensed hours of alcohol sales.

The Sub-Committee considered the available options contained in S.53C(3) of the Licensing Act 2003, these being :

- The modification of the conditions of the premises licence;
- The exclusion of a licensable activity from the scope of the licence;
- The removal of the designated premises supervisor from the licence;
- The suspension of the licence for a period not exceeding three months;
- The revocation of the licence

The Sub-Committee felt it clear from the evidence before it that there were clear failings in the responsible and appropriate operational management of the premises that demonstrated the unwillingness or inability for premises management to operate the venue in a manner consistent with that expected of a licensed premises in the City of London. Evidence provided to the Sub-Committee by the City of London Police clearly demonstrated – through consistent instances of public disorder - that there was a real and demonstrable risk to the personal safety of both patrons of the venue and the wider general public that would not be solved by a simple reduction of licensed hours. This evidence was also reinforced by representations from responsible authorities and other persons that expressed demonstrable concern over the legal, responsible sale of alcohol within the venue. Moreover, the Sub-Committee

noted that the failure by premises management to implement commitments made to the City of London Police at regular licensing meetings for the improved management of the premises.

Furthermore, the Sub-Committee was not convinced that the proposed management re-structure and change in the character of the premises satisfactorily addressed the concerns raised by the police and responsible authorities. Whilst acknowledging that the proposed re-structuring of the business had, by necessity, been put together in a short period of time, the Sub-Committee had serious concerns as to the continued involvement of Mr Wilcox and Mr Wright with the business. Consequently, the Sub-Committee did not consider that the proposed change in management structure and designated premises supervisor would be sufficient to allay the concerns of the Applicant or the Sub-Committee.

The Sub-Committee went on to consider whether the imposition of conditions on the premises licence or removal of one or more licensable activity from the premises licence were capable of addressing the serious concerns raised by the Applicant in respect of crime and disorder issues and concluded that, in light of the number of serious incidents of crime and disorder associated with the premises over a prolonged period of time that these two options were not capable of satisfactorily addressing the Sub-Committee's concerns.

The Sub-Committee also considered whether the suspension of the premises licence would be appropriate but concluded that, in light of the number of serious instances of crime and disorder culminating with the events of 28/29 November 2013 that the suspension of the premises licence for up to 3 months would not be sufficient to address its concerns as to the levels of violence associated with the premises and the manner in which the premises had been managed.

In light of all the evidence presented to the Sub-Committee, it considered that it was necessary and appropriate to revoke the premises licence with immediate effect.

If any party is dissatisfied with this decision they are reminded of the right to appeal, within 21 days of the date of this decision being communicated to them, to a Magistrates' Court. Any party proposing to appeal is also reminded that under section 181 (2) of the Licensing Act 2003, the Magistrates' Court hearing the appeal may make any order as to costs as it thinks fit.

**C E Lord
M Fredericks
J Barker**

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**MINUTES OF THE SUMMARY REVIEW LICENSING (HEARING)
SUB COMMITTEE**

HELD ON 28 JANUARY 2014

APPLICANT: CITY OF LONDON POLICE
**PREMISES: FENG SHUI, 1A PUDDING LANE, LONDON
EC3R 8AB**

PRESENT

Sub Committee:

Kevin Malcolm Everett DSc CC (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

City of London Officers:

Rakesh Hira – Town Clerk’s Department
Georgina Denis – Town Clerk’s Department
Paul Chadha – Comptroller & City Solicitor’s Department
Peter Davenport – Markets & Consumer Protection Department
Steve Blake – Markets & Consumer Protection Department

Applicant:

Gary Grant – Counsel representing the Applicant
Inspector Hector McKoy – City of London Police
John Hall – Licensing Officer, City of London Police
PC Daniel White – City of London Police

Premises:

Mary McKenna – Barrister, Holborn Chambers
Wei Li – Director of Fen Shui
Johnny Zhu – Director of Fen Shui

Licensing Act 2003 (Hearings) Regulations 2005

A Summary Review Hearing was held at 10.53am in Committee Room 3, Guildhall, London, EC2, to consider and determine interim measures regarding the application for a summary review of the premises licence for ‘Feng Shui, 1A Pudding Lane, London EC3R 8AB.’

The Sub Committee had before them the following documents:-

Appendix 1: Application for Summary Licence Review

Appendix 2: s.53A Certificate

Appendix 3: Current Premises Licence

1. The Hearing commenced at 10.53am.
2. The Chairman introduced the panel members and officers present and invited Mr Grant to summarise his client's application.
3. Mr Grant noted that the panel had read the City of London Police reports in Appendix 1 and that the panel had seen the CCTV footage of an incident which occurred at the premises on 19 January 2014.
4. Mr Grant informed the panel that the City of London Police was of the opinion that the premises functioned safely during day time hours when it ran as a restaurant. However since the premises started operating as a nightclub in April 2013 there had been frequent occurrences of serious crime and disorder.
5. Mr Grant informed the panel that the frequent instances of serious crime and disorder were often linked to promoted events and nights when disc jockeys performed at the premises.
6. The panel were told that the City of London Police had tried to introduce the owners of the premises to safe promoters but the owners had not taken the advice of the Police and continued to hold promoted events which gave rise to instances of crime and disorder.
7. The most recent incident of serious crime and disorder occurred on 19 January 2014. Mr Grant told the panel that he believes the incident was the latest example of the continued type of violence that the Police had dealt with since the premises started operating as a night club.
8. Mr Grant made two amendments to the previous incidents chronology in Appendix 1. The first on page 11; the incident on 27 October 2013, should read "Police received a call from a member of the public". The second on page 12; the incident on 19 January 2014, Mr Grant told the panel there was no evidence to say the male received head injuries while inside the premises but instead was 'at' the premises.
9. Mr Grant said that further reports would be sent by the City of London Police to be circulated to the panel and appropriate parties once appropriate information had been redacted from the report.
10. Mr Grant stated that the City of London Police believed the patrons which visited the premises; when it operated as a night club, were volatile and anti-police. Mr Grant reported that there was intelligence that some patrons may be part of gangs of a criminal nature.

11. Mr Grant informed the panel that the City of London Police was of the opinion that certain promoters whose events were prone to violence were attracted to specific venues which may be in financial trouble and that the owners of these premises operated promoted events for financial purposes. Mr Grant told the panel that he believed that this was the reason why the premises owners had not taken the City of London Police's advice to stop using their premises for promoted events.
12. Mr Grant suggested that the panel consider the following interim steps:
 - Reduce the permitted hours of all licensable activities and the closing time of the premises to the public, to midnight from Monday to Sunday.
 - No promoted events to be held at the premises.
13. Mr Grant told the panel that he had discussed the interim steps with Ms McKenna; representative for the premises, before the hearing and she had agreed to the City of London Police's recommendations.
14. Ms McKenna told the panel that she was in agreement with the City of London Police's recommendations and that she was only made aware of the hearing documents that morning and will consider making further representations after she has reviewed the material.
15. Members of the Panel withdrew to deliberate and make their decision, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor.
16. The Chairman said that the decision of the Sub Committee was to in agreement with the recommendations of the City of London Police which was as follows:-
 - Reducing the permitted hours of all licensable activities and the closing time of the premises to the public, to midnight from Monday to Sunday.
 - There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.
17. The Chairman told the applicant and the Premises User that the Full Review Hearing would take place on Wednesday 19 February 2014 at 11.00am.

The meeting closed at 11.25

Chairman

Contact: Georgina Denis, 020 7332 1399, georgina.denis@cityoflondon.gov.uk

Copy of the Interim Decision circulated to all parties on 28 January 2014

THE COMMON COUNCIL OF THE CITY OF LONDON

LICENSING SUB-COMMITTEE

Kevin Malcolm Everett DSc (Chairman)
Marianne Fredericks CC
Deputy John Barker OBE CC

**Licensing Act 2003: Summary Review – Notification of Interim Steps
Feng Shui, 1A Pudding Lane, London EC3R 8AB**

I write to notify you of the decision of the Licensing Authority in relation to an application made pursuant to Section 53A of the Licensing Act 2003 by the Commissioner of Police for the City of London Police for a Summary Review of the premises licence for Feng Shui, 1A Pudding Lane, London EC3R 8AB.

In light of representations made on behalf of the Commissioner, the Licensing Authority has decided to exercise its power under Section 53B of the Licensing Act to impose the following interim steps:

- Reducing the permitted hours of all licensable activities and the closing time of the premises to the public, to midnight from Monday to Sunday.
- To impose the following condition on the premises licence :- “There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.”

A full Review Hearing will take place on **Wednesday 19 February 2014** at **11.00 am** at Guildhall.

In the meantime the premises licence holder is entitled, pursuant to Section 53B (6), to make representations against the interim step decision. In such a case a public hearing will take place within 48 hours of the receipt of those representations; the calculation of 48 hours being in accordance with Section 53B (10).

Committee:	Date:
Licensing	17 February 2014
Subject: Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	Public
Report of: Director of Markets and Consumer Protection	For Information
<p>Summary:</p> <p>This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 October 2013 to 31 December 2013. It does not include any premises where Members have been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.</p> <p>The report gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 October 2013 and 31 December 2013. This report also presents data from the ‘traffic light’ risk scheme introduced within the City of London on 1 April 2013. The data covers the period 1 Apr 2013 to 31 December 2013.</p>	

Main Report

Premises Licence Applications

1. Pursuant to the instructions from your committee, I attach for your information a list detailing ‘premises licence’ applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 October 2013 and 31 December 2013.
2. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix II.
3. Any questions of detail concerning premises licences can be obtained from the Corporation’s public register which can be found on <http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Search-the-public-register.aspx>. or by contacting Peter Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at licensing@cityoflondon.gov.uk.

4. Appendix IV details the conditions attached to the premises licences listed in Appendices I and II.

Routine Enforcement

5. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix III). The table in Appendix III shows the number of visits undertaken, number of complaints received and the number of enforcement actions taken. Enforcement actions include warning letters, notices, simple cautions, legal proceedings etc.
6. Appendix III provides data from 1 October 2013 to 31 December 2013.
7. Licensing Officers undertake routine enforcement visits checking on premises licence conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and also in response to complaints. The Departmental Policy Statement on Enforcement is followed prior to escalating action and taking legal proceedings.
8. The Departmental Policy Statement on Enforcement conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
9. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to add to the top level premises list that that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
10. This report details data produced from the 'traffic light' risk scheme for the period of 1 April 2013 to 31 December 2013. 14 premises have accrued a sufficient number of points to turn 'Red' and 7 premises a sufficient number to turn 'Amber'. Further details can be seen in Appendix V.
11. There is a very good working relationship between the Port Health & Public Protection (PH&PP) Licensing Team, The City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at Walbrook Wharf.

12. The Memorandum of Understanding (MoU) between the City of London Police and the Markets and Consumer Protection Department agreed in November 2011 outlines specific arrangements for cooperation between the Licensing Teams.
13. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE). Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do, officers from this Department seek authorisation to take enforcement action under the Town and Country Planning Act 1990.

Response to complaints

14. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
15. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

Implications

16. There are no financial, legal or strategic implications that arise from this report

Background Papers:

None

Contact:

Peter Davenport x3227

peter.davenport@cityoflondon.gov.uk

Appendix I

New Licence Applications Issued by way of Delegated Authority (Oct-Dec 2013)

Name	Address	Ward	Details
The Don	21-23 St Swithin's Lane	Candlewick	A 23:00
Executive Offices Group	1-7 King Street	Cheap	A 00:00
Smithfield	30-32 Watling Street	Cordwainer	A 22:00
Shore Fish	7 St Paul's Churchyard	Castle Baynard	A, L 01:00
Pret a Manger	192 Bishopsgate	Bishopsgate	L 00:00
Bird & Bird LLP	15 Fetter Lane	Castle Baynard	A, L 01:00
Café Bar/Ice Rink	Broadgate Circle	Bishopsgate	A, L (1/11/13 – 1/3/14) 00:30
Provisional Statement	Broadgate Circle	Bishopsgate	A, L, (f) 01:00

Total Licences Issued = 8

Key to Details:

- | | |
|----------------------------|---------------------------|
| A Sale of Alcohol | (e) Live Music |
| L Late Night Refreshment | (f) Recorded Music |
| (a) Plays | (g) Performances of Dance |
| (b) Films | (h) Making Music |
| (c) Indoor Sporting Events | |
| (d) Boxing or Wrestling | |

Times stated are the latest terminal hour for at least one of the licensable activities.

Number of Licences by Ward Order

WARD	No.
Bishopsgate	3
Candlewick	1
Castle Baynard	2
Cheap	1
Cordwainer Street	1

Licence Variations Issued by way of Delegated Authority (Oct-Dec 2013).

Name	Address	Ward	Details
Polo Bar	176 Bishopsgate	Bishopsgate	<ul style="list-style-type: none"> • Variation of layout
The Door Oyster Bar	33-35 Cornhill	Langbourn	<ul style="list-style-type: none"> • Variation of layout • Increase of terminal hour to 02:00 • Addition of late night refreshment • Removal of condition 3 • Minor amendments to conditions 2 & 7
Berwin Leighton Paisner	Adelaide House, London Bridge	Bridge & Bridge Without	<ul style="list-style-type: none"> • Addition of floor/rooms to licensed area
Crowne Plaza	Blackfriars House, 19 New Bridge Street	Castle Baynard	<ul style="list-style-type: none"> • Addition of floor/rooms to licensed area

Total Variations = 4

Number of Licences by Ward Order

WARD	No.
Bishopsgate	1
Bridge & Bridge Without	1
Castle Baynard	1
Langbourn	1

Personal Licences Issued by way of Delegated Authority

01 Oct 2013 – 31 Dec 2013 5

**Enforcement Action Carried out Under the Licensing Act 2003
1 October 2013 - 31 December 2013**

Total Number of Inspections	34
Number of Warning Letters	1
Number of Premises advised	14
Number of simple cautions	0
Number of suspension notices	11
Paid prior to suspension	8
Licence lapsed*	0
‘Dead’ Suspensions**	2
‘Live’ Suspensions***	1

*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

**A ‘dead’ suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

***A ‘Live’ suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

Number of complaints received 70

Date	Outcome	Details	Ward
Neo Pizzeria, 131 Aldersgate Street			Farringdon Within
21/10/2013	Informally resolved	Noise re bottles and waste put out early morning	
20/10/2013	No action required	Noise from PH - Ref to Islington	
Revolution, Retail Unit, 1 America Square			Tower
30/12/2013	Ongoing	OOH Noise	
Arts/Exhibition Halls, Barbican Arts And Conference Centre, Beech Street			Cripplegate
03/11/2013	Informally resolved	Noisy TV	
The Drift, Heron Tower, 110 Bishopsgate			Bishopsgate
25/10/2013	Informally resolved	See remarks for full details	
Jamies, 155 Bishopsgate			Bishopsgate
20/10/2013	Resolved/compliance	Loud music	
19/10/2013	Resolved/compliance	Loud music and shouting	
Dirty Dicks Public House, 202 Bishopsgate			Bishopsgate
23/11/2013	No action required	Noise from restaurant	

Be At One, Basement And Ground Floor Retail Unit, Edward House, 16-18 Brushfield Street		Bishopsgate
27/10/2013 Notice served	Loud music on going now mostly bass comes and go's	
25/10/2013 Notice served	Loud music	
25/10/2013 Resolved/compliance	Loud Music	
Anokha, 4 Burgon Street		Farringdon Within
01/12/2013 Resolved/compliance	OOH Noise	
Patch, 58-62 Carter Lane		Farringdon Within
23/12/2013 Resolved/compliance	noise from people and music	
20/12/2013 Resolved/compliance	noise from people and loud music	
13/12/2013 Informally resolved	OOH Noise	
The Brewery on Chiswell Street Ltd, The Whitbread Brewery, Chiswell Street		Coleman Street
02/12/2013 No action required	Noise from Premises	
The Brewery on Chiswell Street, Conference Hall And Function Rooms, Chiswell Street,		Coleman Street
12/12/2013 Informally resolved	Noise from people outside	
11/12/2013 No action required	Loud music on going now	
Street Record, Crutched Friars, London.		Tower
21/12/2013 Informally resolved	Noise from drinkers in courtyard	
19/12/2013 Informally resolved	Noise from drinkers outside in Court Way	
Golden Lane Community Assoc'n Bar, Golden Lane Estate		Cripplegate
21/12/2013 No action required	loud music from hall	
21/12/2013 No action required		
21/12/2013 No action required		
Street Record, Great Tower Street, London.		Tower
02/11/2013 No action required	Noise from unknown PH	
The Alice, Five Acre Square, 133-137 Houndsditch		Aldgate
16/12/2013 Informally resolved	Noise form bottles during the night and before 07.00 on Sat	
Duke Of Somerset Public House, 15 Little Somerset Street		Portsoken
04/11/2013 Resolved/compliance	Noise outside premises	
02/11/2013 Resolved/compliance	Noise from PH	
Kench and Bibesy, Retail Unit, 50-52 Long Lane		Farringdon Within
02/12/2013 Informally resolved	Loud music after 12.30	
Clause, 1 Lovat Lane		Bridge & Bridge Without
16/12/2013 Advice given	OOH	
06/12/2013 Advice given	Noisy people outside	
16/11/2013 Informally resolved	Out of hours	
08/11/2013 No action required	Loud music	
03/11/2013 Advice given	became noisy at about 2:45am.	
3 Lovat Lane, London.		Bridge & Bridge Without
22/12/2013 Informally resolved	Noise from bar	
Salotto and Roda, Retail Unit, 31 Lovat Lane		Billingsgate
05/12/2013 Notice served	Loud music +people	
05/12/2013 Notice served	Loud music +people	
Minories, London, City Of London.		Tower
25/10/2013 Informally resolved	Please see email in remarks.	
Three Lords Public House, 27 Minories		Tower
22/11/2013 Notice served	Noise from "extra loud" music from a pub downstairs.	
Abbey, St Clare House, 30-33 Minories		Tower
12/12/2013 Informally resolved	noise from smokers o/side - officers arrived no noise noted	
12/12/2013 Resolved/compliance	Noise from smokers in the back	
11/10/2013 Informally resolved	Excessive noise from smoking patio ongoing now	

11/10/2013	Resolved/compliance	noise from rear smoking area of Abbey in St Clare st.	
Mary Janes, 124-127 Minories			Tower
26/10/2013	Notice served	Loud music	
Street Record, Minories			Tower
25/10/2013	Advice given	Noise from clubbers	
Trident Bar, Trident Club, 29-31 Mitre Street			Aldgate
30/10/2013	Advice given	Noisy people outside drinking and shouting	
17/10/2013	Advice given	Loud music on going now	
02/10/2013	Informally resolved	Noise complaint from music after the incident	
Monument Street, London			Bridge & Bridge Without
08/10/2013	Resolved/compliance	Please see remarks for full email	
The Old Bengal Warehouse, 16A New Street			Bishopsgate
26/10/2013	Informally resolved	Live band loud music going with windows and doors open	
12/10/2013	Resolved/compliance	Loud Music from Bar/ Restaurant below	
DoubleTree by London, 7 Pepys Street			Tower
07/10/2013	Informally resolved	Bottles smashing throughout night from cleaners at hotel	
Grand Union, Rolls Passage			Farringdon Without
06/12/2013	Resolved/compliance	Noise from people outside	
05/12/2013	Resolved/compliance	Out of hours	
29/11/2013	Resolved/compliance	OOH Noise - people outside pub	
28/11/2013	No action required	OOH Noise, people outside pub	
22/11/2013	Resolved/compliance	Noise from Grand Union PH	
21/11/2013	Resolved/compliance	Grand Union Ph	
01/11/2013	Resolved/compliance	Noise from pub.	
18/10/2013	Resolved/compliance	Please see remarks for full email	
18/10/2013	Resolved/compliance	Please see email in remarks	
11/10/2013	Resolved/compliance	Noise from PH (Grand Union)	
04/10/2013	Informally resolved	Noisy people outside ph and on balcony	
Ironmongers' Hall, Shaftesbury Place			Aldgate
19/10/2013	Resolved/compliance	Loud Music	
Kanaloa, Retail Unit, Hill House, Shoe Lane			Castle Baynard
31/12/2013	Resolved/compliance	OOH	
The Don, 21-23 St Swithin's Lane			Candlewick
21/12/2013	Resolved/compliance	Noise from refuse collection during the night	
Samuel Pepys Public House, Stew Lane			Queenhithe
24/11/2013	No action required	Noise from PH	
07/10/2013	Resolved/compliance	Emailed received re noise. Also sent to Licensing.	
Jamie's Wine Bar and Restaurant, 36 Tudor Street			Castle Baynard
25/11/2013	Informally resolved	email complaint from police re noise from patrons outside	
The Distillers, 66 West Smithfield			Farringdon Within
26/10/2013	Informally resolved	Loud music from a private party.	
Indulgence bar, Pilgrims Court, 2-5 Carthusian Street			Farringdon Within
23/12/2013	No action required	noise from Indulgence Bar	

Conditions Applied to Licences Granted by way of Delegated Authority

NEW APPLICATIONS

The Don

None

Executive Offices Group Ltd

None

Smithfield

None

Shore Fish

None

Pret a Manger

None

Bird & Bird LLP

None

Café Bar & BBQ (Ice Rink)

None

Provisional Statement – Broadgate Circle

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.
2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
3. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation shall be permitted.

VARIATIONS

Polo Bar

None

The Door Oyster Bar & Grill

1. No promoted events may be held on the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and/or the event is (independent of the licensee) promoted to the general public. For these purposes, the term ‘employees’ shall be deemed to include self-employed DJs performing at the premises pursuant to an agreement contracted directly with the premises licence holder.

2. An additional hour may be added to all standard and non-standard times permitted by this licence on the day that British Summertime commences.

Berwin Leighton Paisner

None

Crowne Plaza

None

Premises obtaining sufficient points on the Risk Scheme to reach Red or Amber. (Apr – Dec 2013)

RED (20 penalty points or at least 10 from one licensing objective)

1 - Walbrook (Crime and Disorder – 35)	35
2 – Castle Baynard (Crime and Disorder – 27)	27
3 – Billingsgate (Crime and Disorder – 25)	25
4 – Coleman Street (Crime and Disorder – 25)	25
5 – Bread Street (Crime and Disorder – 20, General - 4)	24
6 – Bishopsgate (Crime and Disorder – 16, Public Safety - 5)	21
7 – Cordwainer (Crime and Disorder – 18)	18
8 – Lime Street (Crime and Disorder – 16)	16
9 - Cheap (Crime and Disorder – 13, General 2)	15
10 - Candlewick (Crime and Disorder – 14)	14
11 - Candlewick (Crime and Disorder – 13)	13
12 – Cordwainer (Crime and Disorder – 12)	12
13 - Bishopsgate (Crime and Disorder – 11)	11
14 – Castle Baynard (Crime and Disorder – 10)	10

Billingsgate	1	Castle Baynard	2	Lime Street	1
Bishopsgate	2	Cheap	1	Walbrook	1
Bread Street	1	Coleman Street	1		
Candlewick	2	Cordwainer	2		

AMBER (11 penalty points or at least 6 from one licensing objective)

1 – Bridge & Bridge Without (Crime and Disorder – 7, Public Nuisance – 6)	13
2 – Bridge & Bridge Without (Crime and Disorder – 8, Public Nuisance - 2)	10
3 – Cornhill (Crime and Disorder – 9)	9
4 – Coleman Street (Crime and Disorder – 9)	9
5 – Aldgate (Crime and Disorder – 9)	9
6 – Farringdon Without (Public Nuisance – 6, Public Safety - 3)	9
7 – Bassishaw (Crime and Disorder – 8)	8

Aldgate	1	Coleman Street	1
Bassishaw	1	Cornhill	1
Bridge & Bridge Without	2	Farringdon w/out	1

Committee:	Date:
Licensing	17 February 2014
Subject: Pool of Model Conditions	Public
Report of: Director of Markets and Consumer Protection	For Decision
<p><u>Summary</u></p> <p>The Pool of Model Conditions used to assist Members and applicants when adding conditions to a premises licence or club premises certificate was last updated on 16 July 2013 by your committee.</p> <p>During the past eighteen months there has arisen the need to add conditions to premises licences which are not included in the ‘Pool’. This report presents an updated ‘Pool’ with an additional three conditions and an amendment to the ‘No promoted Events’ condition recommended by the Police.</p> <p>Recommendations</p> <p>It is recommended that your Committee:-</p> <ul style="list-style-type: none"> • Amend the Pool of Model Conditions by adding the three conditions listed in paragraph eight. • Amend the Pool of Model Conditions by replacing the definition of a promoted event as defined in paragraph nine. • Amend the Policy for ‘making amendments to a premise licence application’ as suggested in paragraph 13. 	

Main Report

Background

1. The Licensing Act 2003 permits conditions to be added to a premises licence or club certificate in order to assist in the promotion of the four licensing objectives namely:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
2. Generally, these conditions are suggested by the applicant at the time of the application or added by Members following a licence hearing or review.
3. Conditions attached to a licence or certificate are the steps or actions the holder of the premises licence or the club premises certificate will be required to take,

or refrain from taking, at all times when licensable activities are taking place at the premises in question. Conditions are required to be clear, appropriate and enforceable and must be expressed in terms that are unequivocal and unambiguous.

4. In order to assist applicants and Members, the City of London have a 'Pool of Model Conditions' containing a non-exclusive list of typical conditions which can be used. The list was generated and made available in 2008 but completely revised in July 2013.
5. Officers of the Licensing Team have delegated authority to issue premises licences, and attach conditions consistent with the operating schedule, where an application for a premises licence does not receive any representations. Officers also have delegated authority to accept an amended application in accordance with the policy agreed by this Committee on 10 May 2012 and attached as Appendix 2 to this report.
6. Conditions can only be attached to a premises licence, as a result of an amended application, if the conditions are similar to or contained within the Pool of Conditions (paragraph 1(iii) of the Policy in Appendix 2).

Current Position

7. Since the previous list was issued it has been recognised that a small number of conditions are being requested by applicants and/or attached to a licence by the Licensing Sub-Committee, on a regular basis.
8. The conditions being requested are suggested as appropriate as they define accurately the controls that the Licensing Service/City Police need to be put in place to be both more enforceable and clearer to the licence holder. The conditions are as follows:
 - The licence holder shall install and maintain a membership, identification and age verifier such as club scan or similar, which will provide a full face photograph, for use on (insert dates e.g. Friday and Saturday nights) and at all promoted events. No patrons, DJs or performers (along with their guests and entourages) shall be admitted or re-admitted to the premises at promoted events unless they have provided documentation accepted by the ID scanner. The ID scanner device shall be stored and maintained by fully trained staff.
 - The premises licence holder shall advise the Police of any promoted event* that is to take place at the premises by completing a Risk Assessment form provided by the Police and submitting this to the City of London Police Licensing Office, at least 14 days before the event. The debrief part of that form must be completed by the premises licence

holder, or someone acting on their behalf, and submitted to the Police not more than seven days after the event.

- There must be at the premises a lockable 'Drugs Box' to which no member of staff, save the DPS, shall have access. All controlled drugs (or items suspected to be or to contain controlled drugs) found at the premises must be placed in this box as soon as practicable after discovery. Whenever this box is emptied, all of its contents must be given to the City of London Police for appropriate disposal.

9. The City of London Police have also requested that the definition of a promoted event be amended to read:

- A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and/or the event is (independent of the premises licence holder) promoted to the general public.

The current definition can be found in Appendix 1, condition MC2

10. By adopting the new definition promoted events which occur outside the currently defined timespan (23:00 – 07:00) and those that do not include both music and dancing will now be included. Also, those events that use DJ's not employed by the premises licence will still fall within the definition of a promoted event whether or not it is independently promoted to the general public.

11. Occasionally, the Licensing Sub-Committee has found it appropriate and necessary to attach conditions to a premises licence, which do not appear in the Pool of Conditions, in order to ensure that the licensing objectives are not being undermined.

12. The process of granting a premises licence could be made more efficient and expeditious, following such an occurrence, if the policy was amended so that if on a subsequent occasion the licensing authority receive an application for a premises licence where:

- the operating schedule suggests a condition similar to one that the Licensing Sub-Committee has previously attached to a licence, albeit it does not appear in the Pool of Conditions, or
- the applicant wishes to amend an application before the last date by adding a condition which the Licensing Sub-Committee has previously attached to a licence, albeit it does not appear in the Pool of Conditions

Officers could grant/accept an amended application as appropriate. Such conditions would then come before this committee at subsequent amendments to the Pool of Conditions.

13. The above changes to the Policy could be achieved by amending the Policy by replacing 1(iii) with the following paragraph:

1. iii) Adds conditions that restrict the licensable activities provided that any conditions are in line with those agreed by Members and published in the City Corporation's 'Pool of Model Conditions', or have been attached to a premises licence by the Licensing Sub-Committee since the last amendment of the Pool of Conditions.

And by replacing paragraph 2 with the following paragraph:

2. Where an applicant wishes to amend his application after the 'last date', or wishes to amend his application before the 'last date' with a condition not in line with the 'Pool of Model Conditions' or one agreed by the Licensing Sub-Committee since the last amendment of the Pool of Conditions, an amended application will not be permitted.

Conclusions

14. The process of granting a premises license can be made more expeditious by amending the policy as suggested in paragraph 13, adding the conditions in paragraph 8 and making an amendment to a condition as stated in paragraph 9.

Implications

15. There are no financial, legal or strategic implications in this report.

Appendices

Appendix I – Pool of Conditions

Appendix 2 – Policy for amendments to applications

Background Papers:

'Pool of Conditions for use in Premises Licences' report 16 July 2012

Contact: *Peter Davenport*

Licensing Manager

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POOL OF MODEL CONDITIONS

The Prevention of Crime and Disorder.

CCTV

MCO1 The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

{n.b. The above condition is an example of the wording that could be used for premises where the customers might commit serious crime. The CCTV requirements would be expected to be 'scaled down' accordingly for smaller premises or those premises which are unlikely to prove as troublesome.}

Promoted Events

MC02 There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public .

Incident Management

MC03 An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of customers
- (c) any incidents of disorder (disturbance caused either by one person or a group of people) *[There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]*
- (d) seizures of drugs or offensive weapons
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol during the hours the premises is licensed

to sell it

Door Supervisors

MC04 On any occasion that regulated entertainment is provided, not less than** SIA registered door supervisors shall be engaged to control entry.

MC05 At least ** female door supervisor(s) shall be engaged at the premises at such times as door supervisors are required to be provided.

MC06 When the premises is carrying on licensable activities after **: ** hours, at least ** registered door supervisor(s) is(are) to be on duty at each door used for entry or exit.

MC07 A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises.

Late night Provisions

MC08 There shall be no admission or readmission of customers to the premises after **: ** hours save for customers using the agreed smoking area at the premises .

MC09 On occasions where licensable activities are carried on past **: ** hours admission of customers will be restricted to [*enter restriction e.g. a particular entrance, a particular area of the licensed premises etc*].

Public Safety

MC10 All glasses in use at the premises shall be either toughened glass or polycarbonate material.

MC11 No drinks of any sort are to be supplied to customers in glass bottles.

The Prevention of Public Nuisance

Noise (regulated entertainment)

MC12 All doors and windows shall remain closed at all times after **: ** hours during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.

MC13 Loudspeakers shall not be located in the entrance lobby, [*specify another location if appropriate*] or outside the premises.

Noise (persons)

MC14 A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

MC15 Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

MC16 Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them. .

MC17 There shall be no sale of alcohol in unsealed containers for consumption off the premises.

MC18 The Licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising.

The Protection of Children from Harm

MC19 A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under ** years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the City of London Corporation.

MC20 A 'Challenge **' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of** shall provide documented proof that he/she is over ** years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

MC21 Children under the age of** years shall not be allowed on the premises after **:** hours unless accompanied by an adult.

MC22 Children under the age of** years shall not be allowed on the premises.

MC23 No single cans or bottles of beer or cider shall be sold at the premises.

General

MC24 Any designated queuing area shall be enclosed within appropriate barriers to ensure that the highway is kept clear.

MC25 Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.

MC26 Alcohol shall be sold to customers by waiter/waitress service only.

MC27 There shall be no sales of alcohol for consumption off the premises

MC28 There shall be no self-service of spirits on the premises.

MC29 Sales of alcohol for consumption off the premises shall only be supplied with a meal.

MC30 There shall be no admission after xx xx other than to

- Residents of the hotel and their bona fide guests
- Persons who have pre-booked to attend a function at the premises

MC31 No entertainment, performance, service, or exhibition involving nudity or sexual stimulation shall be permitted.

**POLICY FOR DEALING WITH AMENDMENTS TO
AN APPLICATION FOR A PREMISES LICENCE**

1. Where a representation has been received in respect of an application prior to the 'last date' the Licensing Service will, if practicable, try to assist the applicant and the person(s) making the representation(s) to reach an agreement in order to avoid the need for the matter to be heard by a Licensing Sub Committee. In order to achieve this agreement an applicant will be permitted to amend his application providing the amendment:

i) Brings forward the terminal hour of any licensable activity; or

ii) Reduces the number of licensable activities; or

iii) Adds conditions that restrict the licensable activities provided that any conditions are in line with those agreed by Members and published in the City Corporation's 'Pool of Model Conditions'.

2. Where an applicant wishes to amend his application after the 'last date', or wishes to amend his application before the 'last date' with a condition not in line with the 'Pool of Model Conditions', an amended application will not be permitted.

3. Where such an amendment, if permitted, would have resulted in all current representation(s) being withdrawn all parties will be consulted as to the necessity for conducting a hearing. All parties in these circumstances are the applicant, objector(s) and the Licensing Authority (i.e. the Members of the Licensing Sub-Committee).

4. If all parties agree that a hearing is not necessary then the application will be considered by the Sub-Committee relying totally on the documentation supplied with the hearing report. Members will consider the matter taking into account:

- the proposed amendment
- any representations
- the fact that objectors are happy to withdraw their representation(s) if the amendment is permitted

5. In all other circumstances a hearing will be required.

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Agenda Item 8

Committee: Licensing	Date: 17 February 2014
Subject: Corporate Governance – Scheme of Delegations	Public
Report of: Town Clerk	For Decision
Summary	
<p>As part of the City Corporation's arrangements for ensuring good governance the Scheme of Delegation to Chief Officers has been reviewed and a number of changes have been proposed. The changes, which principally reflect changes to legislation and previously agreed City Corporation's policies, has been considered and agreed by Policy and Resources Committee on 23 January 2014 and will be submitted to the Court of Common Council.</p> <p>The Policy and Resources Committee is responsible for the review and for the co-ordination of the City Corporation's governance arrangements. The Committee has considered the Scheme in its entirety including the general framework and conditions of the delegations.</p> <p>All service committees are required to consider those elements for which they have responsibility. A copy of the revised section(s) applicable to this Committee (highlighted in red font) is attached as an appendix to this report for your consideration.</p> <p>Recommendations</p> <p>That the delegations relating to the Director of Markets and Consumer Protection as set out in the appendix to this report be approved.</p>	

Main Report

Background

1. As a corporate body all decisions are vested in the Court of Common Council. To facilitate the administration of the City Corporation's many and complex functions, the Court delegates the majority of its functions to its committees and officers. The committee terms of reference set out the functions delegated to committees whilst the Scheme of Delegations sets out those functions which have been delegated to officers.

Scheme of Delegations

2. The Scheme of Delegations has recently been reviewed and a number of changes are proposed which on the whole reflect changing legislation, amendments to corporate policy and operational needs. A copy of the revised

Chief Officer delegation relevant to this Committee is attached as an appendix to this report.

3. A full copy of the Scheme is available for Members to view in the Members' Reading Room and is also available on request.
4. The Policy and Resources Committee is responsible for the review and co-ordination of the City Corporation's governance arrangements.

Corporate & Strategic Implications

5. The proposed changes to the Scheme of Delegations are intended to support the effective governance of the City of London and ensure that decision making is effective and transparent.

Appendices

- *Appendix 1 – Revision(s) to Scheme of Delegations*

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DIRECTOR OF MARKETS & CONSUMER PROTECTION

The following matters are delegated to the Director of Markets & Consumer Protection.

Markets

1. To agree the assignment of tenancies where, in their opinion, there are no complications.
2. To grant tenancies at will to suitably qualified applicants in a standard form previously approved by the Comptroller & City Solicitor.
3. To authorise the Comptroller & City Solicitor to institute proceedings under the City of London Corporation's Byelaws.

Delegations to other Officers

4. The above matters are also delegated to the Superintendents of Billingsgate Market, Smithfield Market and Spitalfields Market to be exercised either at the direction of or in the absence of the Director of Markets & Consumer Protection.

Port Health and Public Protection Division

a) Administrative

5. To increase current charge rates for products of animal origin annually in line with inflation.
6. To enter into a Service Level Agreement with the Health Protection Agency and agree minor amendments from time to time if required.
7. Setting miscellaneous hourly-based charges subject to agreement with the Chamberlain.

b) Legislative

8. To authorise duly appointed officers to act under any enactments, regulations or orders relating to the functions within the purview of the Committee and Department.

The Director of Markets and Consumer Protection and any staff authorised by him are indemnified against all claims made against them including awards of damages

and costs arising out of acts done by them in the bona fide discharge or purported discharge of such functions.

	Legislation	Delegated Function
1.	Accommodations Agencies Act 1953	Institution of Proceedings and other enforcement methods
2.	Administration of Justice Act 1970	Institution of Proceedings and other enforcement methods
3.	Agriculture Act 1970 (as amended)	(i) Institution of Proceedings and other enforcement methods (ii) Section 67 – to enforce this part of the Act within the respective area; and the health authority of the Port of London shall have the like duty as respects the district of the Port of London
4.	Agricultural Produce (Grading & Marking) Act 1928 Agricultural Produce (Grading & Marking) Amendment Act 1931	Institution of Proceedings and other enforcement methods
5.	Animal Boarding Establishment Act 1963	(i) Institution of Proceedings and other enforcement methods (ii) Authorising of Officers to carry out inspections (iii) Granting of Licences

6.	Animal Health Act 1981 including all Orders and Regulations made thereunder	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Section 52(1) – Appointment of Inspectors and other Officers as required for the execution and enforcement of the Act
7.	Animal Health & Welfare Act 1984	Institution of Proceedings and other enforcement methods.
8.	Animal Welfare Act 2006	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Section 51 – Appointment of Inspectors and other Officers as required (iii) Service of Notices under Section 10
9.	Anti-Social Behaviour Act 2003	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Section 48 – Issue of Notices (iii) Section 43 – Issue of FPN's (iv) Authorisation of Officers
10.	Breeding of Dogs Acts 1973 (as amended) & 1991 Including any regulations made there under	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Section 2 – Authorisation of officers (iii) the Granting of Licences iv) Setting of Fees

	and Breeding and Sale of Dogs (Welfare) Act 1999 (amendment to the 1973 Act)	
11.	Building Act 1984 including all Orders & Regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Section 126 – Authorisation of Officers (iii) Part I and Schedule 3 - Granting all authorisations and consents and issuing of notices
12.	Cancer Act 1939	Institution of Proceedings and other enforcement methods
13.	Children & Young Persons Act 1933 (as amended by Protection of Children (Tobacco) Act 1986	Institution of Proceedings and other enforcement methods
14.	Children & Young Persons (Protection from Tobacco) Act 1991 Including all Orders and Regulations made thereunder	Institution of Proceedings and other enforcement methods
15.	Christmas Day (Trading) Act 2004	(i) Institution of Proceedings and other enforcement methods.

		(ii) Section 3(2) – Appointment of Inspectors. (iii) Section 2(1) – Granting of Consents.
16.	City of London Sewers Act 1848 (as amended in 1851 and 1897)	(i) Powers of Inspection under Sections 70 and 71 (ii) Issuing of notices Sections 61 and 75
17.	City of London (Various Powers) Act 1954 – Section 4	Institution of Proceedings and other enforcement methods
18.	City of London (Various Powers) Act 1971 – Section 3	Institution of Proceedings and other enforcement methods
19.	City of London (Various Powers) Act 1973	To exercise the power to dispense with or relax any requirement of a sanitation byelaw
20.	City of London (Various Powers) Act 1977	Authorisation of Officers under Section 22
21.	City of London (Various Powers) Act 1987 – Part III	(i) Grant and renewal of annual licences (ii) Institution of Proceedings and other enforcement methods (iii) Section 26 – Designation of areas
22.	Clean Air Act 1993 Including any Regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Section 56 – Authorisation of Officers

		<ul style="list-style-type: none"> (iii) Sections 24, 36 & 58 – Serving of notices (iv) Section 15 – Granting of approvals (v) Section 35 – Powers of entry
23.	Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> (i) Power to make dog control orders (ii) Issue Fixed Penalty Notices (iii) Setting the level of fees (iv) Authorising Officers
24.	Companies Act 2006 Including any regulations made thereunder	Institution of Proceedings and other enforcement methods
25.	Consumer Credit Act 1974 Including any regulations made thereunder	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of officers under Sections 162 & 164
26.	Consumer Protection Act 1987 Including any regulations made thereunder	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers under Sections 28 & 29 (iii) Part II – Serving of notices
27.	Control of Pollution Act 1974	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods. (ii) Part III and Section 93 – serving of notices.

28.	Copyright Designs & Patents Act 1988	Institution of Proceedings and other enforcement methods
29.	Courts & Legal Services Act 1990	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of officers under Section 106(6)
30.	Criminal Justice Act 1988	Institution of Proceedings and other enforcement methods
31.	Criminal Justice & Public Order Act 1994	Institution of Proceedings and other enforcement methods
32.	Dangerous Wild Animals Act 1976	(i) Institution of Proceedings and other enforcement methods (ii) Section 3 – Authorisation to carry out inspections (iii) Section 1 – Granting of licences
33.	Education Reform Act 1988	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of officers under Section 215
34.	Enterprise Act 2002	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Serving of Notices (iv) Applying for Orders

35.	Environment Act 1995	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
36.	Environmental Protection Act 1990 (Part III)	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers iii) Issuing Notices
37.	Estate Agents Act 1979	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issuing Notices
38.	European Communities Act 1972	Institution of legal proceedings, granting of authorisations/permissions, issuing of notices and authorisation of officers in respect of regulations made under the provisions of S.2(2) European Communities Act 1972 insofar as they apply to the Common Council of the City of London in its capacity as a local authority, weights and measures authority, food authority or port health authority.
39.	Explosives Act 1875 – Section 69	Discharge of duties
40.	Fair Trading Act 1973	(i) Institution of Proceedings and other enforcement methods

		(ii) Authorisation of Officers
41.	Farm & Garden Chemicals Act 1967	Institution of Proceedings and other enforcement methods
42.	Fireworks Act 2003	Institution of Proceedings and other enforcement methods
43.	Food and Environmental Protection Act 1985	Institution of Proceedings and other enforcement methods
44.	Food Safety Act 1990	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices (iv) Appointment of Public Analysts for the City of London Corporation acting as a Food Authority and/or a Port Health Authority
45.	Forgery & Counterfeiting Act 1981	Institution of Proceedings and other enforcement methods
46.	Fraud Act 2006	Institution of Proceedings and other enforcement methods
47.	Gambling Act 2005	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting applications, variations and transfers of

		<p>premises licences</p> <p>(iv) Granting provisional statements</p> <p>(v) Endorsement of temporary use notices</p> <p>(vi) Issuing club gaming permits</p> <p>(vii) Issuing of club machine permits</p> <p>(viii) Granting and renewing family entertainment centre permits; Licensed Premises Gaming Machine permits; Prize Gaming permits</p>
48.	Greater London Council (General Powers) Act 1967	<p>(i) Institution of Proceedings and other enforcement methods</p> <p>(ii) Issue of Certificates of Registration</p>
49.	Greater London Council (General Powers) Act 1981	<p>(i) Institution of Proceedings and other enforcement methods</p> <p>(ii) Authorisation of Officers</p> <p>(iii) Issue of Notices</p>
50.	Greater London Council (General Powers) Act 1984, Part VI	<p>(i) Institution of Proceedings and other enforcement methods</p> <p>(ii) Authorisation of Officers</p> <p>(iii) Granting of refusing registration</p>
51.	Hallmarking Act 1973	Institution of Proceedings and other enforcement methods

52.	Health Act 2006	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
53.	Health and Safety at Work Act 1974 Including any Regulations made thereunder	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Appointment of inspectors (iii) Issue of notices
54.	House to House Collections Act 1939 (Regulations 1947)	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Granting of Licences.
55.	Housing Act 1985	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices (iii) Granting of Licences
56.	Housing Act 2004	<ul style="list-style-type: none"> (i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices (iii) Authorisation of Officers (iv) Power to make Orders (v) Exercising the licensing functions

57.	Insolvency Act 1986	Institution of Proceedings and other enforcement methods
58.	Intoxicating Substances (Supply) Act 1985	Institution of Proceedings and other enforcement methods
59.	Knives Act 1997	Institution of Proceedings and other enforcement methods
60.	Legal Services Act 2007	Institution of Proceedings and other enforcement methods
61.	Licensing Act 2003 Various provisions relating to granting or refusal or enforcement.	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting premises licences, variations to premises licences and transferring premises licences (iv) Issuing provisional statements (v) Granting club premises certificates, and variations to club premises certificates (vi) Issue of Notices (vii) Renewal of personal licences (viii) Determining representations
62.	Local Government (Miscellaneous Provisions) Act 1976	(i) Institution of Proceedings and other enforcement methods

		(ii) Issue of Notices
63.	Local Government (Miscellaneous Provisions) Act 1982	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting of registrations
64.	London County Council (General Powers) Act 1920 - Part IV	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
65.	London Local Authorities Act 1990	(i) Institution of Proceedings and other enforcement methods under Section 34 (ii) Granting, renewing, revoking or varying of licences under Part III
66.	London Local Authorities Act 2007	Institution of Proceedings and other enforcement methods under Section 75
67.	Malicious Communications Act 1988	Institution of Proceedings and other enforcement methods
68.	Medicines Act 1968 Including any Regulations and Orders made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
69.	Motorcycle Noise Act 1987	Institution of Proceedings and other enforcement methods

70.	National Lottery ETC Act 1993	Institution of Proceedings and other enforcement methods
71.	Noise Act 1996	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
72.	Olympic Symbol etc. (Protection) Act 1995	Institution of Proceedings and other enforcement methods
73.	Performing Animals (Regulation) Act 1925	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers
74.	Pet Animal Act 1951	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers (iii) Granting of Licences
75.	Poisons Act 1972	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers
76.	Pollution Prevention & Control Act 1999 and the Environmental Permitting (England and Wales)	(i) Institution of Proceedings and other enforcement methods.

	Regulations 2010	(ii) Undertaking of functions relating to permits (iii) Carrying out of Enforcement Actions (iv) Authorisation of Officers under Regulation 32 of the 2010 Regulations.
77.	Prevention of Damage by Pests Act 1949	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
78.	Prices Acts 1974	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
79.	Property Misdescriptions Act 1991	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers
80.	Protection against Cruel Tethering Act 1988	Institution of Proceedings and other enforcement methods
81.	Protection from Harassment Act 1997	Institution of Proceedings and other enforcement methods.
82.	Public Health (Control of Disease) Act 1984	(i) Institution of Proceedings and other enforcement methods

		(ii) Authorisation of Officers (iii) Power to make Orders (iv) Applying to Courts for Closure Orders
83.	Public Health (Aircraft) Regulations 1979	Authorisation of Officers
84.	Public Health (Ships) Regulations 1979	Authorisation of Officers
85.	Public Health Act 1936	(i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices
86.	Public Health Act 1961	Issue of Notices
87.	Riding Establishments Acts 1964 and 1970	(i) Institution of Proceedings and other enforcement methods (ii) Granting of Licences and provisional Licences
88.	Road Traffic Act 1988 Including any Regulations made thereunder	Institution of Proceedings and other enforcement methods
89.	Scrap Metal Dealers Act 1964	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of suitable officers.

90.	Site Waste Management Plan Regulations 2008	i) Institution of Proceedings ii) Issue of Notices Authorisation of Officers
91.	Solicitors Act 1974	(i) Institution of Proceedings and other enforcement methods (ii) Powers of Entry
92.	Sunbeds (Regulation) Act 2010	i) Institution of Proceedings and other enforcement methods ii) Powers of Entry
93.	Sunday Trading Act 1994	(i) Institution of Proceedings and other enforcement methods (ii) Appointment of Inspectors (iii) Consents
94.	Tobacco Advertising & Promotion Act 2002	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
95.	Trade Descriptions Act 1968	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
96.	Trade Marks Act 1994	Institution of Proceedings and other enforcement methods

97.	Unsolicited Goods & Services Act 1971	Institution of Proceedings and other enforcement methods
98.	Video Recordings Act 1984	Institution of Proceedings and other enforcement methods
99.	Water Industry Act 1991	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices and Notifications (iv) Granting of Consents
100.	Weights and Measures Act 1985	(i) Institution of Proceedings and other enforcement methods (ii) Power to appoint Inspectors
101.	Zoo Licensing Act 1981	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting, renewing, revoking, alteration and transferring of licenses (iv) Making zoo closure directions