



Licensing Committee

Date: WEDNESDAY, 26 JULY 2017
Time: 1.45 pm
Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members:

Peter Dunphy (Chairman)	Christopher Hayward
Sophie Anne Fernandes (Deputy Chairman)	Michael Hudson
Deputy Keith Bottomley	Deputy Jamie Ingham Clark
Mary Durcan	Graham Packham
Emma Edhem	Judith Pleasance
Deputy Kevin Everett	James Tumbridge
Marianne Fredericks	

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Lunch will be served in the Guildhall Club at 1pm
NB: Part of this meeting could be the subject of audio or video recording

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 3 May 2017.

For Decision
(Pages 1 - 10)

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

a) **GREMIO DE FENCHURCH**

To receive the public minutes of the meeting regarding the application for 'Gremio de Fenchursch', 26A, Savage Gardens, EC3N 2AR' held on 22 June 2017.

For Information
(Pages 11 - 22)

b) **HUMBLE GRAPE**

To receive the public minutes of the meeting regarding the application for a variation to a premises licence at 'Humble Grape', 1 St Brides Passage, London, EC4Y 8EJ' held on 7 July 2017.

For Information
(Pages 23 - 38)

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

The Comptroller and City Solicitor to be heard.

For Information

6. **REVENUE OUTTURN 2016/17**

Joint report of the Chamberlain and the Director of Markets and Consumer Protection.

For Information
(Pages 39 - 48)

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

Report of the Director of Markets and Consumer Protection.

N.B. This Item is to be read in conjunction with the appendix at Item No. 14.

For Information
(Pages 49 - 64)

8. **SAFETY THIRST SCHEME UPDATE**

The Licensing Manager to be heard.

For Information

9. **CLUB SODA REPORT/UPDATE**

To be accompanied by a presentation from Laura Willoughby of Club Soda.

For Information
(Pages 65 - 70)

10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

12. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

13. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 3 May 2017.

For Decision
(Pages 71 - 74)

14. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES - NON-PUBLIC APPENDIX**

Non-public appendix to be read in conjunction with Item No.7.

For Information
(Pages 75 - 76)

15. **VIOLENT CRIME FROM LICENSED PREMISES**

Report of the City of London Police.

For Information
(Pages 77 - 78)

16. **NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**
17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

LICENSING COMMITTEE

Wednesday, 3 May 2017

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Wednesday, 3 May 2017 at 1.45 pm

Present

Members:

Peter Dunphy	Christopher Hayward
Mary Durcan	Michael Hudson
Emma Edhem	Deputy Jamie Ingham Clark
Deputy Kevin Everett (in the Chair)	Graham Packham
Sophie Anne Fernandes	Judith Pleasance
Marianne Fredericks	James Tumbridge

In Attendance

Officers:

Gemma Stokley	-	Town Clerk's Department
Neil Davies	-	Town Clerk's Department
Kate Smith	-	Town Clerk's Department
Carl Locsin	-	Media Officer
Jenny Pitcairn	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
David Smith	-	Director of Markets & Consumer Protection
Peter Davenport	-	Licensing Manager
Inspector Simon Douglas	-	City of London Police

1. APOLOGIES

Apologies for absence were received from Keith Bottomley.

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

There were no declarations.

3. ORDER OF THE COURT OF COMMON COUNCIL

The Town Clerk highlighted that there were still two vacancies on the Committee which would be re-advertised to all Members at the next Court of Common Council meeting later this month.

The Town Clerk went on to highlight that, paragraph 4. (b) of the Committee's Terms of Reference had now been amended in accordance with the views expressed by the Committee toward the end of 2016 and now read that this Committee acted 'jointly' with the Port Health and Environmental Services Committee and the Markets Committee on the appointment of the Director of Markets and Consumer Protection. The same wording had also been applied to the Terms of Reference of these two other Committees.

RESOLVED – That the Order of the Court of Common Council, of 27 April 2017 (tabled), appointing the Committee and approving its Terms of Reference, be noted.

4. **ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No. 29.

The Town Clerk read out a list of Members eligible to stand as Chairman. Peter Dunphy, being the only Member indicating his willingness to stand as Chairman, was duly elected for the ensuing year.

Mr Dunphy thanked the Committee for their continued support. He went on to pay tribute to those Members who were not returned to the Court of Common Council or to this Committee following the City elections in March 2017. On behalf of the Committee, the Chairman thanked Deputy John Barker, Alex Bain-Stewart and Chris Punter for their many years of service and reported that he hoped that all three would be able to join the Committee at their Annual Dinner in July 2017.

Finally, the Chairman welcomed Mary Durcan to her first Licensing Committee meeting following her successful election as a Common Councilman in March 2017 and subsequent appointment to this body.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No. 30.

The Town Clerk read out a list of Members eligible to stand as Deputy Chairman. Sophie Fernandes, being the only Member indicating his willingness to stand as Chairman, was duly elected for the ensuing year.

6. **APPOINTMENT OF SUB COMMITTEE CHAIRMEN AND REFERENCE SUB COMMITTEE**

The Committee proceeded to appoint four Licensing (Hearing) Sub Committee Chairmen for the ensuing year, in addition to the current Chairman and Deputy Chairman and Past Grand Committee Chairmen.

The following five Members declared a willingness to serve on the Reference Sub Committee and to serve as Sub Committee Chairmen:

Christopher Hayward
Deputy Jamie Ingham Clark
Michael Hudson
Graham Packham
James Tumbridge

Christopher Hayward subsequently withdrew and a ballot was therefore not required.

RESOLVED – That the Licensing (Hearing) Sub Committee Chairmen and the Reference Sub Committee for 2017/18 comprise of the following Members:

- Peter Dunphy (Chairman)
- Sophie Fernandes (Deputy Chairman)
- Kevin Everett (Past Grand Committee Chairman)
- Marianne Fredericks (Past Grand Committee Chairman)
- Michael Hudson
- Deputy Jamie Ingham-Clark
- Graham Packham
- James Tumbridge

7. PUBLIC MINUTES

The public minutes of the meeting held on 1 February 2017 were considered and approved as a correct record.

8. MINUTES OF LICENSING HEARING (SUB)

8a) Louie's Bar - TEN

The Committee received the public minutes and decision notice (tabled) of the hearing regarding the Temporary Event Notice application for 'Louie's Bar', 46 Moorgate, London, EC2R 6EL, held on 24 April 2017.

The Chairman explained that it was quite rare for a hearing to take place in regard to a Temporary Event Notice (TEN). On this occasion, an objection submitted by the City of London Police had led to the need for a hearing, at which the application for a TEN was rejected for the reasons outlined within the minutes and decision letter (tabled).

In response to a question, the Licensing Manager reported that he was yet to receive an application for a full licence from this applicant.

RECEIVED.

8b) Cannon Green House

The Committee received the public minutes and decision notice (tabled) of the hearing regarding 'Cannon Green House' 27 Bush Lane, London, EC4R 0AA held on 26 April 2017.

The Town Clerk reported that the decision letter with regard to this hearing was set to be issued to all parties tomorrow morning – thereafter, the 21 day appeal period would commence. The Member who had served as Chairman for this hearing reported that she had already been informed that those making representations may look to appeal the decision to grant the new licence. She stated, however, that she was confident in the decision taken and the clear reasons given for this by the Sub Committee in their decision letter.

RECEIVED.

9. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller and City Solicitor reported that there had been no appeals since the Committee's last meeting in February 2017.

10. **APPOINTMENT OF SUB-COMMITTEE CHAIRMEN**
The Committee received a resolution of the Policy and Resources Committee concerning the appointment of Sub Committee Chairmen.

The Town Clerk reminded the Committee that they had previously received a resolution of the Policy and Resources Committee on this same matter but that they, along with a number of other Grand Committees, had chosen to refer the matter back and seek greater clarity on what was being proposed. A new resolution and accompanying report was therefore being re-circulated to all relevant Grand Committees to provide clearer guidance on this matter.

The Chairman reminded Members that, for this Committee, there were already very distinct and statutory rules in place regarding the appointment of a Sub Committee.

A Member commented that this had been discussed at length at the most recent Informal Members' Meeting and was really just a means of clarifying the status quo.

RECEIVED.

11. **CHARITY COLLECTIONS TERMS OF REFERENCE**
The Committee considered a report of the Director of Markets and Consumer Protection relating to street charity collections within the Committee's Terms of Reference.

The Chairman highlighted that the transfer of this area of responsibility to the Licensing Committee had previously been agreed by the Port Health and Environmental Services Committee in 2006 but had not been followed through with the relevant recommendation to the Court of Common Council to formalise the new arrangements.

Members were informed that, should they be supportive of actioning this, the Port Health and Environmental Services Committee would consider the same recommendations at their meeting next week. The Licensing Manager stated that he had already discussed this matter with the Chairman and Deputy Chairman of the Port Health and Environmental Services Committee who had not had any objection to progressing this transfer of responsibilities.

RESOLVED – That, the Licensing Committee (subject to the agreement of the Port Health and Environmental Services Committee and the concurrence of the Court of Common Council) agree to the terms of reference of the Licensing Committee being amended to include The Police, Factories and (Miscellaneous Provisions) Act 2016.

12. DEPARTMENTAL BUSINESS PLAN: MARKETS AND CONSUMER PROTECTION, LICENSING SERVICE

The Committee considered a report of the Director of Markets and Consumer Protection presenting the business plans for 2017/18 for the Department of Markets and Consumer Protection.

The Director highlighted that, in addition to the detailed Licensing Service business plan which Members would already be familiar with, all Committees were also being presented with a high-level overview of the departmental business plan for the first time this year.

A Member referred to the three headline 'Ambitions' set out within the Licensing Business Plan 2017-2020 and stated that he was disappointed to see that these were all internally focused. He commented that it would be useful to have some sort of outcome attached to the ambitions and stated that he had made this point in relation to previous Business Plans presented to the Committee. The Director responded by stating that he felt that the first ambition set out within the Plan (to provide the fastest turnaround of uncontested applications of all London Licensing Authorities) was very clearly customer focused and based on outcome. He welcomed any detailed suggestions/wording that the Member might be able to propose to make this clearer.

In response to a question regarding how Members might be kept informed of progress against those issues raised within the Business Plan, the Director stated that he would expect to report back to this Committee on a quarterly basis on this matter.

A Member questioned progress against Performance Indicator 3 (PI3) within the report regarding applications for the annual Safety Thirst Award Scheme and enquired as to progress made against this PI to date. The Licensing Manager reported that a total of 400 premises had been targeted for applications this year. With regard to the number of premises successfully receiving a reward, the Licensing Manager reported that the aim was for this to increase year on year. It was hoped that the number would exceed 60 this year.

A Member questioned whether PI5 regarding the settlement of debts could be tightened to state that 100% of debt was to be settled within 90 days as opposed to 120. The Director reported that debt was not a particular problem for this Committee and that all Departments were required to follow Corporate Guidelines with regard to this.

A Member commented that PI1 was a good, externally focused outcome indicator. He questioned whether there was any way in which issues could be addressed sooner to prevent premises from entering the red or amber zone of the Traffic Light Scheme. Another Member commented that PI targets had to be realistic. She added that the matters causing premises to enter the red or amber zone were often unpredictable and therefore outside of Officers' control.

With regard to PI4 and sickness absence, a Member commented that he would prefer to see this reworded to indicate that the level of overall sickness absence

per person should be 'within the Corporate average' as opposed to setting out what might be perceived to be a 'budget' of 6 days per person. The Director commented that he was also bound by Corporate targets in this area.

Finally, the Town Clerk drew Members' attention to the Draft Corporate Plan (2018-2023) appended to the report. The Town Clerk explained that this was very much an embryonic plan at this stage which would be submitted to all Grand Committees for initial comment. The Town Clerk also referenced recent and forthcoming sessions for both new and existing elected Members which would provide further opportunity to discuss the Plan.

The Town Clerk asked that Members pay particular attention to the twelve broad outcomes set out under the headings 'People', 'Place' and 'Prosperity'. Members were informed that it was anticipated that the final Plan would be submitted to the Court of Common Council in March 2018.

RESOLVED – That, Members:

- Approve the high level departmental business plan and detailed Licensing Service business plan for the Department of Markets and Consumer Protection, subject to the comments made today; and
- Note the draft Corporate Plan 2018-23.

13. 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 detailing the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 January 2017 to 31 March 2017.

RESOLVED – That Members note the report.

14. REVIEW OF SAFETY THIRST SCHEME

The Committee received a report of the Director of Markets and Consumer Protection reviewing the Safety Thirst Scheme.

The Licensing Manager stated that Officers had been tasked with looking into the different schemes available to them. This report compared the City's existing Safety Thirst Scheme with the Best Bar None Scheme. He reported that Licensing Officers had met with the organisation on a number of occasions and that they appeared to be very keen to have the City on board. However, following discussions with stakeholders, it had become clear that the vast majority viewed the Safety Thirst Scheme favourably and liked the fact that this was unique to the City. For this reason and a number of others, as set out within the direct comparison between Safety Thirst and Best Bar None detailed within Appendix 2, it was not felt appropriate to change the City's existing Scheme at this time.

The Licensing Manager went on to report that this would be kept under review and that, in the meantime, he would be seeking third party support for the Safety Thirst Scheme.

RESOLVED – That Members note the report.

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

Busking

A Member raised an issue regarding busking within the City and questioned what control Officers had over this. The Licensing Manager reported that, to an extent, this sat with Port Health and Environmental Services. He clarified that, if buskers were causing noise disturbance, this could be tackled by Environmental Health Officers. They could also be causing an offence if they were obstructing the highway or conducting illegal street collections which would be an issue that Licensing Officers could address.

The Licensing Manager went on to report that any individual collecting money in the City was required to seek a licence/permit for this that was issued by the City's Licensing Team.

Finally, the Licensing Manager reported that he had received three complaints about a Piper in the City in recent months. On each occasion, Officers had been deployed but had been unable to locate the offender.

16. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
House of Lords Select Committee on the Licensing Act 2003

The Licensing Manager tabled a summary of conclusions and recommendations from the House of Lords Select Committee on the Licensing Act 2003. He highlighted that this was intended to be for information only at this stage and that the House of Lords Select Committee was entirely advisory to the House of Commons.

The Licensing Manager drew Members' attention to the principal proposals that would directly affect this Committee should they be approved. The main proposal related to the merging of Licensing Committees and their functions into Planning Committees. The consideration of any appeals from licensing authorities would also lie with the planning inspectorate as opposed to magistrates' courts.

The Training of Licensing Committee Members would become obligatory under the new proposals – something that the City had always adopted in practice. The Chairman added that all new Committee Members would receive adequate Licensing training in the near future, shortly after the May Court of Common Council meeting where it was hoped that the remaining two vacancies on the Committee would be filled.

The Chairman went on to highlight further significant changes proposed within the summary – one of these being that Licensing Authorities would also be given the power to object to Temporary Event Notice applications alongside the Police and Environmental Health Officers. A further significant proposal for the City was the suggested abolition of the Late Night Levy.

In response to questions, the Licensing Manager stated that he assumed that the Remembrancer would be monitoring the progress of this matter through Parliament. He undertook to keep the Licensing Committee informed on this.

A Member commented that it was well acknowledged that these proposals were likely to attract a significant number of political representations. She went on to state that she felt that the City already complied with a number of proposals with regard to Member training and Licensing Hearing arrangements. However, she underlined her serious concerns at the proposals to merge Licensing and Planning Committee functions and to abolish the Late Night Levy. She hoped that the City would underline these concerns when invited to make representations.

A Member, also the acting Chairman of the City's Planning and Transportation Committee, agreed that it would be disastrous to merge Licensing and Planning functions.

17. EXCLUSION OF THE PUBLIC

RESOLVED - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

<u>Item No(s).</u>	<u>Paragraph No(s).</u>
18	1, 2 & 3
19 & 20	1

18. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 1 February 2017 were considered and approved as a correct record.

19. DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES - NON-PUBLIC APPENDIX

The Committee received a non-public appendix to Item 13 on the agenda providing Members with details of those premises obtaining sufficient points on the Risk Scheme to reach red or amber for the period 1 September 2016 – 28 February 2017.

20. VIOLENT CRIME FROM LICENSED PREMISES

The Committee received a report from the City of London Police updating Members on issues of Violent Crime from licensed premises within the City.

21. NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE

There were no questions raised in the non-public session.

**22. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED
WHILST THE PUBLIC ARE EXCLUDED**

Members were provided with additional information on this year's Annual Committee Dinner.

The meeting ended at 3.04 pm

Chairman

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MINUTES OF THE LICENSING REVIEW (HEARING) SUB COMMITTEE

HELD ON THURSDAY, 22ND JUNE 2017 AT 09.30 AM

APPLICANT: GREMIO DE LONDON LTD
PREMISES: 26A SAVAGE GARDENS, EC3N 2AR

Sub Committee:

Ms Sophie Fernandes (Chairman)
Mr Michael Hudson
Deputy Jamie Ingham Clark

Officers:

Town Clerk – Julie Mayer & Bose Kayode
Comptroller and City Solicitor – Paul Chadha
Markets & Consumer Protection – Peter Davenport & Steve Blake

Given Notice of Attendance:

Applicant:

Mr Max Alderman, Gremio de London Ltd

Making representation:

Mr David Roberts, Principal Associate – Eversheds Sutherland
Mr Pino Dispinseri, Manager of Carolina Tower Hotel Ltd t/as Doubletree by Hilton
Tower of London

The local Ward Member for Tower, Ms Marianne Fredericks was in attendance, as an additional objector. As notice of Ms Frederick's representation had not been provided before the Hearing, the Chairman asked the Applicant if he had any objections to Ms Fredericks being called upon to speak and he did not.

Licensing Act 2003 (Hearings) Regulations 2005

A Public Hearing was held at 09:30 AM in Committee Room 1, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises Gremio de London Ltd, 26A, Savage Gardens, EC3N 2AR

The Sub Committee had before them the following documents:-

Appendix 1 – Report of the Director of Markets and Consumer Protection:
Copy of Application
Amendment to Application

Appendix 2 – Conditions Consistent with the Operating Schedule

Appendix 3 – Representations from Other Persons:

Carolina Tower Hotel Ltd t/as Doubletree by Hilton Tower of London

Appendix 4 –Map of subject premises together with other licenced premises in the area and their latest terminal time for alcohol sales

Appendix 6 - Plan of Premises

- 1) The Hearing commenced at 09:30 am.
- 2) The Chairman introduced the Sub-Committee Members and confirmed that all papers had been considered by the Sub-Committee in advance of the hearing. The Chairman asked those present to introduce themselves and state in what capacity they were attending the Sub-Committee.
- 3) The Chairman opened the hearing by underlining that the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives and that these could only be promoted during licensed hours.
- 4) At the start of the Hearing, the Chairman sought confirmation as to how Gremio de London Ltd would operate. Mr Alderman explained the intended operation as an informal tapas restaurant and bar, with a restaurant in a designated space and terrace, which could also be used for smokers. Mr Alderman advised that there would be no regulated entertainment on any part of the premises, just recorded music.
- 5) The Chairman invited those who had made representations as 'other persons' to address the Sub Committee. The Hearing heard from the Mr Roberts, who explained that the Double Tree Hotel had raised the objection, not Hilton Hotels Ltd, its parent Company. Mr Roberts advised that his client's main objections related to the prevention of public nuisance and crime and disorder, should the license be granted to 2.30 am on weekends, with an extra hour at bank holidays. The Doubletree Hotel had no objection to the use of the premises as a tapas bar but were concerned that the hours applied for might lend themselves to a late-night drinking establishment.
- 6) The objector had submitted photographs showing the location of the premises, in advance of the hearing, and showed them during the hearing. The Applicant had also submitted location photographs, photographs of Gremio de London's operation in Brixton and menu cards but did not show them during the hearing.
- 6) The Chairman invited any persons with new points to make about the application to address the Sub Committee. The Applicant felt that the premises would bring vibrancy to the area and compared it to Gremio de London's operation in Brixton, which is surrounded by residential properties had received no complaints during its 3-and-a-half-years of operation. The Applicant had

worked with the Police in drafting the operating schedule and felt that the hours proposed were appropriate for this type of operation.

- 7) The objector had made representation in respect of dispersal onto a quiet, pedestrianised, residential area. Furthermore, they were concerned that the location of the terrace, surrounded by taller buildings, would generate noise upwards, thereby impacting on the hotel's bedrooms, which frequently have 92% occupancy. The objector asked for controls on the smoking area and for a limit to be imposed on numbers permitted onto the terrace and smoking areas after midnight. The objector confirmed that the Doubletree's roof terrace was used until midnight.
- 8) The local Ward Member for Tower advised that, in addition to the 2 local hotels, the area surrounding the premises was a quiet, residential area, with 2 blocks of residents with bedrooms facing Savage Gardens and 100 flats on closeby Peep Street. The Ward Member was aware of issues with noise dispersal from other premises in the area but the Chairman reminded the Hearing that there had been no other representations from responsible authorities or residents. The Sub Committee were also satisfied that notice of the Licence Application had been displayed adequately.
- 9) The applicant accepted the concerns of the objector and Ward Member but felt they were largely speculative. He advised that there would be 80 covers in the restaurant, the bar had a capacity of 100 and the numbers would be regularly risk assessed as part of the operating schedule, which had been drafted in consultation with the Police. Furthermore, the objector would have swift recourse, within the Licensing Act, should any of their concerns be founded.
- 10) During questions from the Sub Committee, the objector advised that residents had not complained about noise from the railway, despite this being a heavily used, international area. The objector confirmed that the hotel was double glazed but did not have further information to hand about sound proofing to the building.
- 11) During questions from the Sub Committee, the Applicant advised that capacity on the terrace would be 50/60 and the area would have tables and chairs. The premises' security arrangements would focus on the front and rear of the building and the area designated for smokers would keep them away from Savage Gardens. The Conditions would include a log book and telephone number for any concerns during dispersal. The Applicant felt that the later terminal hour would encourage staggered dispersal times and a large exit at 2.30 am would be highly unlikely.
- 12) The Chairman invited both parties to sum up. The objector advised that there was no objection to a Tapas Bar or midnight/1 am closure but felt that the 2.30 am closure time, with an additional hour at bank holidays, would encourage a late-night drinking culture and noise nuisance in a quiet, pedestrianised, residential area. The objector also felt that numbers on the terrace should be strictly controlled, particularly after midnight, or it should be used just for smokers. The Applicant felt that the concerns were largely speculative and that

the proposed hours were sound and fair for this type of operation. Furthermore, the applicant had worked with the Police in drafting the operating schedule and had offered noise reduction measures.

- 13) The Chairman thanked all parties and explained that the Sub-Committee would now retire to deliberate on the application. The Chairman explained that it was expected that the Sub-Committee would come to a decision that day and therefore invited all present to remain in the meeting room while the Sub-Committee considered its decision.
- 14) The Sub-Committee retired 10.20 am.
- 15) At 10.50 the Sub-Committee returned from their deliberations and explained that they had reached a decision. The Chairman thanked those who had remained to hear the decision of the Sub-Committee.
- 16) 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 and crime and disorder.
- 17) In reaching its decision the Sub Committee considered the character of the area and the proposed business operations of the applicant. The Sub-Committee were of the view that the application had been advertised adequately and noted that there had been no objections from residents or responsible authorities. Whilst understanding the hotel's concerns about protecting their clients from public nuisance and possible crime and disorder, the Applicant was clearly an experienced, responsible operator and had run a similar premise for 3 and a half years, in a heavily residential area, with no incidents or complaints.
- 18) The Chairman reported that it was the Sub-Committee's decision to grant the premises licence as offered by the applicant as follows:

Activity	Current Licence	Proposed
Supply of Alcohol	N/A	Mon–Wed 11:00 – 00:00 Thu 11:00 – 01:00 Fri–Sat 11:00 - 02:00 Sun 12:00 – 00:00
Late Night Refreshment	N/A	Sun–Wed 23:00 – 00:00 Thu 23:00 - 01:00 Fri–Sat 23:00 – 02:00
Recorded Music	N/A	Sun–Wed 12:00 – 00:00 Thu 12:00 – 01:00 Fri–Sat 12:00 - 02:00

The Sub Committee declined the extended hours on bank holidays.

The Sub Committee then considered the issue of conditions and concluded that it was necessary and appropriate to impose conditions upon the licence to address the concerns relating to the prevention of public nuisance and crime and disorder.

1. The premises will install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises will be covered enabling frontal identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings shall be stored for a minimum period 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 recent data or footage with the absolute minimum of delay when requested. (MC01)
2. There shall be no promoted events on the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time between 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. (MC02)
3. When the premises is carrying on licensable activities after 00:00 hours, at least 2 registered door supervisors are to be on duty from 21:00 until customers have left the premises. (MC07)
4. 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)
5. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly. (MC16)
6. The Licence holder shall make available a contact telephone number to neighbouring properties and the City of London Licensing Team to be used in the event of complaints arising. (MC19)
7. 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 18 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)

8. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 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)
 9. 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)
 10. There shall be no licensable activities on the terraces after midnight.
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- 19) The Sub-Committee noted that a Dispersal Plan was being drafted and they would like sight of this, once completed.
 - 20) The Chairman thanked all parties for their attendance and explained that written confirmation of the decision would be circulated to all within five working days.

The meeting closed at 10.55 am

Chairman

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Town Clerk's Office

John Barradell

Town Clerk & Chief Executive



Mr M Alderman
Gremio de London Ltd
77 Malham Road
London SE23 1 AH

Telephone 020 7332 1410**E-mail:** Julie.mayer@cityoflondon.gov.uk**Our ref** JM/LIC**Date** xx June 2017

Dear Sir/Madam

Applicant:	Gremio de London Ltd
Premises:	26A Savage Gardens, EC3N 2AR
Date / time of Hearing:	Thursday 22nd June, 9.30 am
Venue:	Committee Room 1, 2nd Floor, West Wing, Guildhall, London EC2P 2EJ

I write to confirm the decision of the Licensing (Hearing) Sub-Committee at the hearing held on 22 June 2017 in relation to the above-mentioned application. The Sub Committee's decision is set out below.

The Sub-Committee comprised of Ms Sophie Fernandes (Chairman), Deputy Jamie Ingham Clark and Mr Michael Hudson. The Applicant, Mr Max Alderman of Gremio de London Ltd, was present and, representing the objector, Mr David Roberts, Principal Associate, Eversheds Sutherland, acting for Carolina Tower Hotel Ltd t/as Doubletree by Hilton Tower of London and Hilton UK Ltd. The General Manager of the Doubletree Hotel, Mr Pino Dispinseri, was also present. The local Ward Member for Tower, Ms Marianne Fredericks was in attendance, as an additional objector. As notice of representation had not been provided by Ms Fredericks before the meeting, the Chairman asked the applicant if he had any objections to Ms Fredericks being called upon to speak and he said he was happy for her to do so.

This decision relates to an application made by Gremio de London Ltd on 77, Malham Road SE23 1AH. The application originally sought to provide the following activities:

Activity	Current Licence	Proposed
Supply of Alcohol	N/A	Mon–Wed 11:00 – 00:00 Thu 11:00 – 01:00 Fri-Sat 11:00 - 02:00 Sun 12:00 – 00:00

Late Night Refreshment	N/A	Sun–Wed 23:00 – 00:30 Thu 23:00 - 01:30 Fri-Sat 23:00 – 02:30
Recorded Music	N/A	Sun–Wed 12:00 – 00:00 Thu 12:00 – 01:00 Fri-Sat 12:00 - 02:00

At the start of the Hearing, the Chairman sought confirmation as to how Gremio de London Ltd would operate. Mr Alderman explained the intended operation as an informal tapas restaurant and bar, with a restaurant in a designated space and a terrace, which could also be used for smokers. Mr Alderman advised that there would be no regulated entertainment on any part of the premises, just recorded music. The Applicant felt that the premises would bring vibrancy to the area and compared the application to Gremio de London's operation in Brixton, which is surrounded by operational properties and there had been no complaints during its 3 and a half year operation. The Applicant had worked with the Police in drafting the operating schedule and felt that the hours proposed were appropriate for this type of operation.

The Hearing then heard from Mr Roberts, who explained that the Double Tree Hotel had raised the objection, not Hilton Hotels Ltd, its parent Company. Mr Roberts advised that his client's main objections related to the prevention of public nuisance and crime and disorder, should the license be granted to 2.30 am on weekends, with an extra hour at bank holidays. The Hotel had no objection to the use of the premises as a tapas bar but were concerned that the hours applied for might lend themselves to a late night drinking establishment.

The objector had further concerns in respect of dispersal onto a quiet, pedestrianised, residential area. Furthermore, they believed that the location of the terrace, surrounded by taller buildings, would generate noise upwards, thereby impacting on the hotel's bedrooms, which frequently have 92% occupancy.

The Sub Committee considered the application and carefully deliberated upon the representations submitted in writing and orally at the hearing by those making representations and the Applicant.

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 2017.

Furthermore, the Sub-Committee had regard to 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 and appropriate to impose conditions on the granting of the application in order to promote one (or more) of the licensing objectives.

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 and crime and disorder.

In reaching its decision, the Sub Committee took into account the character of the area and the proposed business operations of the Applicant and the information provided by the Applicant along with the representations made both orally and in writing by those opposing the application.

The Sub-Committee were of the view that the application had been advertised adequately and there had been no objections from residents or responsible authorities. Whilst respecting the hotel's concerns about protecting their clients from public nuisance and possible crime and disorder, the Applicant was clearly an experienced operator and had run a similar premises for 3 and a half years, in a heavily residential area, with no incidents or complaints.

It was the Sub-Committee's decision to grant the premises licence as follows:

Activity	Current Licence	Proposed
Supply of Alcohol	N/A	Mon–Wed 11:00 – 00:00 Thu 11:00 – 01:00 Fri–Sat 11:00 - 02:00 Sun 12:00 – 00:00
Late Night Refreshment	N/A	Sun–Wed 23:00 – 00:00 Thu 23:00 - 01:00 Fri–Sat 23:00 – 02:00
Recorded Music	N/A	Sun–Wed 12:00 – 00:00 Thu 12:00 – 01:00 Fri–Sat 12:00 - 02:00

The Sub Committee declined the extended hours on bank holidays.

The Sub Committee then considered the issue of conditions and concluded that it was appropriate and necessary to impose conditions upon the licence so as to address the concerns relating to public nuisance.

Mindful of the nature of the premises and the concerns expressed, the Sub-Committee considered the following conditions to be appropriate and necessary to promote the licensing objectives:

1. The premises will install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises will be covered enabling frontal identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings shall be stored for a minimum period 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 recent data or footage with the absolute minimum of delay when requested. (MC01)
2. There shall be no promoted events on the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time between 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. (MC02)
3. When the premises is carrying on licensable activities after 00:00 hours, at least 2 registered door supervisors are to be on duty from 21:00 until customers have left the premises. (MC07)
4. 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)
5. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly. (MC16)
6. The Licence holder shall make available a contact telephone number to neighbouring properties and the City of London Licensing Team to be used in the event of complaints arising. (MC19)
7. 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 18 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)

8. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 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)
9. 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.
10. There shall be no licensable activities on the terraces after midnight.

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.

Yours faithfully,

Julie Mayer

Clerk to the Licensing (Hearing) Sub Committee

Useful Numbers/Websites:

An 'Out of Hours' noise response service is available 24 hours a day by telephone:
0207 6063030

The City's Environmental Health Team can be contacted at:

publicprotection@cityoflondon.gov.uk

The City's Licensing Department can be contacted on: licensing@cityoflondon.gov.uk

Licensing Policy and Code of Good Practice for Licensed Premises:

<http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Licensing-policy.aspx>

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MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE
FRIDAY, 7 JULY 2017

APPLICANT: HUMBLE GRAPE LIMITED
PREMISES: 1 ST BRIDES PASSAGE, LONDON, EC4Y 8EJ

Sub Committee

Peter Dunphy (Chairman)
Deputy Keith Bottomley
Mary Durcan

City of London Officers

Paul Chadha	-	Comptroller & City Solicitor's Department
Steve Blake	-	Department of Markets and Consumer Protection
Peter Davenport	-	Department of Markets and Consumer Protection
Gemma Stokley	-	Town Clerk's Department

The Applicant

Robert Sutherland, Solicitor acting on behalf of the applicant
James Dawson, Director/Founder of Humble Grape
Kevin Coutsy, General Manager of 1 St Brides Passage premises

Parties with Representations

Michael Hudson, Common Councilman, representing Graham Packham, Common Councilman - ***At the outset, Mr Hudson declared that both he and Graham Packham, who he was representing today, were also members of the City of London Corporation's Licensing Committee.***

Nicholas McPhail, Resident
Mike Palmer, Designated Premises Manager, St Bride's Foundation

In Attendance

Sophie Fernandes, Common Councilman and Deputy Chairman of the Licensing Committee

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 11:00am in Committee Room 1, Guildhall, London, EC2, to consider the representations submitted in respect of an application for a variation to a premises licence at 'Humble Grape, 1 St Brides Passage, London, EC4Y 8EJ.

The Sub Committee had before them the following documents:-

Hearing Procedure
Report of the Director of Markets and Consumer Protection

Appendix 1 – Copy of Application

Appendix 2 – Hearing Decision Letter (21 Dec 2015)

Appendix 3 – Current Licence

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 – Plan of Premises

- 1) The Hearing commenced at 11:00am.
- 2) The Chairman introduced the Sub-Committee members, explained the purpose of the hearing and confirmed that all papers had been considered by the Sub-Committee in advance. The Chairman asked all of those present to introduce themselves and state in what capacity they were attending the Sub-Committee.
- 3) Mr Hudson stated that, following conversations with the applicant shortly before the hearing, he believed that it was their intention to formally amend their application to restrict off sales to 10pm. The Chairman asked the applicant to clarify if this was the case. The Solicitor acting on behalf of the applicant confirmed that they would be seeking to amend condition 3 on their existing licence to allow alcohol to be sold in open containers for consumption off the premises (by persons seated at tables and chairs placed on the highway by way of a permit issued by the City of London Corporation only) until 10pm only.
- 4) Mr Hudson, speaking on behalf of Graham Packham to oppose the application, stated that Common Councilmen representing the Ward of Castle Baynard were opposing this application as a team. Their primary concern here was that the terminal hour for the service of alcohol for consumption outside the premises would be the same as the hours currently granted on the premises licence and that this could lead to public nuisance issues for nearby residents and businesses. He added that they would like to request that, if this application were granted, the terminal hour for the service of alcohol for consumption outside the premises be set at 9pm. He went on to state that there was concern that if the hour was set at 10pm this would allow service up until this time and that, in reality, this would lead to patrons drinking outside until approximately 11pm.
- 5) Mr Hudson went on to add that there was also concern around the supervision of drinkers outside of the premises. He stated that there was nothing within the amended condition 3 to prevent patrons from being served alcohol within the premises and then taking this outside for consumption. He stated that he was of the view that a door supervisor after 5pm every evening until closing time would go some way in addressing this concern. Mr Hudson stated that he had also requested a copy of the premises' proposed Operating Schedule ahead of this hearing but had been informed that this was not yet available. He referred to

photographs he had recently taken of the public stairway and submitted to the Sub Committee Clerk and the applicant. He added that a second staircase lead from the premises' kitchen up to the terrace and questioned whether the applicant was therefore intending that the public staircase would not be used for transporting anything from the premises to the terrace. He questioned whether or not this would be enforceable and stated that this was the type of detail he would like to see covered within a written Operating Schedule as opposed to within a formal condition attached to the licence. He added that, in any case, the public staircase he had photographed was extremely steep and could lead to patrons tripping/losing their balance whilst taking their own drinks up to the terrace resulting in broken glass.

- 6) Finally, Mr Hudson stated that he recognised that it was unusual to receive three representations in support of an application. He added, however, that two of the three were effectively from the same individual – one submitted in his own right and one on behalf of his employer. The third favourable representation was from a resident in Lime Street which Mr Hudson stated was too far away from the premises to be affected by any potential public nuisance. He concluded by stating that he and his Ward colleagues were not wanting to restrict this application any further than necessary but that they were wanting to protect their constituents.
- 7) Mr McPhail stated that his objection to the application was also on the grounds of public nuisance to nearby residents/offices likely to be caused by outside drinking. He drew the Sub-Committee's attention to the photographs submitted as part of his representation which depicted the extremely close proximity of the terraced area to his living room. He commented that noise reduction methods that could be used within a premises were not suitable for outdoor use.
- 8) Mr Palmer, designated premises manager at St Bride's Foundation clarified that their representation was not an objection to Humble Grape Ltd but was based on experience of previous owners of the premises with whom they had encountered a number of problems relating to outside drinking – not in the terrace area but at the narrow entrance to 1 St Bride's Passage. He stated that the concern here was that variation to the licence granted to Humble Grape Ltd would be transferable to future owners who might not be so considerate of their neighbours. He added that he had discussed these concerns with Mr Dawson previously who was sympathetic to these.
- 9) The Solicitor acting on behalf of the applicant drew the Sub-Committee's attention to the written statement provided by Mr Dawson which set out the application in greater detail. Copies of the statement had been provided to all present ahead of the hearing. He clarified that the variation to the licence would seek to have sales of alcohol in unsealed containers for consumption off the premises at tables and chairs until 9.30pm only. It was proposed that all tables and chairs on the terrace would be cleared by 10pm. The applicant was confident that this would allow sufficient time to 'wind down' service in the terrace area.

- 10) The Solicitor acting on behalf of the applicant then drew attention to the decision letter at appendix 2 of the Hearing papers setting out the Licensing (Hearing) Sub Committee's decision following Humble Grape Ltd's initial application for a premises licence. He added that the minutes of this initial hearing which had taken place on 21st December 2015 had contained slightly different wording with regard to condition 3 and had therefore led to some confusion – this had, however, since been rectified and he had been made aware that the wording within the decision letter and duplicated on the premises licence was the official record of the decisions taken. The Solicitor acting on behalf of the applicant reported that, since this initial hearing, Mr Dawson had opened the premises and had delivered what he had set out to, it was to his credit that a number of representations today were in favour of the application to now vary the licence. Any proposals around outside drinking had been withdrawn by Mr Dawson at the original hearing on the understanding that he might return and seek permission for this once he had established himself as a responsible owner and good neighbour.
- 11) The Solicitor acting on behalf of the applicant reported that the applicant was also pursuing a tables and chairs licence separately with City of London Corporation Officers, something which was reviewable annually and should therefore go some way to allay any concerns around future ownership of the premises. He clarified that both the tables and chairs licence and the proposed variation to the premises licence would be required in order to proceed as the applicant wished as it was his intention that patrons would be able to consume alcohol from unsealed containers outside of the premises when seated at tables and chairs only.
- 12) Mr Dawson stated that he was sympathetic to the concerns aired by residents, local businesses and elected Members but added that he was currently losing a significant amount of trade in the summer months due to a lack of outside space. He clarified that the premises did not want to see patrons stood outside on the street drinking and that his preference would be to have them seated in a nice courtyard environment. He stated that he and his staff were committed to policing and maintaining this space should the application be granted and were equally committed to continuing to be good neighbours. Finally, Mr Dawson stated that he was of the view that it would be difficult for him to justify continuing to operate at this site without the addition of an outside space.
- 13) With regard to the Operating Schedule referred to by Mr Hudson, the Solicitor acting on behalf of the applicant stated that the applicant was currently working on the production of an 'Outside Management Policy' where he intended to address the management of the outside area – e.g. ensuring that all patrons were seated and asked to return downstairs should there not be sufficient space - , the clearance of the outside area and any furniture by 10pm every evening and other such matters. It was highlighted that this was covered briefly within Mr Dawson's written statement. Mr Dawson clarified that the one member of staff who would always be on duty in the outside area would also have constant radio communication with the staffing team located in the premises downstairs. At busy times, additional members of staff would be allocated to the outside area. Staff would also receive specific training to cover

the management of the outside area, the monitoring of noise levels and to help ensure good customer behaviour in general. In addition, signage would be placed in the area to remind patrons of the need to keep noise to a minimum and respect neighbouring businesses/residents.

- 14) With regard to the 'winding down' of the outside area, the Solicitor acting on behalf of the applicant stated that it was intended that this process would begin 45 minutes prior to the time the area needed to be clear by so as to ensure compliance with this and also to ensure that customers were not rushed to finish any food or drinks they were consuming. The area would also be closed to any new customers from this time. Thirty minutes before the area was due to be cleared, customers would, again, be reminded of the need to clear the area and encouraged to finish their meals and drinks. It was also hoped that this would also be the time at which the last alcoholic drinks for consumption in the outside area were served. Ten minutes before the area needed to be clear, customers would be moved to the premises downstairs. The Solicitor acting on behalf of the applicant also confirmed that any smokers wishing to access the outside area throughout the day would also be seated at tables and chairs and directed to the front of the premises from 9.15pm every evening. He clarified that, at present, there tended to be a maximum of six smokers outside the premises at any one time. They were not permitted to take drinks outside to the front of the venue and it was intended that this continue.
- 15) Finally, the Solicitor acting on behalf of the applicant stated that it was also the intention that an Outside Management Register would be created for staff to log any complaints received. The manager would consult the register on a daily basis and note any action required or taken in relation to each complaint logged. This register would also be available to City of London Corporation Officers to inspect at any given time.
- 16) The Chairman referred to the fact that the applicant had clearly stated that it was their intention to serve food/alcohol only to those seated at tables/chairs in the outside area. He therefore questioned whether they would consider making this area table service only. The applicant stated that this is something he would be willing to put in place.
- 17) The Chairman also referred to the points raised regarding access to the terrace area, stairways and fire escapes. He noted that there had been no objections received from any of the responsible authorities – the Fire Brigade, Police or Environmental Health. He also reported that the consideration of a table and chairs licence was a matter which was outside of this Sub-Committee's remit but that the placement of any furniture would need to be sufficiently clear of any fire escapes.
- 18) Those making representations were invited to sum up their points. Mr Hudson stated that his underlying concern was that, should condition 3 on the existing licence be removed or relaxed, this would enable customers to take drinks in unsealed containers outside on to the terraced area. They would likely use the public staircase (which Mr Hudson had provided photographs of) for this purpose which he considered to be dangerous. He reiterated that he hoped that

this would be adequately covered in an Operating Schedule produced by the applicant. He also reiterated that he would like to see the terminal hour for the sale of alcohol in unsealed containers for consumption off the premises set at 9pm as he felt that any later than this would jeopardise the chances of this area being completely cleared by 10pm which was the applicant's intention. Mr Hudson, Mr McPhail and Mr Palmer all stated that they would like to see condition 3 on the existing licence varied to define a terminal hour for the sale of alcohol in unsealed containers for consumption off the premises as opposed to removed in its entirety. Mr Palmer also questioned whether SIA training might be appropriate for those members of staff charged with control of the outside area.

- 19) The Solicitor acting on behalf of the applicant summarised by stating that he did not object to the suggestion that condition 3 on the existing licence should be amended along these lines. He added that the applicant also had no problem with incorporating their 'Outside Management Policy' document into the Licence. He also pointed out that the applicant would be unable to use the outside area until/if such time as a table and chairs licence was separately agreed to. He concluded by stating that he would commend the applicant to the Sub-Committee as he had shown great patience in establishing his business prior to seeking this variation, as advised by members of the panel at a previous Licensing Hearing.
- 20) The Sub-Committee retired at 11.57am.
- 21) At 12.28pm the Sub-Committee returned from their deliberations and explained that they had reached a decision. The Chairman thanked those who had remained to hear the decision of the Sub-Committee.
- 22) 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.
- 23) Furthermore, the Sub-Committee had regard to 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 and appropriate to impose conditions on the granting of the application in order to promote one (or more) of the licensing objectives.
- 24) 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.
- 25) It was noted that the venue had operated successfully to date without any complaints from the objectors.

- 26) The Sub Committee were satisfied that, on balance, subject to the imposition of suitable conditions, the premises can operate within the licensing objectives.
- 27) It was the Sub-Committee's decision to grant the variation to the premises licence as follows:

Condition 3. on the existing premises licence be amended to read:

3. There shall be no sale of alcohol in unsealed containers for consumption off the premises save that sales of alcohol in unsealed containers for consumption at tables and chairs, placed on the highway in accordance with an authorisation granted under S.115E Highways Act 1980, is permitted up until 21:30 Mon-Sun.

All other permissions are to remain unaltered i.e.

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Sun 11:00 – 23:00 Mon–Wed 11:00 – 00:00 Thu–Fri 11:00 – 01:00 Sat 11:00 – 00:00	No Change
Late Night Refreshment	Mon–Wed 23:00 – 00:30 Thu – Fri 23:00 – 01:30 Sat 23:00 – 00:00	No Change

The sale of alcohol is for both on and off sales.

- 28) The Sub-Committee stated that they also expected the applicant to produce and provide the licensing authority with a copy of their Outside Management Policy within 28 days of this hearing.
- 29) The Chairman thanked all parties for their attendance and explained that written confirmation of the decision would be circulated to all within five working days.

Chairman

Contact Officer: Gemma Stokley
Tel. no. 020 7332 1407
E-mail: gemma.stokley@cityoflondon.gov.uk

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Town Clerk's Office

John Barradell
Town Clerk & Chief Executive



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7 Altenburg Gardens
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SW11 1JH

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Fax 020 7796 2621

Email:

gemma.stokley@cityoflondon.gov.uk

Our ref GS/LIC

Date 13 July 2017

Dear Sir/Madam

Applicant:	Humble Grape Ltd
Premises:	1 St Brides Passage, London, EC4Y 8EJ
Date / time of Hearing:	Friday, 7 July 2017 – 11.00am
Venue:	Committee Room 1, 2nd Floor, West Wing, Guildhall, London EC2P 2EJ

I write to confirm the decision of the Licensing (Hearing) Sub-Committee at the hearing held on 7 July 2017 in relation to the above-mentioned application. The Sub Committee's decision is set out below.

The Sub-Committee comprised of Peter Dunphy (Chairman), Deputy Keith Bottomley and Mary Durcan.

Mr Robert Sutherland – a solicitor representing the applicant, Mr James Dawson, Director/Founder of Humble Grape and Kevin Coutsy, General Manager of the premises, made submissions in support of the application.

Mr Nicholas McPhail, Mr Mike Palmer and Mr Michael Hudson CC (representing Graham Packham CC) appeared to oppose the application. *At the outset, Mr Hudson declared that both he and Graham Packham, who he was representing today, were also members of the City of London Corporation's Licensing Committee.*

1. This decision relates to an application made by Humble Grape Limited, to vary a premises licence under the Licensing Act 2003 in respect of the premises situated at 1 St Brides Passage, London, EC4Y 8EJ.
2. The application sought to amend condition 3 on the licence which currently reads: 'There shall be no sales of alcohol in unsealed containers for consumption off the premises'. The application wishes to amend this condition in order that alcohol may be sold in open containers for consumption off the premises but only by persons

seated at tables and chairs placed on the highway by way of a permit issued by the City of London Corporation. All other permissions are to remain unaltered i.e.

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Sun 11:00 – 23:00 Mon–Wed 11:00 – 00:00 Thu–Fri 11:00 – 01:00 Sat 11:00 – 00:00	No Change
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The sale of alcohol is for both on and off sales.

3. Mr Hudson stated that, following conversations with the applicant shortly before the hearing, he believed that it was their intention to formally amend their application to restrict off sales to 10pm. The Chairman asked the applicant to clarify if this was the case. The Solicitor acting on behalf of the applicant confirmed that they would be seeking to amend condition 3 on their existing licence to allow alcohol to be sold in open containers for consumption off the premises (by persons seated at tables and chairs placed on the highway by way of a permit issued by the City of London Corporation only) until 10pm only.
4. Mr Hudson, speaking on behalf of Graham Packham to oppose the application, stated that Common Councilmen representing the Ward of Castle Baynard were opposing this application as a team. Their primary concern here was that the terminal hour for the service of alcohol for consumption outside the premises would be the same as the hours currently granted on the premises licence and that this could lead to public nuisance issues for nearby residents and businesses. He added that they would like to request that, if this application were granted, the terminal hour for the service of alcohol for consumption outside the premises be set at 9pm. He went on to state that there was concern that if the hour was set at 10pm this would allow service up until this time and that, in reality, this would lead to patrons drinking outside until approximately 11pm.
5. Mr Hudson went on to add that there was also concern around the supervision of drinkers outside of the premises. He stated that there was nothing within the amended condition 3 to prevent patrons from being served alcohol within the premises and then taking this outside for consumption. He stated that he was of the view that a door supervisor after 5pm every evening until closing time would go some way in addressing this concern. Mr Hudson stated that he had also requested a copy of the premises' proposed Operating Schedule ahead of this hearing but had been informed that this was not yet available. He referred to photographs he had recently taken of the public stairway and submitted to the Sub Committee Clerk and the applicant. He added that a second staircase lead from the premises' kitchen up

to the terrace and questioned whether the applicant was therefore intending that the public staircase would not be used for transporting anything from the premises to the terrace. He questioned whether or not this would be enforceable and stated that this was the type of detail he would like to see covered within a written Operating Schedule as opposed to within a formal condition attached to the licence. He added that, in any case, the public staircase he had photographed was extremely steep and could lead to patrons tripping/losing their balance whilst taking their own drinks up to the terrace resulting in broken glass.

6. Finally, Mr Hudson stated that he recognised that it was unusual to receive three representations in support of an application. He added, however, that two of the three were effectively from the same individual – one submitted in his own right and one on behalf of his employer. The third favourable representation was from a resident in Lime Street which Mr Hudson stated was too far away from the premises to be affected by any potential public nuisance. He concluded by stating that he and his Ward colleagues were not wanting to restrict this application any further than necessary but that they were wanting to protect their constituents.
7. Mr McPhail stated that his objection to the application was also on the grounds of public nuisance to nearby residents/offices likely to be caused by outside drinking. He drew the Sub-Committee's attention to the photographs submitted as part of his representation which depicted the extremely close proximity of the terraced area to his living room. He commented that noise reduction methods that could be used within a premises were not suitable for outdoor use.
8. Mr Palmer, designated premises manager at St Bride's Foundation clarified that their representation was not an objection to Humble Grape Ltd but was based on experience of previous owners of the premises with whom they had encountered a number of problems relating to outside drinking – not in the terrace area but at the narrow entrance to 1 St Bride's Passage. He stated that the concern here was that variation to the licence granted to Humble Grape Ltd would be transferable to future owners who might not be so considerate of their neighbours. He added that he had discussed these concerns with Mr Dawson previously who was sympathetic to these.
9. The Solicitor acting on behalf of the applicant drew the Sub-Committee's attention to the written statement provided by Mr Dawson which set out the application in greater detail. Copies of the statement had been provided to all present ahead of the hearing. He clarified that the variation to the licence would seek to have sales of alcohol in unsealed containers for consumption off the premises at tables and chairs until 9.30pm only. It was proposed that all tables and chairs on the terrace would be cleared by 10pm. The applicant was confident that this would allow sufficient time to 'wind down' service in the terrace area.
10. The Solicitor acting on behalf of the applicant then drew attention to the decision letter at appendix 2 of the Hearing papers setting out the Licensing (Hearing) Sub Committee's decision following Humble Grape Ltd's initial application for a premises

licence. He added that the minutes of this initial hearing which had taken place on 21st December 2015 had contained slightly different wording with regard to condition 3 and had therefore led to some confusion – this had, however, since been rectified and he had been made aware that the wording within the decision letter and duplicated on the premises licence was the official record of the decisions taken. The Solicitor acting on behalf of the applicant reported that, since this initial hearing, Mr Dawson had opened the premises and had delivered what he had set out to, it was to his credit that a number of representations today were in favour of the application to now vary the licence. Any proposals around outside drinking had been withdrawn by Mr Dawson at the original hearing on the understanding that he might return and seek permission for this once he had established himself as a responsible owner and good neighbour.

11. The Solicitor acting on behalf of the applicant reported that the applicant was also pursuing a tables and chairs licence separately with City of London Corporation Officers, something which was reviewable annually and should therefore go some way to allay any concerns around future ownership of the premises. He clarified that both the tables and chairs licence and the proposed variation to the premises licence would be required in order to proceed as the applicant wished as it was his intention that patrons would be able to consume alcohol from unsealed containers outside of the premises when seated at tables and chairs only.
12. Mr Dawson stated that he was sympathetic to the concerns aired by residents, local businesses and elected Members but added that he was currently losing a significant amount of trade in the summer months due to a lack of outside space. He clarified that the premises did not want to see patrons stood outside on the street drinking and that his preference would be to have them seated in a nice courtyard environment. He stated that he and his staff were committed to policing and maintaining this space should the application be granted and were equally committed to continuing to be good neighbours. Finally, Mr Dawson stated that he was of the view that it would be difficult for him to justify continuing to operate at this site without the addition of an outside space.
13. With regard to the Operating Schedule referred to by Mr Hudson, the Solicitor acting on behalf of the applicant stated that the applicant was currently working on the production of an 'Outside Management Policy' where he intended to address the management of the outside area – e.g. ensuring that all patrons were seated and asked to return downstairs should there not be sufficient space - , the clearance of the outside area and any furniture by 10pm every evening and other such matters. It was highlighted that this was covered briefly within Mr Dawson's written statement. Mr Dawson clarified that the one member of staff who would always be on duty in the outside area would also have constant radio communication with the staffing team located in the premises downstairs. At busy times, additional members of staff would be allocated to the outside area. Staff would also receive specific training to cover the management of the outside area, the monitoring of noise levels and to help ensure good customer behaviour in general. In addition,

signage would be placed in the area to remind patrons of the need to keep noise to a minimum and respect neighbouring businesses/residents.

14. With regard to the 'winding down' of the outside area, the Solicitor acting on behalf of the applicant stated that it was intended that this process would begin 45 minutes prior to the time the area needed to be clear by so as to ensure compliance with this and also to ensure that customers were not rushed to finish any food or drinks they were consuming. The area would also be closed to any new customers from this time. Thirty minutes before the area was due to be cleared, customers would, again, be reminded of the need to clear the area and encouraged to finish their meals and drinks. It was also hoped that this would also be the time at which the last alcoholic drinks for consumption in the outside area were served. Ten minutes before the area needed to be clear, customers would be moved to the premises downstairs. The Solicitor acting on behalf of the applicant also confirmed that any smokers wishing to access the outside area throughout the day would also be seated at tables and chairs and directed to the front of the premises from 9.15pm every evening. He clarified that, at present, there tended to be a maximum of six smokers outside the premises at any one time. They were not permitted to take drinks outside to the front of the venue and it was intended that this continue.
15. Finally, the Solicitor acting on behalf of the applicant stated that it was also the intention that an Outside Management Register would be created for staff to log any complaints received. The manager would consult the register on a daily basis and note any action required or taken in relation to each complaint logged. This register would also be available to City of London Corporation Officers to inspect at any given time.
16. The Chairman referred to the fact that the applicant had clearly stated that it was their intention to serve food/alcohol only to those seated at tables/chairs in the outside area. He therefore questioned whether they would consider making this area table service only. The applicant stated that this is something he would be willing to put in place.
17. The Chairman also referred to the points raised regarding access to the terrace area, stairways and fire escapes. He noted that there had been no objections received from any of the responsible authorities – the Fire Brigade, Police or Environmental Health. He also reported that the consideration of a table and chairs licence was a matter which was outside of this Sub-Committee's remit but that the placement of any furniture would need to be sufficiently clear of any fire escapes.
18. Those making representations were invited to sum up their points. Mr Hudson stated that his underlying concern was that, should condition 3 on the existing licence be removed or relaxed, this would enable customers to take drinks in unsealed containers outside on to the terraced area. They would likely use the public staircase (which Mr Hudson had provided photographs of) for this purpose which he considered to be dangerous. He reiterated that he hoped that this would be adequately covered in an Operating Schedule produced by the applicant. He

also reiterated that he would like to see the terminal hour for the sale of alcohol in unsealed containers for consumption off the premises set at 9pm as he felt that any later than this would jeopardise the chances of this area being completely cleared by 10pm which was the applicant's intention. Mr Hudson, Mr McPhail and Mr Palmer all stated that they would like to see condition 3 on the existing licence varied to define a terminal hour for the sale of alcohol in unsealed containers for consumption off the premises as opposed to removed in its entirety. Mr Palmer also questioned whether SIA training might be appropriate for those members of staff charged with control of the outside area.

19. The Solicitor acting on behalf of the applicant summarised by stating that he did not object to the suggestion that condition 3 on the existing licence should be amended along these lines. He added that the applicant also had no problem with incorporating their 'Outside Management Policy' document into the Licence. He also pointed out that the applicant would be unable to use the outside area until/if such time as a table and chairs licence was separately agreed to. He concluded by stating that he would commend the applicant to the Sub-Committee as he had shown great patience in establishing his business prior to seeking this variation, as advised by members of the panel at a previous Licensing Hearing.
20. The Sub Committee considered the application and carefully deliberated upon the representations submitted in writing and orally at the hearing by those making representations and the Applicant.
21. 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.
22. Furthermore, the Sub-Committee had regard to 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 and appropriate to impose conditions on the granting of the application in order to promote one (or more) of the licensing objectives.
23. 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.
24. It was noted that the venue had operated successfully to date without any complaints from the objectors.
25. The Sub Committee were satisfied that, on balance, subject to the imposition of suitable conditions, the premises can operate within the licensing objectives.
26. It was the Sub-Committee's decision to grant the variation to the premises licence as follows:

Condition 3. on the existing premises licence be amended to read:

3. *There shall be no sale of alcohol in unsealed containers for consumption off the premises save that sales of alcohol in unsealed containers for consumption at tables and chairs, placed on the highway in accordance with an authorisation granted under S.115E Highways Act 1980, is permitted up until 21:30 Mon-Sun.*

All other permissions are to remain unaltered i.e.

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Sun 11:00 – 23:00 Mon–Wed 11:00 – 00:00 Thu-Fri 11:00 – 01:00 Sat 11:00 – 00:00	No Change
Late Night Refreshment	Mon–Wed 23:00 – 00:30 Thu – Fri 23:00 – 01:30 Sat 23:00 – 00:00	No Change

The sale of alcohol is for both on and off sales.

27. The Sub-Committee stated that they also expected the applicant to produce and provide the licensing authority with a copy of their Outside Management Policy within 28 days of this hearing.

28. 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.

Yours faithfully,

Gemma Stokley

Clerk to the Licensing (Hearing) Sub Committee

Useful Numbers/Websites:

An 'Out of Hours' noise response service is available 24 hours a day by telephone: 0207 6063030

The City's Environmental Health Team can be contacted at:

publicprotection@cityoflondon.gov.uk

The City's Licensing Department can be contacted on: licensing@cityoflondon.gov.uk

Licensing Policy and Code of Good Practice for Licensed Premises:

<http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Licensing-policy.aspx>

Cc: Angela Message, Keystone Law, 48 Chancery Ln, London WC2A 1JF

Committee(s)	Dated:
Licensing	26 07 2017
Subject: Revenue Outturn 2016/17	Public
Report of: The Chamberlain Director of Markets and Consumer Protection	For Information
Report author: Jenny Pitcairn, Chamberlain's Department	

Summary

This report compares the revenue outturn for the services overseen by your Committee in 2016/17 with the final budget for the year. Overall total net expenditure during the year was £25,000 whereas the total budget was £88,000 representing an underspending of (£63,000) as set out below:

Summary Comparison of 2016/17 Revenue Outturn with Final Budget			
	Final Budget £000	Revenue Outturn £000	Variations Increase / (Reduction) £000
Direct Net Expenditure			
Director of Markets and Consumer Protection	(79)	(143)	(64)
Capital and Support Services	167	168	1
Overall Totals	88	25	(63)

The underspend was largely due additional income from an increase in the volume of licence applications. A local risk underspend on Late Night Levy related costs was fully offset by a reduction in Late Night Levy income.

The Director of Markets and Consumer Protection has submitted a request to carry forward underspendings for the PHES and Markets Committees but none for the Licensing Committee. This request will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

Recommendation(s)

Members are asked to:

- Note the report and the proposed carry forward of underspendings to 2017/18.

Main Report

Revenue Outturn for 2016/17

- Actual net expenditure for your Committee's services during 2016/17 totalled £25,000, an underspend of (£63,000) compared to the final budget of £88,000. A summary comparison with the final budget for the year is tabulated below. In this and subsequent tables, figures in brackets indicate income or in hand balances, increases in income or decreases in expenditure.

Summary Comparison of 2016/17 Revenue Outturn with Final Budget				
	Final Budget	Revenue Outturn	Variation Increase / (Reduction)	Variation Increase / (Reduction)
	£000	£000	£000	%
Local Risk				
Expenditure	693	575	(118)	(17)
Income	(772)	(718)	54	7
Total Director of Markets and Consumer Protection	(79)	(143)	(64)	(81)
Capital and Support Services	167	168	1	1
Overall Totals	88	25	(63)	(72)

- The most significant local risk variations were:
 - Additional income of (£55,000) due largely to an increase in volume of applications for tables and chairs licenses and Temporary Event Notices;
 - An underspend of (£109,000) on employee costs and contingencies due to Late Night Levy funds not spent; offset by
 - A reduction in income of £109,000, as any unspent Late Night Levy income is carried forward to spend in future year(s) in accordance with legislation.
- The reduction in capital and support services is due to minor changes in the level and attribution of central costs.
- Appendix 1 shows the movement from the 2016/17 latest approved budget (as reported to your Committee in February 2017) to the final budget.

Local Risk Carry Forwards to 2017/18

- The Director of Markets and Consumer Protection has a local risk underspending of (£64,000) on the activities overseen by your Committee. The Director also had local risk underspendings totalling (£804,000) on activities overseen by other Committees. The Director is proposing that his maximum permitted underspend of £338,000 be carried forward, none of which relates to activities overseen by your Committee.

Efficiency and Sustainability Plan

6. The Court of Common Council approved the published Efficiency and Sustainability Plan on the 13th October 2016. This plan focuses on the existing Service Based Review programme which is now nearing completion, other agreed transformation initiatives and developing a framework for continuous efficiency improvement for 2017/18 and later years. This plan needs to be viewed in the context of the overall Medium Term Financial Strategy to have a five year plan with sufficient cashable savings to present a balanced budget for all four funds and adopting an investment approach utilising the headroom to invest in one-off projects such as the Museum of London relocation project and 'bow wave' list of outstanding repairs. To assist with this context and messaging, a set of core messages on the City of London Corporation's Finances have been developed and are set out in Appendix 2 for Members' information.

Appendices

- Appendix 1 – Movement from 2016/17 Latest Approved Budget to Final Budget
- Appendix 2 – Efficiency and Sustainability Plan

Jenny Pitcairn

Chamberlain's Department

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Licensing Committee - Analysis of Movements 2016/17 Latest Approved Budget to Final Budget

	Original Budget 2016/17 £'000	Latest Approved Budget* 2016/17 £'000	Final Budget 2016/17 £'000	Movement £'000	Notes
Local Risk Expenditure					
Employees	447	442	448	6	(i)
Premises	45	45	45	0	
Supplies and Services	18	18	18	0	
Third Party Payments	0	114	84	(30)	(ii)
Contingencies	99	63	98	35	(i), (ii)
Total Expenditure	550	682	693	11	
Income	(689)	(761)	(772)	(11)	(i)
Total Local Risk	(80)	(79)	(79)	0	
Capital and Support Services					
Insurance	2	2	2	0	
Admin Buildings	32	33	33	0	
Support Services	54	47	47	0	
IT Recharge	23	28	34	6	(iii)
Capital Charges	2	4	4	0	
Tables and Chairs**	27	27	27	0	
Directorate Recharge	21	20	20	0	
Total Capital and Support Services	161	161	167	6	
Total	81	82	88	6	

* Latest Approved Budget as reported to your Committee in February 2017

** Recharge from Planning & Transportation Committee.

Notes

- (i) Transfer of additional Late Night Levy income to specified budget for agreed spend.
- (ii) Previously agreed Late Night Levy spend of £30,000 was not required and the budget was transferred back to the contingency.
- (iii) The increase in the IT recharge budget reflects the Committee's share of an approved increase in central IT budgets

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Efficiency and Sustainability Plan

CORE MESSAGES ON THE CITY OF LONDON CORPORATION'S FINANCES – January 2017

Our aim:

Our funds are there to help the City of London Corporation promote financial, professional and business services, provide excellent public services and support the City, capital and country as a whole.

They must be used economically, efficiently and effectively to maintain the City's underlying infrastructure and services and so we can prioritise paying for initiatives which meet our long-term ambitions.

How we do this:

The City has four funds.

Two of these are paid for by ratepayers and taxpayers:

- City Fund - money used to cover local authority activities in the square mile and beyond.
- Police Fund – the money used to pay for the City of London Police Force

Two are provided at no cost to the taxpayer:

- City's Cash - an endowment fund built up over 800 years and passed from generation to generation used to fund services that benefit London and the nation as a whole.
- Bridge House Estates - the money used to look after five bridges over the Thames with any surpluses being used for charitable purposes and awarded through the City Bridge Trust.

It is a duty on us to make the best use of the resources we have. This can only be done through continually reviewing the economy, efficiency and effectiveness of our services, the outcomes that are achieved and how they meet our long-term ambitions.

Everyone has a role to play in constantly challenging what we do and thinking about how we could do things better.

Are there further cuts being made?

Yes, but only 2% and only to ensure continuous improvement. In 2014, we estimated that due to cuts in government funding City Fund would be facing deficits approaching £11m by 2017/18 so we had to deal with this by scrutinising all our activities in what we called the Service Based Review.

We could, of course, have just made efficiencies in those areas paid out of public funds. But we decided it was not fair or equitable to ask some parts of our organisation to be more efficient and not others.

Proposals totalling £20m in efficiencies/extra income were identified and are well underway to being implemented. Following the completion of the Service Based Review programme, a continuous 2% per annum budget reduction target will be introduced across all our services. Departments will be expected to meet this through efficiency and performance improvements.

Why are we continuing to make budget reductions?

Firstly, we have a duty to ensure the most effective and efficient use of our resources.

Secondly, we continue to have big cost pressures. We live in an historic and ageing City. Many of our properties are deteriorating which requires an increased level of investment, and our IT infrastructure and service needs investment. In addition the City of London Police needs to address the changing nature of policing and the increasing demands placed on the service in the context of increased security threats from terrorism, growing cybercrime and online economic crime and intelligence requirements.

Thirdly, by being economic, efficient and making savings and focusing our efforts where we are most effective we can enhance existing services and pursue new priorities and increasingly ambitious outcomes for the benefit of the City, London and the nation.

Why not utilise the City's Cash fund endowment?

This is money which has been passed down to us over the years, produces income for us and is not to be used lightly as we want to pass it on to future generations to sustain services in the medium to longer term. Its income comes mainly from property and investments and is used to finance activities for the benefit of the City, London and the nation as a whole. Any sale of the underlying investments reduces the ability of the fund to generate income in future years.

The City's Cash budget will be running a deficit over the next three years to allow us to carry out essential investment before returning to a small surplus in 2020/21.

So what does the future look like for these funds?

The financial forward look for two of our funds is relatively healthy but uncertainties remain.

- City Fund: we have been planning for a continuing reduction in government grant and the underlying budget position is robust. We will be using the headroom to invest in essential repairs and maintenance and to fund the

building of the new Museum of London to the benefit of all Londoners and the country as a whole.

- **City's Cash:** The forecast deficit over the next three years reflects our commitment to carry out essential investment and to support cultural development before returning to a small surplus in 2020/21.
- **Bridge House Estates:** the rising surplus will increase the resources available to the City Bridge Trust for charitable giving across London.
- **The Police Fund:** The underlying financial position remains very challenging with the recent Police core grant settlement marginally lower than anticipated. Additional cost pressures have meant the fund has moved into deficit, utilising the remaining ring fenced reserves in 2016/17 and 2017/18. An interim strategy has been developed and proposed for dealing with the deficit to the end of 2017/18. The Town Clerk, the Chamberlain and the Commissioner, have commissioned a review of the Police operating model, focusing on future demand modelling and how best to secure VFM, to identify options to address the, as yet unfunded, projected deficits of £5.6m in 2018/19 and £3.8m in 2019/20.

What are your total assets?

The City of London Corporation has assets of around £4bn. Income from these assets fund our services and any sale of assets to fund on-going services in the short term would harm our ability to protect services in the medium to longer term. Sale of many of our local authority assets to fund day to day services is also effectively prohibited by Local Government accounting rules.

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Committee(s)	Dated:
Licensing	26 July 2017
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
Report author: Peter Davenport - Licensing	

Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 April 2017 to 30 June 2017. 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.

The report gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 April 2017 to 30 June 2017. 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 January 2017 to 30 June 2017.

Recommendation(s)

Members are asked to:

Note the report

Main Report

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 April 2017 to 30 June 2017. Each of these appendices contain details of any conditions attached to the premises licences.
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. 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.
5. Appendix III provides data from 1 April 2017 to 30 June 2017.
6. 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.
7. 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.
8. 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 comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
9. This report details data produced from the 'traffic light' risk scheme for the period of 1 January 2017 to 30 June 2017. No premises have a sufficient number of points to be classified as 'red' and two premises have a sufficient number of points to be classified as 'Amber'. Further details can be seen in Appendix IV.
10. 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.
11. 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.

12. 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 so, officers from this Department seek authorisation to take the appropriate enforcement action.
13. 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.
14. 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

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

Appendices

- Appendix 1 – New Licence Applications issued between 1 April 2017 to 30 June 2017
- Appendix 2 – Applications to vary a licence issued between 1 April 2017 to 30 June 2017
- Appendix 3 - Enforcement Action carried out between 1 April 2017 to 30 June 2017 (Including complaints received)
- Appendix 4(Non-Public) – Premises reaching red and amber on the risk scheme between 1 January 2017 and 30 June 2017.

Background Papers

None

Peter Davenport

Licensing Manager

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Appendix I

New Licence Applications Issued by way of Delegated Authority (1 April 2017 –30 June 2017)

Name	Address	Ward	Details
Borough Restaurants	2 Finsbury Avenue	Bishopsgate	A 23:00
Wolf	2 Finsbury Avenue	Bishopsgate	A, (f) 23:00
Marks & Spencer	15 Bishopsgate	Cornhill	A 00:00
Black Sheep Coffee	122 Leadenhall Street	Lime Street	A, L 00:00
Theatre Delicatessen	2 Finsbury Avenue	Bishopsgate	A, (a),(b),(e),(f) 02:00
ETM Group	25 Old Broad Street	Cornhill	A, L 02:00
The Watch House	92 Fetter Lane	Farringdon W/out	A, (e), (f) 23:00
In One Basket Ltd	2 Finsbury Avenue	Bishopsgate	A, (f) 22:00
We Grill	29-30 Leadenhall Mkt	Langbourn	A 23:00
Assoc of British Ins	17 Crosswall	Tower	A 21:45
Navarac	2-8 Bloomberg Arcade	Cordwainer	A,(a),(b),(e),(f) 23:30
Baba G's Bhangra	1 Finsbury Ave Sq	Bishopsgate	A,L,(f) 00:00
The Haciendas	6-7 Leadenhall Mkt	Lime Street	A 22:00
Scotch Malt Whisky Soc	9a Devonshire Square	Bishopsgate	A,L,(e),(f),(g) 02:30
Vinoteca	2-8 Bloomberg Arcade	Cordwainer	A, L 01:00
The Japanese Canteen	30-33 Minories	Tower	A 23:00

Total Licences Issued = 16

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

WARD	No.		
Bishopsgate	6	Farringdon W/out	1
Cordwainer	2	Langbourn	1
Cornhill	2	Lime Street	2
		Tower	2

Conditions Applied to Licences Granted by way of Delegated Authority

Borough Restaurants

None

Wolf

None

Marks & Spencer

None

Black Sheep Coffee (Leadenhall)

1. The premises shall install and maintain a CCTV system. 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. There shall be no sale of alcohol in unsealed containers for consumption off the premises, except for that to be consumed at the outside seating belonging to the premises.

Theatre Delicatessen

1. The premises shall install and maintain a comprehensive CCTV system. All public areas of the licensed premises, including all public entry and exit points, 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. All windows and external doors shall be kept closed when regulated entertainment and/or rehearsals are taking place and in any event after 21:00 hours, except for immediate access and egress of persons.

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

4. 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.

5. 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.

6. Children under the age of 16 shall not be admitted onto the premises unless accompanied by a responsible adult aged 18 or over.

ETM Group

1. Promoted events will not be held at 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. 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.

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

4. Children under the age of 18 years shall not be allowed on the premises unless accompanied by an adult.

The Watch House

None

In One Basket Ltd

None

We Grill

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

Association of British Insurers

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

Navarac

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 point, 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. The premises will not host promoted events defined as follows: '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.

Baba G's Bhangra Burger

None

The Haciendas Company Ltd

None

The Scotch Malt Whisky Society

1. The premises will not host promoted events defined as follows: '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. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal 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.

3. No alcohol shall be sold for consumption in the seated area immediately outside the premises after 22:00 hours.

4. 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 complaints received
- (d) any incidents of disorder (disturbance caused either by one person or a group of people)
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol during the hours the premises is licensed to sell it
- (h) any visit by a relevant authority or emergency service

5. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

Vinoteca

1. Alcohol will only be supplied for the purposes of off sales in sealed containers or for consumption by persons seated at tables in the external seated area.

2. Alcohol supplied for consumption on the premises between 07.00 and 10.00 must be ancillary to a table meal.

3. 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.

4. Promoted events will not be held at 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.

5. Prominent signage shall be displayed requesting that customers leave quietly.

The Japanese Canteen

None

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Appendix II

Licence Variations Issued by way of Delegated Authority (1 Apr 17 -30 Jun 17).

Name	Address	Ward	Variation
Black Sheep Coffee	2 Plough Place	Castle Baynard	<ul style="list-style-type: none"> • Increase in terminal hour for supply of alcohol from 22:00 to 00:00. • Addition of LNR. • Change in condition to permit outside drinking at T&C until 22:30.
Ember	1a Pudding Lane	Bridge & Bridge Without	<ul style="list-style-type: none"> • Increase of opening hour from 10:00 to 07:00.
Cheeky Chicos	8-12 New Bridge St	Castle Baynard	<ul style="list-style-type: none"> • Increase in terminal hour for supply of alcohol from 22:30 to 00:00. • Addition of CCTV condition
Harry's Bar	5 Abchurch Yard	Candlewick	<ul style="list-style-type: none"> • Increase of opening hour from 10:00 to 07:00 • Deletion of transferred conditions no longer applicable
Rocket Rest's	201 Bishopsgate	Bishopsgate	<ul style="list-style-type: none"> • Changes to floor plan

Total Number of Variations = 5

Number of Licences by Ward

WARD	No.
Bishopsgate	1
Bridge/Bridge Without	1
Candlewick	1
Castle Baynard	2

Conditions Applied to Licences Granted by way of Delegated Authority

Black Sheep Coffee (Plough Place)

None

Ember

None

Cheeky Chicos

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.

Harry's Bar

None

Rocket Restaurants

None

Personal Licences Issued by way of Delegated Authority

1 April 2017 – 30 June 2017

7

Enforcement Action Carried out Under the Licensing Act 2003 1 April 2017 – 30 June 2017

Total Number of Inspections	56
Number of Warning Letters	8
Number of Premises advised	22
Number of simple cautions	0
Number of suspension notices	6
Licence lapsed*	0
'Dead' Suspensions**	2
'Live' Suspensions***	4
Under determination	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 between 1 April 2017 and 30 June 2017

Outcome Code

No action possible - Complaint unsubstantiated

Resolved Informally - Complaint justified but not statutorily actionable - informal action taken results in satisfactory outcome.

Resolved / Compliance - Complaint justified and statutorily actionable; formal or informal action taken results in satisfactory outcome.

Unresolved - Noise not reduced or controlled, nor have preventive measures to prevent recurrence been implemented.

Number of complaints received between

01/04/2017 and 30/06/2017

Total number of complaints: 25

Complaint Details	Date	Time	Outcome	Ward
Barraka, 7 Artillery Lane, London, E1 7LP				
Music noise levels from shop unit next door	26/05/17	12:26	Resolved informally	Bishopsgate
Bird of Smithfield, 26 Smithfield Street, London, EC1A 9LB				
Alleged complaint of loud bass type music coming from nearby licensed premises Bird of Smithfield, West Smithfield	14/05/17	00:45	No action possible	Farringdon Without
Alleged complaint of loud music coming from Bird of Smithfield	06/05/17	01:32	Resolved informally	Farringdon Without
Grand Union, Grand Union Public House, Rolls Passage, London, EC4A 1HL				
Noise from patrons outside and loud music	17/06/17	10:36	Resolved informally	Farringdon Without
Linklaters LLP, 1 Silk Street, London, EC2Y 8AL				
Barbican resident – limited details on complaint	22/05/17	09:27	Resolved informally	Coleman Street
Merchant House of Fleet Street, 8 Bride Court, London, EC4Y 8DU				
Claim of loud bass emanating from Merchant House of Fleet St on Bride Court	28/04/17	22:38	No action possible	Castle Baynard
Alleged complaint of loud bass coming from Merchant House Bride Court. A no call back request, complainant stated only wanted call logged	14/04/17	22:45	No action possible	Castle Baynard
Mingo Argentine Steakhouse, Retail Unit, 67-69 Watling Street, London, EC4M 9DD				
Loud music from newly opened Carmona Tapas Bar below complainant	29/04/17	11:43	No action possible	Cordwainer
Montcalm Hotel (London) Ltd, Hotel, The Whitbread Brewery, 52 Chiswell Street, London, EC1Y 4SA				
Extractor fan noise from the Montcalm Hotel. Caller just wanted call logged and did not provide a telephone number.	25/06/17	13:12	Case still in progress	Coleman Street
Extractor fan noise from the Jugged Hare (plant managed by Montcalm)	25/06/17	16:58	Case still in progress	Coleman Street
Extractor fan noise from the Montcalm Hotel. Caller just wanted call logged and did not provide a telephone number.	25/06/17	17:20	Case still in progress	Coleman Street
Complaint of noisy extractor from roof of the Montcalm.	24/06/17	22:24	Case still in progress	Coleman Street
Premier Inn, St Marys Court, 20 St Mary At Hill, London, EC3R 8EE				
Party noise from premier inn	20/05/17	01:41	Case still in progress	Billingsgate
Party on the street outside the hotel	21/05/17	03:35	No action possible	Billingsgate
The Butcher's Hook and Cleaver, 61 West Smithfield, London, EC1A 9DY				
Contact with Police who have been asked to investigate by his AC	10/05/17	15:26	Resolved informally	Farringdon Within

The Counting House, The Counting House Public House, 50 Cornhill, London, EC3V 3PD				
Noisy bottle collections. Manager to remind collection company not to turn up till after 07:00	26/05/17	14:07	Resolved informally	Cornhill
The Don, Retail Unit The Courtyard, 20 St Swithin's Lane, London, EC4N 8AD				
Recurrence of early morning recycling collection	10/05/17	22:44	Resolved informally	Candlewick
The George & Vulture, The George And Vulture, 2-3 Castle Court, London, EC3V 9DL				
Noise from deliveries to PH at 05:00	09/05/17	12:07	Resolved informally	Langbourn
The Magpie, The Magpie Public House, 12 New Street, London, EC2M 4TP				
Noise from amplified music – busking associated with the premises	01/06/17	20:55	Resolved informally	Bishopsgate
The Pepys, Samuel Pepys Public House, Stew Lane, London, EC4V 3PT				
Noise from patrons leaving	28/04/17	00:02	Resolved informally	Queenhithe
The Shakespeare, The Shakespeare Public House, 2 Goswell Road, London, EC1M 7AA				
Complaint of loud music and people noise from Shakespeare pub below complainant	14/04/17	03:20	No action possible	Cripplegate
Complainant states back doors open	11/05/17	19:02	Resolved informally	Cripplegate
Excess noise coming from Shakespeare	27/04/17	21:04	No action possible	Cripplegate
Complaint of people music from the Shakespeare pub	26/05/17	21:05	No action possible	Cripplegate
Noise nuisance	21/06/17	21:35	No action possible	Cripplegate

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Club Soda Guide: Review and Next Steps

The City of London commissioned the extension (from Hackney to the City) of the Club Soda Guide in October 2016. Club Soda delivered an ambitious project to sign up licensed venues and engage the public in a four-month long pilot project.

1. Overview of 2016/2017

The priority in the City was venues that pay the late night levy (LNL). This was 208 venues, mainly pubs, bars and restaurants, but also a few cafes and hotels. A further 91 pubs and bars not paying the LNL were also included in the project scope. A basic listing was created on the Guide website for all venues, using publicly available information.

Venue recruitment used several methods, including social media, email, and postcards. The project team also visited as many of the venues as possible. In the City this numbers was 208. The team also attended the City of London's Safety Thirst event on 18th October. As of 14 March, 108 City venues had signed up to the Guide website.

The majority of the listing claims came from our team visiting the venues in person. From the total of 208 recorded City visits, 83 led to the venue signing up (40%). Feedback from the team was that overall venues were often enthusiastic. Several venues, without prompting, talked of and were keen to learn more about non-alcoholic drinks, in particular beers.

Once a venue had claimed their listing (or set up their own), they were prompted to complete their "Club Soda Score" self-assessment questionnaire. Almost all of the venues did complete this. The self-assessment score distributions as at the beginning of March are shown in the table below. On the whole, City venues did rather well (better than Hackney venues): as many as 29% got the highest 5 star rating. This may be partly explained by the higher number of chains in the City - they tended to score higher than small independent venues.

	Score = 0	Score = 1	Score = 2	Score = 3	Score = 4	Score = 5
Venues	15%	10%	12%	18%	15%	29%

Based on their self-assessment responses, we can also get an overview of what low and no alcohol drinks the venues who signed up to the Guide serve (these figures are for both City and Hackney). Of all the signed-up venues, 54% serve at least one 0% beer; as many as 70% of the pubs do. It's not unusual to find two 0% beers in a City pub (23% of them), finding three or more is much rarer (less than 5%); though at the top of the range, The Draft House pub at Seething Lane serves five brands. Low and no alcohol wines and ciders are much less commonly served.

We also asked for the number of soft drinks served in each venue. The definition of "soft drinks" was left rather vague, as we wanted to allow venues to include anything they

considered fitting this category. There was a significant number of venues serving less than 10 non-alcoholic drinks (18%), which we considered the bare minimum (and awarded one point for). The majority of venues are in the 10 to 19 drinks categories, with a few serving over 30.

Venues have continued to proactively sign up since March: in the last four months we have had another 10 City venues get their listings.

Public facing campaign

We ran a public facing campaign in January encouraging people to try out the venues. We gave out over 100 mindful pub crawl packs in the City. Our City Mindful Pub Crawl launch had over 50 attendees and got covered on [London Live](#).

Media reaction

The project garnered significant media interest, both locally and nationally and most crucially positive coverage in the trade media. The main ones were:



Newspapers & Magazines

- 13 Mar [Metro](#): What is mindful drinking?
- 27 Feb [i News](#): Laura Willoughby, founder of mindful drinking
- 26 Feb [The Guardian](#): Forget the hangover, under-25s turn to mindful drinking
- 14 Feb [Evening Standard](#): Lloyd's of London brings in strict 9-5 booze ban for employees
- 19 Jan [Morning Advertiser](#): Why Dry January is no longer a period of doom and gloom
- 17 Jan [TimeOut London](#): Six free things to do in London this week
- 16 Jan [Harpers](#): The teetotal trend: Beyond Dry January
- 11 Jan [The Evening Standard](#): London's best bars for Dry January
- 5 Jan [Londonist](#): Things To Do Today In London
- 26 Dec [Huffington Post](#): Doing Dry January? Four Tips To Enjoy The Month Alcohol Free
- 19 Dec [Bar Magazine](#): Guide helps licensees attract Dry January fundraisers

TV & Radio appearances

- 15 Feb [BBC London News](#): Evening news
- 15 Feb [LBC Radio](#): Nick Ferrari At Breakfast
- 6 Jan [London Live](#): News
- 1 Jan [Sky News](#): Morning News

2. Objectives and outcomes for 2017/2018

Our aim for the next year is to further develop the Guide website based on the learning and feedback from both venues and the public from the first pilot year.

Mission: Support licensed venues to provide a greater range of low and no alcohol drinks for all their customers.		
Objectives	Outputs	Outcomes
Increase the number and types of venues on the guide	Redesign the website and add additional question sets to cover all venues types and make it easier to use	Increase number of listed City venues to 200, get more restaurants, bottle shops and hotels engaged
	Dovetail with Safety Thirst	
	Work proactively with new venue types.	
Improve engagement with public/customers/businesses	Create a City “Mindful Drinking Month” - eg May	A month of high impact public-facing promotional activity
	Work proactively with businesses	Engage 5 large employers in ‘mindful drinking’ with their staff
	Develop a Mindful Pub Crawl/Lock-in programme	Four events in 2017/2018

2.1 Technical development

The pilot phase of the project used off the shelf technology which was quick and easy to use, but will not meet our future needs. In 2017/18 we want to rebuild the platform with **revised self-assessment questions for different types of venues**, an easier-to-use website, and other improvements.

2.2 Dovetailing with Safety Thirst

We would like to dovetail the Guide with Safety Thirst to improve sign-ups and maximise the impact of the contact with venues that the scheme brings. The easiest way will be to ask whether a venue is on the Guide (and have completed their self-assessment) as part of the Safety Thirst questionnaire, and signpost them to sign up if they are not. **We can then provide the data back to the authority.** If Safety Thirst moves to a digital applications process in the future, we can then dovetail the questions into any application form. **We can ‘sponsor’ an award** for the “best place for Mindful Drinkers” as part of the awards in October (also see the kitemarking below).

In practical terms, this will mean adding a question to the 2017 Safety Thirst process, rewarding venues that signed up in the pilot year, and encouraging more venues to join this year. We can reward the best venues from the pilot at the 2017 awards. The work in 2017/18 will contribute to the 2018 awards.

2.3 Proactive work with venues



Logo and award. Participating 4 and 5 star-rated venues received the logo on the left to use online. All 5 star-rated venues also received window stickers for their premises. We will continue to develop this in 2017/18 making the 'mark' more visible and desirable for venues to have.

Product discovery. We realised that many venues have very poor knowledge of the low and no alcohol alternatives available. We believe this is a powerful way of influencing venues' behaviour. We will continue to find opportunities in

2017/18 to do more of this through making a drinks tasting a regular part of the Safety Thirst award ceremony, and by providing mixed cases of drinks as an incentive to get venues to sign up to Safety Thirst/The Guide.

Promotional materials for venues to use. We will continue to produce and promote social media and promotional assets that venues can use to promote their low and no alcohol range.

Face-to-face outreach. Visiting and speaking to venues face-to-face was an important part of the pilot project but it was also expensive. We feel that through dovetailing with Safety Thirst this would not necessarily be such an essential component in year two. However we would do some outreach to new types of venue such as restaurants, bottle shops and hotels for which we would have produced specific question sets.

2.4 Public engagement campaign

Timing the campaign with dry January did not bring additional benefit and may have been harmful in some ways (ie we found that finances rather than health is the bigger driver for people avoiding pubs in January). We feel that we can move the main public facing campaign to another month, so that it stands out more in public mind. We would look to do a Mindful Drinking May campaign in the City.

Outreach with business. We would like to focus more activity in the next phase on engaging City businesses with the project, to help them explore new venues for staff events and socialising. We have a law firm and a big building firm working in the City interested in exploring this more already.

3. Budget for 2017/2018

We can deliver this plan with the same budget as in 2016/17: £30,000.

If the City wanted us to continue visiting venues for to do the face-to-face work this would incur an additional cost of £10,000 and we would work with the City of London to identify the venues that would benefit most from face-to-face visits and engagement.

4. Partnering with the City to spearhead innovation

Working with the City on the Guide project has been an amazing experience. Together, we have begun to build a reputation within local government for innovation, engaging people and businesses, and rapid prototyping and development of new ideas.

The LGA and other councils are currently asking us about learning and implementation elsewhere. The GLA is interested in how our ideas could dovetail with new Night-Time Economy Plans. We would like to be able to continue to promote this partnership with the City across the Local Government Family as a piece of pioneering work - allowing us to develop the guide further will enhance this.

We have also gained credibility with the pub and bar trade through positive news coverage and being invited to speak at a number of influential pub and bar conferences this year. The trade recognises the expertise that has been built up in the last 2 years, and are now asking us to share that learning with the top UK venues: we were invited to speak at the Morning Advertiser's MA500 event for multi-site managed pub owners and operators in Liverpool in April.

We would like to continue this positive and rewarding partnership.

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