

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE
THURSDAY, 12 JANUARY 2017

APPLICANT: ENOTECA (ST PAULS) LIMITED
PREMISES: 60 FLEET STREET, EC4Y 1JU

Sub Committee

Marianne Fredericks (Chairman)
Christopher Hayward
James Tumbridge

City of London Officers

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

The Applicant

Roberto Dora, Director, Enoteca
Ellie Hickling, PA to Directors, Enoteca

Licensing Act 2003 (Hearings) Regulations 2005

A public Hearing was held at 10:00am in Committee Room 1, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises '60 Fleet Street, London EC4Y 1JU.'

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 – Conditions Consistent with the Operating Schedule

Appendix 3 – Representations from Other Persons

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

Appendix 5 – Plan of Premises

1) The Hearing commenced at 10:00am.

- 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 all of those present to introduce themselves and state in what capacity they were attending the Sub-Committee.
- 3) The Chairman reported that one written representation had been received and that the hearing would proceed in the absence of the gentleman who had made this representation.
- 4) The Chairman invited the applicant to clarify the nature of the business proposed at the premises.
- 5) Mr Dora reported that the premises would serve small bites to eat in the form of Italian sharing platters and would specialise in fine wines. He added that the business had a refined clientele due to their middle-high end offerings. The premises would normally close between 10-11pm each evening with no late night offerings.
- 6) The Panel were informed that there were already five Enoteca bars in the City, one of which was situated opposite the Guildhall. Mr Dora reported that he had been running the business in the City for approximately six years now.
- 7) The Chairman enquired as to whether the desire to have 'off sales' was to allow customers to purchase bottles of wine to consume at home as opposed to them taking individual drinks outside to consume whilst smoking. The applicant confirmed that this was the case.
- 8) With this in mind, the Chairman suggested an additional condition to the licence prohibiting any drinks outside the premises unless these were in sealed containers. She felt that this might go some way to addressing the concerns raised by the written representation received concerning public nuisance and outside drinking. She added that, as Fleet Street was an extremely busy, narrow, thoroughfare this might also limit any potential public safety issues.
- 9) Mr Dora confirmed that he would be happy to accept this proposed condition should the Panel be minded to grant the licence.
- 10) The Chairman thanked all parties for their attendance 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.
- 11) The Sub-Committee retired at 10.05am.
- 12) At 10.28am 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.

- 13) 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.
- 14) In reaching its decision the Sub-Committee took into account the nature of the business that the applicant proposed to operate – namely, a middle to high end establishment providing food and fine wine. The Sub Committee concluded that, in discharging its duty to promote the licensing objectives, it was not necessary to reject the application and it was satisfied that, with the imposition of suitable conditions, the premises licence sought would not contravene the duty to prevent public nuisance.
- 15) The Chairman reported that it was the Sub-Committee's decision to grant the premises licence as follows:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed</u>
Supply of Alcohol	N/A	Mon - Sat 11:00 – 00:00
		Sun 12:00 – 22:00

- 16) Mindful of the nature of the premises and the concerns expressed, the Chairman explained that the Sub-Committee considered the following conditions to be appropriate and necessary to promote the licensing objectives:
- a) *A prominent sign shall be displayed at all exits from the premises requesting that patrons leave quietly (MC16);*
 - b) *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 or an industry approved proof of age identity card (MC21);*
 - c) *There shall be no sale of alcohol in unsealed containers for consumption off the premises (MC18)*
- 17) 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

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