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LICENSING (HEARING) SUB COMMITTEE

Date: WEDNESDAY, 26 APRIL 2017

Time: 11.00 am

Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

APPLICANT: DRAKE & MORGAN LTD.

PREMISES: CANNON GREEN HOUSE 27 BUSH LANE, LONDON, EC4R 0AA

CONTENTS

| Hearing Proced | (Pages 1 - 2) | |
|-----------------|--|----------------------|
| Report of the D | irector of Markets & Consumer Protection | (Pages 3 - 10 |
| Appendix 1: | Copy of Application | (Pages 11 - 28) |
| Appendix 2: | Conditions consistent with the operating schedule | (Pages 29 - 30) |
| Appendix 3: | Representations from responsible authorities - Environmental Health | (Pages 31 - 32) |
| | i) Amendment to Application | (Pages 33 - 34) |
| | ii) Additional conditions consistent with operating schedule | g (Pages 35 - 36) |
| Appendix 4: | Representations from Other Persons - Truell | (Pages 37 - 38) |
| Appendix 5: | Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales | ` • |
| Appendix 6: | Plans | (Pages 41 - 42) |



LICENSING (HEARING) SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

- 1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
- 2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
- 3. At the start of the hearing the Chairman of the Sub Committee will introduce him/herself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.¹
- 4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to be heard in support of any of the parties making representations or the applicant.
- 5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support, consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
- 6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
- 7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
- 8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

¹ In hearings where a licence is being reviewed, references in this procedure to 'applicant' should be read as references to the licence holder and references to 'those making representations' should be read as references to those applying for the review.

- 9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
- 10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
- 11. Those making representations will then be invited to make closing submissions followed by the applicant.
- 12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
- 13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

Agenda Annex

Committee(s): Hearing Date(s): Item no.
Licensing Sub-Committee 26 April 2017

Subject:

Licensing Act 2003 - Application for a new premises license

Name of premises: Cannon Green house Address of premises: 27 Bush Lane, EC4R 0AA

Report of:

Public / Non-Public

Director of Markets and Consumer Protection

Ward (if appropriate): Dowgate

1 <u>Introduction</u>

1.1 To consider and determine, by public hearing, the application for a new premises license under the Licensing Act 2003, taking into account the representations of the responsible authorities detailed in paragraph 4, other persons detailed in paragraph 5 and the policy considerations detailed in paragraph 6 of this report.

- 1.2 The decision of the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives, namely:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

2 **Summary of Application**

2.1 An application made by:

Drake & Morgan Ltd Suite 88 – 90 Temple Chambers 3 – 7 Temple Avenue London EC4Y 0HP was received by the City of London Licensing Authority on 3 March 2017 for a new premises licence in respect of the premises at:

Cannon Green House 27 Bush Lane EC4R 0AA

- 2.2 Full details of the application are contained in the copy of the Application Form at Appendix 1.
- 2.3 The application is to provide the following activities:

| <u>Activity</u> | Current Licence | Proposed |
|-------------------------------|-----------------|-------------------------|
| Supply of Alcohol | N/A | Mon - Sat 07:30 – 02:00 |
| | | Sun 07:30 – 23:00 |
| Late Night Refreshment | N/A | Mon – Sat 23:00 – 02:30 |
| | | Sun 23:00 – 23:30 |
| Live Music, Recorded Music | N/A | Mon – Sat 23:00 – 02:00 |

2.4 The premises will be open to the public between 07:00 and 02:30 Mon – Sat and between 10:00 and 23:30 on Sunday.

The supply of alcohol is for both on and off the premises.

- 2.5 The Operating Schedule submitted by the applicant suggests a number of steps intended to be taken in order to promote the four licensing objectives. Those conditions which are consistent with the operating schedule and could be included on the licence are attached as Appendix 2.
- 2.6 The mandatory licence conditions can be found in the Licensing Act 2003, sections 19-21. Also, in the Schedules to The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 (as amended) and The Licensing Act 2003 (Mandatory Conditions) Order 2014.

3 <u>Licensing History of Premises</u>

- 3.1 Our records show that the premises has never been licensed before.
- 3.2 The premises is to be used as a bar with dining facilities.

Complaints

3.3 There are no complaints recorded on the Licensing database against the premises.

4 Representations from Responsible Authorities

- 4.1 There is one representation from the City of London Environmental Health pollution team against the granting of the licence on the basis that there is a risk of noise disturbance.
- 4.2 It is also their contention that the licence Application contains insufficient information to demonstrate how the Applicant will promote the 'prevention of public nuisance' licensing objective.
- 4.3 The representation can be seen in full as Appendix 3.
- 4.4 The applicant has agreed an amendment to the application's operating schedule which amounts to the possibility of further conditions being added to the licence in addition to those listed in Appendix 2. This amendment can be seen as Appendix 3i and the additional conditions that are now consistent with the operating schedule can be seen as Appendix 3ii.

5 Representations From Other Persons

- 5.1 There is one representation from 'other persons'. This is against the granting of a licence to these premises on the basis that it will cause additional noise and disturbance thus undermining the licensing objective of the prevention of public nuisance.
- 5.2 The 'objector' is also of the opinion that should a licence be granted, it does not permit licensable activities past 23:00.

5.3 The representation can be seen in full as Appendix 4.

6 Policy Considerations

6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its Statement of Licensing policy and statutory guidance issued under s 182 of the Licensing Act 2003.

City of London Corporation's Statement of Licensing Policy

6.2 The following sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application.

Paragraphs 27 and 75 state that residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23:00 and 07:00.

Paragraphs 28 and 35 state that applicants should include a number of factors in their operating schedule if they wish to operate between these hours and that the operating schedule should include in detail steps to be taken to comply with the four licensing objectives.

Paragraphs 79 - 81 address the need of care when controlling noise particularly from those persons leaving a premises.

The boxed comment on page 19 states the need to strike a fair balance between the benefits to a community of a licensed venue, and the risk of disturbance to local residents and workers.

The boxed comment on page 19 also states an overriding policy principle namely, that each application will be decided on its individual merits.

The boxed comment on page 22 considers various factors that should be taken into account when considering whether any licensable activity should be permitted. Paragraphs 115-121 state the Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as stated in paragraph nine of this report.

Statutory Guidance

6.3 The following sections/paragraphs of the statutory guidance issued under s182 of the Licensing Act 2003 are particularly applicable to this application (revised March 2015):

Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.14 states that it is, '...important that in considering the promotion of [the public nuisance licensing objective, licensing authorities] focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.' Also, paragraph 2.15 indicates that the prevention of public nuisance could, in appropriate circumstances include, 'the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.'

Chapter 10 refers to conditions attached to premises licences with paragraph 10.10 stating that, 'Conditions should be determined on a case-by-case basis and standard conditions which ignore these individual aspects should be avoided.' Also, 'Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.'

7 Map and Plans

- 7.1 A map showing the location of the premises together with nearby licensed premises is attached at Appendix 5. A key of those premises is included which indicates the maximum permitted hours for alcohol sales in respect of each premises.
- 7.2 Plans of the premises are attached as Appendix 6.

8 Summary

8.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The Corporation must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the City.

9 Options

- 9.1 The Sub-committee must, having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - i) grant the licence subject to any conditions consistent with the operating schedule modified to such extent as the Subcommittee considers appropriate for the promotion of the licensing objectives and include the mandatory conditions contained in Ss. 19-21 of the Licensing Act 2003;
 - ii) exclude from the scope of the licence any of the licensable activities to which the application relates;
 - iii) To refuse to specify a person in the licence as the premises supervisor;
 - iv) Reject the application.

For the purposes of paragraph 9.1(i) conditions consistent with the operating schedule are modified if any of them are altered or omitted or any new condition is added.

9.2 Where a licensing authority takes one or more of the steps stated in paragraph 9.1 above the applicant, or the holder of the licence and/or a person who made relevant representations in relation to the application, may appeal the decision to the Magistrates' Court. Any appeal must be commenced within 21 days following notification of the decision to the appellant by the licensing authority.

10 Recommendation

10.1 It is therefore RECOMMENDED that your Sub-Committee determine this application for a premises licence in accordance with paragraph 9 of this report.

Prepared by P Davenport

Licensing Manager

peter. daven port@city of london.gov.uk

Background Papers

| Daving Lapers | | |
|---|-------------|--------------------------|
| BACKGROUND PAPER | <u>DEPT</u> | FILE |
| Corporation of London Statement of Licensing Policy (revised Jan 2017) | MCP | 5th Floor Walbrook Wharf |
| Statutory Guidance – 'Revised Guidance Issued Under Section 182 Of The Licensing Act 2003'. March 2015 | | Statutory Guidance |

Last Late Append

[Insert name and address of relevant licensing authority and its reference number (optional).]

CITY OF LONDON Application for a premises licence to be granted - 3 MAR 2017 under the Licensing Act 2003 FAO PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. -313 Luc | 01234 : You may wish to keep a copy of the completed form for your records. I/We Drake & Morgan Ltd (Insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003 Part 1 - Premises Details Postal address of premises or, if none, ordnance survey map reference or description Cannon Green House 27 Bush Lane EC4R 0AA Postcode Post town London Telephone number at premises (if any) Non-domestic rateable value of premises Not yet rated Part 2 - Applicant Details Please state whether you are applying for a premises licence as Please tick as appropriate please complete section (A) an individual or individuals * a) a person other than an individual * b) please complete section (B) i. as a limited company please complete section (B) ii. as a partnership please complete section (B) as an unincorporated association or iii.

other (for example a statutory corporation)

iv.

please complete section (B)

| c) | a recognised club | | | | please compl | ete section (B) | | | | |
|------------------------|--|---------------|---------------|------------------------------|--------------|-----------------|-----------------|-----|--|--|
| d) | a charity | | | | | please compl | ete section (B) | | | |
| e) | the proprietor of an e | ducational e | stablishment | ; | | please compl | ete section (B) | | | |
| f) | a health service body | | | | | please compl | ete section (B) | | | |
| g) | a person who is regis Standards Act 2000 (hospital in Wales | | | | | please compl | ete section (B) | | | |
| ga) | a person who is regis of the Health and Soo meaning of that Part) England | ial Care Ac | t 2008 (with | in the | | please compl | ete section (B) | | | |
| h) | the chief officer of po and Wales | olice of a po | lice force in | England | | please compl | ete section (B) | | | |
| * If yo | If you are applying as a person described in (a) or (b) please confirm: | | | | | | | | | |
| Please | tick yes | | | | | | | | | |
| | arrying on or proposin | g to carry or | n a business | which invo | lves th | e use of the pr | emises for | [^] | | |
| | aking the application | pursuant to | a | | | | | | | |
| | statutory function or | | files Meise | - | | | | | | |
| | a function discharge | a by virtue o | or Her Majes | ly's preroga | auve | | | Ш | | |
| (A) IN | DIVIDUAL APPLIC | CANTS (fill | in as applica | ıble) | | | | | | |
| Mr | Mrs | Miss [| | Mr Mrs Miss Other Title (for | | | | | | |
| Surna | Surname First names | | | | | | | | | |
| | me | | | First naı | | ple, Rev) | | | | |
| | me 8 years old or over | | | First naı | | | se tick yes | | | |
| I am 18 | 8 years old or over at postal address if ant from premises | | | First nar | | | se tick yes | | | |
| I am 18 | 8 years old or over at postal address if nt from premises s | | | First nar | | | se tick yes | | | |
| Curren differe address | 8 years old or over at postal address if nt from premises s | number | | First nar | | Plea | se tick yes | | | |

${\bf SECOND\ INDIVIDUAL\ APPLICANT\ (if\ applicable)}$

| Mr Mrs | Miss | Ms 🗀 | Other Title (for example, Rev) | |
|---|-------------------------|---------------------|--------------------------------|--|
| Surname | | First na | mes | |
| I am 18 years old or ov | er | | Plea | se tick yes |
| Current postal address different from premises address | | | | |
| Post town | | | Postcode | |
| Daytime contact telep | hone number | <u> </u> | | |
| E-mail address (optional) | | | | |
| Please provide name a registered number. In corporate), please give | n the case of a partne | ership or other joi | nt venture (other th | riate please give any an a body |
| Name Drake and Morgan Ltd | | · · · · · | | |
| Address SUITE 88 - 90, TEMP 3 - 7 TEMPLE AVENULONDON EC4Y 0HP | LE CHAMBERS | | | |
| Registered number (wh | nere applicable) | | | |
| 06381653 | | | | |
| Description of applicar | nt (for example, partne | ership, company, u | nincorporated associa | ation etc.) |
| Company | | | | |
| Telephone number (if | any) | | | |
| E-mail address (option | al) | | | ······································ |

| Part | 3 Operating Schedule | |
|----------------------------------|--|---|
| Whe | n do you want the premises licence to start? | DD MM YYYY 0 1 0 4 2 0 1 7 |
| - | u wish the licence to be valid only for a limited period, when do you it to end? | D MM YYYY |
| Pleas | se give a general description of the premises (please read guidance note 1) | |
| Bar v | with substantial dining facilities | |
| | · · · · · · · · · · · · · · · · · · · | |
| | | |
| | 000 or more people are expected to attend the premises at any one time, the state the number expected to attend. | |
| Wha | t licensable activities do you intend to carry on from the premises? | |
| (Dlac | on and the Land 14 of the Lieunaine Act 2002 and Sakedules Land 2 | to the Lieuneine Aut 2002) |
| (Fies | se see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 | to the Licensing Act 2003) |
| • | ision of regulated entertainment | Please tick any that apply |
| • | | Please tick any that |
| Prov | ision of regulated entertainment | Please tick any that |
| Prov | ision of regulated entertainment plays (if ticking yes, fill in box A) | Please tick any that apply |
| Prov a) b) | ision of regulated entertainment plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) | Please tick any that apply |
| Prov a) b) c) | ision of regulated entertainment plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) | Please tick any that apply |
| Prov a) b) c) d) | ision of regulated entertainment plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D) | Please tick any that apply |
| Prov a) b) c) d) | plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D) live music (if ticking yes, fill in box E) | Please tick any that apply [] [] [] |
| Prov a) b) c) d) e) | plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D) live music (if ticking yes, fill in box E) recorded music (if ticking yes, fill in box F) | Please tick any that apply [] [] [] |
| Prov a) b) c) d) e) f) g) | plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D) live music (if ticking yes, fill in box E) recorded music (if ticking yes, fill in box F) performances of dance (if ticking yes, fill in box G) anything of a similar description to that falling within (e), (f) or (g) | Please tick any that apply [] [] |
| Prov a) b) c) d) e) f) g) | plays (if ticking yes, fill in box A) films (if ticking yes, fill in box B) indoor sporting events (if ticking yes, fill in box C) boxing or wrestling entertainment (if ticking yes, fill in box D) live music (if ticking yes, fill in box E) recorded music (if ticking yes, fill in box F) performances of dance (if ticking yes, fill in box G) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | Please tick any that apply [] [] [] [] [] |

| | rd days and read guida | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | |
|------|---------------------------|--------|--|-------------------|------|
| 6) | _ | | | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (please read guidance | note 3) | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for performing plays (note 4) | please read guida | ance |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the performance of plays at different times to those liste the left, please list (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

| | d days and read guida | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | |
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| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 5) | | |
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| Tue | | | State any seasonal variations for indoor sporting events (please read guidance note 4) |
| Wed | | | |
| Thur | | | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) |
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| Sat | | | |
| Sun | | | |

| enterta | or wrestli inments d days and | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | |
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| Wed | | | State any seasonal variations for boxing or wrestling (please read guidance note 4) | entertainment | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the or wrestling entertainment at different times to thos column on the left, please list (please read guidance no | e listed in the | xing |
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| Sun | | | | | |

| Standa | Live music Standard days and timings (please read guidance note 6) | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | [4] |
|--------|---|--------|---|--|--------------|
| 76 | 8 | | , | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | 23.00 | 02.00 | Please give further details here (please read guidance | e note 3) | |
| | | | Live music will be provided on an occasional basis fo | r pre booked pri | vate |
| Tue | 23.00 | 02.00 | functions | | |
| | | | | | |
| Wed | 23.00 | 02.00 | State any seasonal variations for the performance read guidance note 4) | of live music (pl | ease |
| | | | | | |
| Thur | 23.00 | 02.00 | | | |
| | | | | | |
| Fri | 23.00 | 02.00 | Non standard timings. Where you intend to use the performance of live music at different times to the | e premises for t se listed in the c | <u>olumn</u> |
| | | | on the left, please list (please read guidance note 5) | | |
| Sat | 23,00 | 02.00 | | | |
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| Sun | 23.00 | 23.00 | _ | | |
| | | | | <u>-</u> | |

| Standa | led music rd days and read guida | | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | [^] |
|--------|--|--------|--|------------------|------|
| 6) | | | , | Outdoors | |
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| Tue | 23.00 | 02.00 | private functions | | |
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| Wed | 23.00 | 02.00 | State any seasonal variations for the playing of recorded guidance note 4) | orded music (pl | ease |
| Thur | 23.00 | 02.00 | | | |
| Fri | 23.00 | 02.00 | Non standard timings. Where you intend to use the playing of recorded music at different times to those on the left, please list (please read guidance note 5) | | |
| Sat | 23.00 | 02.00 | on the left, please list (please read guidance now 3) | | |
| Sun | 23.00 | 23.00 | - | | |
| | | | | | |

| Performances of dance Standard days and timings (please read guidance note | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | |
|--|-------|--------|---|-------------------|------|
| 6) | | | | Outdoors | |
| Day | Start | Finish | | Both | |
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| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of guidance note 4) | f dance (please 1 | read |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the performance of dance at different times to those list the left, please list (please read guidance note 5) | premises for the | n on |
| Sat | | | | | |
| Sun | | | | | |

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | Please give a description of the type of entertainment ye | ou will be provid | ing |
|--|---|--------|--|-------------------|------------|
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both - please tick (please read guidance | Indoors | |
| Mon | | | note 2) | Outdoors | |
| | | | | Both | |
| Tue | | | Please give further details here (please read guidance | note 3) | |
| Wed | | | | | |
| Thur | Planton more di serveni serve è revisibre suo | | State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidar | | <u>ion</u> |
| Fri | Allega de la companya del companya de la companya del companya de la companya de | | | | |
| Sat | | | Non standard timings. Where you intend to use the entertainment of a similar description to that falling at different times to those listed in the column on the (please read guidance note 5) | within (e), (f) o | r (g) |
| Sun | | | | | |

| Late night refreshment Standard days and timings (please read guidance note | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | [4] |
|---|-------|--------|---|--------------------|-------------------|
| 6) | | | (France com Gardeness acres a) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | 23.00 | 02.30 | Please give further details here (please read guidance | e note 3) | |
| | | | | | |
| Tue | 23.00 | 02.30 | | | |
| Wed | 23.00 | 02.30 | State any seasonal variations for the provision of la (please read guidance note 4) | te night refresh | ment |
| Thur | 23.00 | 02.30 | | | |
| Fri | 23.00 | 02.30 | Non standard timings. Where you intend to use the provision of late night refreshment at different time the column on the left, please list (please read guidar | es, to those liste | <u>he</u> d in |
| Sat | 23.00 | 02.30 | | | |
| Sun | 23.00 | 23.30 | | | |

| Supply of alcohol Standard days and timings | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 7) | On the premises | |
|---|-------|--------|---|------------------|-----|
| (please read guidance note 6) | | | | Off the premises | |
| Day | Start | Finish | | Both | [^] |
| Mon | 07.30 | 02.00 | State any seasonal variations for the supply of alcoholic guidance note 4) | ol (please read | |
| Tue | 07.30 | 02.00 | | | |
| Wed | 07.30 | 02.00 | | | |
| Thur | 07.30 | 02.00 | Non standard timings. Where you intend to use the supply of alcohol at different times to those listed in left, please list (please read guidance note 5) | | |
| Fri | 07.30 | 02.00 | | | |
| Sat | 07.30 | 02.00 | | | |
| Sun | 07.30 | 23.00 | | | |

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

| Name Craig Maitland | |
|--|--|
| Address Elsenham Street Southfields | |
| Postcode | |
| Personal licence number (if known) | |
| Issuing licensing authority (if known) Brent Council | |

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

| oublic d days and | d timings | State any seasonal variations (please read guidance note 4) |
|----------------------|--|--|
| Start | Finish | |
| 07:00 | 02:30 | |
| 07:00 | 02:30 | |
| 07:00 | 02:30 | Non standard timings. Where you intend the premises to be open to t |
| 07:00 | 02:30 | public at different times from those listed in the column on the left, please list (please read guidance note 5) |
| 07:00 | 02:30 | - |
| 07:00 | 02:30 | |
| 10:00 | 23:30 | |
| | Oublic read guida read guida Start 07:00 07:00 07:00 07:00 07:00 07:00 | Start Finish |

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The Premises will operate as a bar and restaurant with food being available throughout the premises at all times.

Alcohol will only be supplied for the purposes of off sales in sealed containers

Alcohol supplied for consumption on the premises between 07.30 and 10.00 must be ancillary to a table meal.

b) The prevention of crime and disorder

CCTV will be provided in accordance with the requirements of the City of London Police. Close liaison will be maintained at all times with the Police in relation to matters concerning crime and disorder and advice will be taken from the Police as and when appropriate.

There will be no promoted events, where a promoted event means an event involving music and/or dancing where the musical entertainment is provided at any time by a DJ or DJs, one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.

c) Public safety

Health and safety risk assessments will be undertaken and all staff shall be trained therein

d) The prevention of public nuisance

All appropriate steps will be taken to ensure that local residents and local businesses are not disturbed by any licensable activity at the premises.

Waiting staff will continually exercise supervision throughout the premises.

Notices shall be prominently displayed to remind patrons that they are leaving premises with residential neighbours.

e) The protection of children from harm

All persons under the age of 16 will be accompanied by an adult on the premises at all times.

All staff will be trained in relation to their responsibilities towards children under the Licensing Act 2003

| | h | 00 | bì | ict |
|-----|---|----|----|-----|
| • . | | | к. | шал |

| Che | eklist: | | | | | |
|-------------|---|---|-------|--|--|--|
| | | Please tick to indicate agree | ment | | | |
| • | I have made or enclosed payment of the fee. [v | | | | | |
| • | I have enclosed the plan of the premises. | | | | | |
| • | I have sent copies of this application and the plan to responsible authorities and others where applicable. | | | | | |
| •, | | losed the consent form completed by the individual I wish to be designated premises, if applicable. | [^] | | | |
| • | I understar | nd that I must now advertise my application. | [√] | | | |
| • | I understar rejected. | nd that if I do not comply with the above requirements my application will be | [<] | | | |
| LEV TO 1 | EL 5 ON T MAKE A F | ENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT ALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. UPPER (please read guidance note 10) | 2003, | | | |
| | | plicant or applicant's solicitor or other duly authorised agent (see guidance note half of the applicant, please state in what capacity. | 11). | | | |
| Sign | ature | | | | | |
| Date | | 3rd March 2017 | | | | |
| Сара | icity | SOLICITORS FOR APPLICANT | | | | |
| agen | joint applic at (please re acity. | cations, signature of 2 nd applicant or 2 nd applicant's solicitor or other authorised ad guidance note 12). If signing on behalf of the applicant, please state in what | | | | |
| Sign | ature | | | | | |
| Date | ; | | | | | |
| Capa | acity | | | | | |
| | | | | | | |
| | | where not previously given) and postal address for correspondence associated with this ase read guidance note 13) | S | | | |
| BLP Ade | g Baylis laide House don Bridge | | | | | |
| Post | town | London Postcode EC4R 9HA | | | | |
| Tele | Telephone number (if any) | | | | | |
| If vo | u would pr | efer us to correspond with you by e-mail, your e-mail address (optional) | | | | |

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any
 other information which could be relevant to the licensing objectives. Where your application
 includes off-supplies of alcohol and you intend to provide a place for consumption of these offsupplies, you must include a description of where the place will be and its proximity to the
 premises.
- 2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or seminudity, films for restricted age groups or the presence of gaming machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.

<u>Cannon Green House – 27 Bush Lane</u> Conditions Consistent with the Operating Schedule

- 1. There shall be no sale of alcohol in unsealed containers for consumption off the premises (MC17)
- 2. The premises will install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises will be covered enabling facial 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)
- 3. There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public. (MC02)
- 4. The supply of alcohol at the premises between 07:30 and 22:00 shall only be to a person as ancillary to their table meal (similar to MC27)
- 5. A prominent sign shall be displayed at all exits from the premises requesting that patrons leave quietly. (MC15)

Breese, Robert

From:

Seal, Garry

Sent:

22 March 2017 09:40

To:

M&CP - Licensing

Cc:

Davenport, Peter; Sambells, Rachel

Subject:

Cannon Green House, 27 Bush Lane

The Pollution Control Team would like to make representation to the above application for the following reasons:

The licence application does not contain adequate information to meet the licensing objective 'prevention of public nuisance' and the City of London Policy document: Statement of licensing Policy.

Namely:

The applicant should supply sufficient information as set out in the licensing policy in relation to paragraphs 33, 34, and 38 for the reasons expressed at paras 39 & 40.

This would then cover the areas where we have concerns:

The location of the premises is in close proximity residents in Laurence Pountney Hill Information regarding dispersal policy for the premises has not been supplied. Information regarding the location of speakers/PA systems has not been provided. A noise management policy has not been submitted.

All appropriate steps to be taken to ensure that local residents and local businesses are not disturbed by any licensable activity at the premises are not specified.

No reference is made to the conditions for planning permission for the A3/A4 use given on14th December 2016 which relate to preventing nuisance:

The terrace hereby permitted shall not be used or accessed between the hours of 22.00 on one day and 07.00 on the following day and 20.00 to 07.00 on Sundays or Bank Holidays, other than in the case of emergency.

No live or recorded music shall be played that it can be heard outside the premises or within any residential or other premises in the building.

Regards

Garry

Garry Seal

Environmental Health Officer Pollution Team

Dept. of Markets & Consumer Protection City of London, PO Box 270, Guildhall, London, EC2P 2EJ

Appendix 3i)

We are continually seeking to improve our service and obtaining your feedback is a vital part of this process. It would be gratefully appreciated therefore if you could take just a small amount of time to complete this short survey. (The hyperlink is https://www.surveymonkey.com/r/PHPP Noise)

From: Craig Baylis [mailto: Sent: 27 March 2017 15:54

To: Breese, Robert Cc: Seal, Garry

Subject: New premises licence - Cannon Green House, 27 Bush Lane

Following receipt of Mr Seal's representation I am happy to offer the following additional conditions

- 1. The Premises licence holder shall adopt the Dispersal Policy that was attached to the planning submission (attached to this e mail)
- 2. On Mondays to Saturdays the terrace shall not be used or accessed between the hours of 22.00 and 07.00 on the day following, and from 20.00 to 07.00 on the day following on Sundays or Bank Holidays.
- 3. No live or recorded music shall be played that is audible outside the premises or within any residential building or other premises in the building.

If there are any other concerns that can be dealt with by way of additional conditions I am happy to discuss.

Craig Baylis | Berwin Leighton Paisner LLP Partner

Direct Dial: Main:

Mobile:

Email:

Web:

-44 (0)20 3400 1000

ww.blplaw.com

From: Laser6C [mailto: Sent: 27 March 2017 23:56

To: Craig Baylis

Subject: Digital Scan Job

Berwin Leighton Paisner LLP

Adelaide House, London Bridge, London EC4R 9HA, UK DX 92 London/Chancery Lane t: +44 (0)20 3400 1000 f: +44 (0)20 3400 1111 w: www.blplaw.com

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<u>Cannon Green House – 27 Bush Lane</u> <u>Additional Conditions Consistent with the Operating Schedule</u> <u>Following Amendment to Application</u>

- 1. The premises licence holder shall prepare and implement a written dispersal policy 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. (MC14)
- 2. The Terrace shall not be used for the consumption of alcohol, or any other licensable activity, on Mondays to Saturdays between the hours of 22:00 and 07:00, and on Sundays or Bank Holidays between the hours of 20:00 and 07:00.

Appendix 4

Aznar, Stephen

From:

Edmund Truell

Sent:

13 March 2017 09:10

To:

M&CP - Licensing

Cc:

Gowman, Alderman Alison; Cédriane de Boucaud

Subject:

OBJECTION TO Application to grant a premises licence- 27 Bush Lane EC4R 0AA (Ward

Dowgate)

Attachments:

Application to grant a premises licence- 27 Bush Lane EC4R 0AA (Ward Dowgate),docx:

ATT00001.txt

Dear Sirs

We are the closest residents to this site, living about 50 yards away across an open space. We also own companies that employ about 150 people in Laurence Pountney Hill; and are in negotiations to acquire the neighbouring Governors House, a large office building adjacent to 27 Bush Lane. We have invested millions in housing, offices and restoring redundant churchyards to award-winning open spaces. We do not want to see our investment damaged by thoughtless, drunken behaviour and noise. We have already suffered intolerable noise and disturbance from the Bush Green site during its construction; and have had to call the police to eject drunken workers from our garden as well as the environmental department.

We are unhappy about and wish to OPPOSE the application to grant a licence for alcohol and for music to 27 Bush Green. We wish to OPPOSE in particular for such a licence to be granted for late hours beyond 11pm and at the weekend. We are concerned that the applicant has cynically applied for a late licence, so that they can then claim to have 'made concessions' to bring a licence back into line with 'normal hours'.

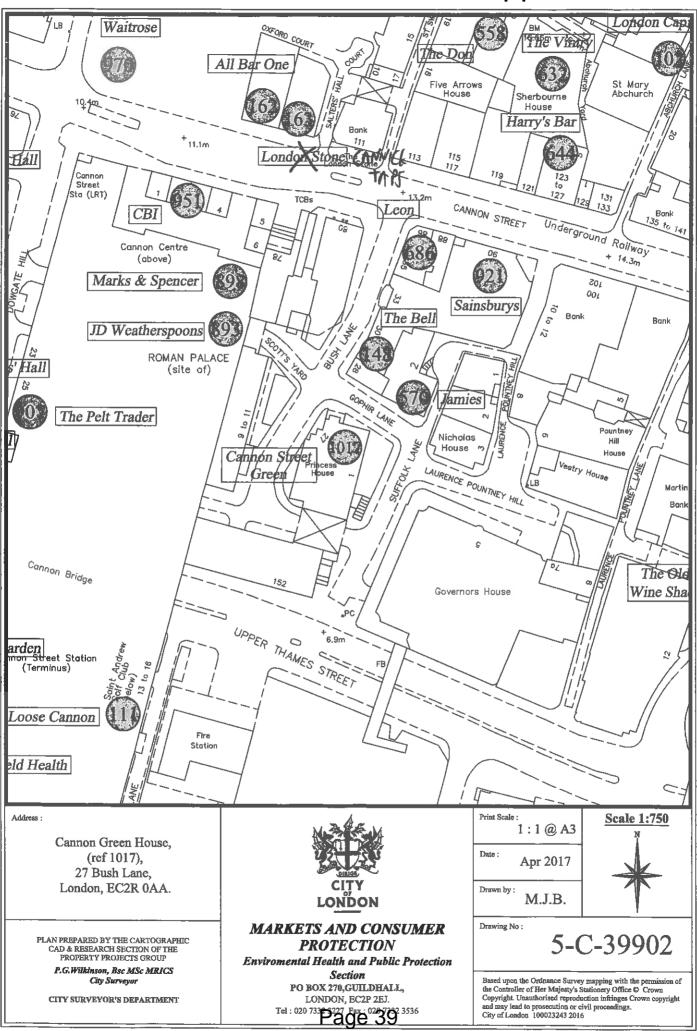
At the time of the planning permission we warned of the anti-social plans of the developer; and it seems as though our fears (which were ignored at the time) are indeed being brought to reality.

Please reject this application in its entirety.

Yours sincerely

Edmund Truell Cédriane Truell

Appendix 5



CANNON GREEN HOUSE, 27 Bush Lane, London, EC2R 0AA

| Map Reference | <u>Name</u> | Maximum Permitted Hours for Alcohol Sales |
|---------------|---------------------|---|
| 1. (111) | Loose Cannon | Fri – Sat: 11:00 – 06:00 |
| 2. (907) | Pelt Trader | Thu - Sat: 10:00 - 00:00 |
| 3. (570) | Jamies | Sat: 10:00 - 02:00 |
| 4. (148) | The Bell | Sun – Sat: 07:00 – 01:00 |
| 5. (893) | JD Wetherspoons | Sun – Sat: 07:00 – 00:00 |
| 6. (898) | Marks & Spencer | Sun - Sat: 07:00 - 23:00 |
| 7. (921) | Sainsbury's | Sun - Sat: 07:00 - 23:00 |
| 8. (686) | Leon | Sun - Sat: 07:00 – 22:00 |
| 9. (951) | CBI | No Alcohol Sales |
| 10. (163) | Cannick Tapps | Fri – Sun: 09:00 – 09:00 (24 Hour) |
| 11. (644) | Harry's Bar | Mon - Sat: 10:00 - 01:00 |
| 12. (162) | All Bar One | Thu – Sat: 10:00 – 01:00 |
| 13. (970) | Waitrose | Sun - Sat: 06:00 - 23:00 |
| 14. (558) | The Don | Sun - Sat: 08:00 - 00:00 |
| 15. (632) | The Vintry | Mon - Sat: 06:00 – 23:00 |
| 16. (102) | London Capital Club | Sun – Sat: 07:00 – 00:00 |

