



LICENSING (HEARING) SUB COMMITTEE

Date: THURSDAY, 10 AUGUST 2017

Time: 11.00 am

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

**APPLICANT:
BEER AND BUNS**

**PREMISES:
20 BURY STREET, LONDON, EC3A 5AX**

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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.

Committee(s): Licensing Sub-Committee	Hearing Date(s): 10 August 2017	Item no.
Subject: Licensing Act 2003 - Application for a new premises license		
Name of premises: Beer and Buns Address of premises: 20 Bury Street, EC3A 5AX		
Report of: Director of Markets and Consumer Protection	Public / Non-Public	
Ward (if appropriate): Aldgate		

1 Introduction

- 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 ‘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:
Beer and Buns Ltd
58 – 59 Boundary Road
Hove
BM3 5TD

was received by the City of London Licensing Authority on 20 June 2017 for a new premises licence in respect of the premises at:

**20 Bury Street
EC3A 5AX**

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>	<u>Current Licence</u>	<u>Proposed</u>
Supply of Alcohol	N/A	Mon–Sun 11:00 – 00:00
Late Night Refreshment	N/A	Mon–Sun 23:00 – 00:30
Recorded Music	N/A	Mon–Sun 11:00 – 00:30

2.4 The premises will be open to the public between 11:00 and 00:30 Mon to Sun.

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

2.6 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.

2.7 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 Licensing History of Premises

- 3.1 The premises is intended to trade as a Japanese cuisine take away on the ground floor with a small outside ‘terrace’ together with a bar and restaurant on the first floor

Complaints

- 3.2 Not applicable as premises not yet trading.

4 Representations from Responsible Authorities

- 4.1 There are no representations from responsible authorities.

5 Representations From Other Persons

- 5.1 There are four representations from ‘other persons’. The representations are against the granting of the licence on the basis that if granted it will lead primarily to the licensing objective of ‘the prevention of public nuisance’ being undermined. There is also a suggestion that there could be an increase in crime thus undermining the licensing objective of ‘the prevention of crime and disorder’. The representations can be seen in full as Appendix 3.

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.

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.

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

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 April 2017):

Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.15 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 2.16 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 4. A key of those premises is included which indicates the maximum permitted hours for alcohol sales or other licensable activity in respect of each premises.
- 7.2 Plans of the premises are attached as Appendix 5.

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 Sub-committee 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.davenport@cityoflondon.gov.uk

Background Papers

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
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’. April 2017		Statutory Guidance

LAR - 18/7/17.

WK/201706535

City of London Corporation

Application for a premises licence to be granted under the Licensing Act 2003

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. You may wish to keep a copy of the completed form for your records.

I/We Beer & Buns Limited 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			
Beer and Buns Ground & First Floor 20 Bury Street			
Post town	London	Post code	EC3A 5AX

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£69,500.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Beer & Buns Limited
Address 58-59 Boundary Road Hove BM3 5TD
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

A

Please give a general description of the premises (please read guidance note1)

K10 Take away shop on the ground floor (including an outside space) with a bar and restaurant on the first floor.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)	
Day	Start	Finish		
Mon				
Tue				State any seasonal variations for indoor sporting events (please read guidance note 5)
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 6)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3) <table border="1" style="float: right;"> <tr> <td>Indoors</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input type="checkbox"/></td> </tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors	<input type="checkbox"/>	Both	<input type="checkbox"/>
Indoors	<input checked="" type="checkbox"/>								
Outdoors	<input type="checkbox"/>								
Both	<input type="checkbox"/>								
Day	Start	Finish							
Mon			Please give further details here (please read guidance note 4)						
Tue									
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)						
Thur									
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)						
Sat									
Sun									

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:30	Please give further details here (please read guidance note 4)		
Tue	11:00	00:30			
Wed	11:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11:00	00:30			
Fri	11:00	00:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11:00	00:30			
Sun	11:00	00:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 4)			
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)			
Wed						
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Fri						
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sun						

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:30	Please give further details here (please read guidance note 4)		
Tue	23:00	00:30			
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	00:30			
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	23:00	00:30			
Sun	23:00	00:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	00:00			

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

Name Christopher Kemper
Date of birth:- [REDACTED] at Brisbane, Australia. Nationality: German

Address [REDACTED] Speed House, Barbican, London	
Postcode	EC2Y 8AU
Personal Licence number (if known)	[REDACTED]
Issuing licensing authority (if known) City of London Council	

K

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 9)

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	00:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	00:30	
Sat	11:00	00:30	
Sun	11:00	00:30	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

The premises consist of a K10 Take away shop on the ground floor with outside space, together with a bar and restaurant on the first floor. All staff working within the premises will be subject to the Company's comprehensive training package incorporating licensing law, including a challenge 21 policy. We do not consider that they will pose any threat to the licensing objectives.

We are happy to discuss the application with any of the responsible authorities throughout the consultation period.

b) The prevention of crime and disorder

A CCTV system will be installed and maintained inside the premises.

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

The premises will operate a challenge 21 policy in relation to the sale of alcohol.

Please tick yes

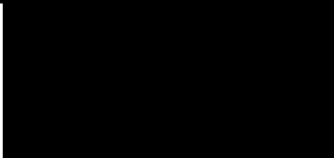
- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- **[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]** I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15)

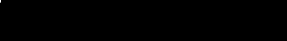
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 14) The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	20 June 2017
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Judy Willis Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 953 8511		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) 			

Notes for Guidance

1. 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 off-

supplies, you must include a description of where the place will be and its proximity to the premises.

2. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. 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'.
 9. 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 semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].

- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to

the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds;or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Beer and Buns – 20 Bury Street
Conditions Consistent with the Operating Schedule

1. 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)

2. A 'Challenge 21' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 21 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)

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Creechurch Lane
London
EC3A 5AY

City of London Licensing Authority
Walbrook Wharf
78-83 Upper Thames Street
London
EC4R 3TD
Dear Sir

18 July 2017

Dear Sirs,

Ref Planning Applications:

- 1) **Beer & Buns, 20 Bury Street, EC3A 5AX**
- 2) **Brewskee, 56 Leadenhall Street, EC3A 2DX**
- 3) **Bob Bob Exchange, Level 3, The Leadenhall Building, 122 Leadenhall Street, EC3V 4AB**

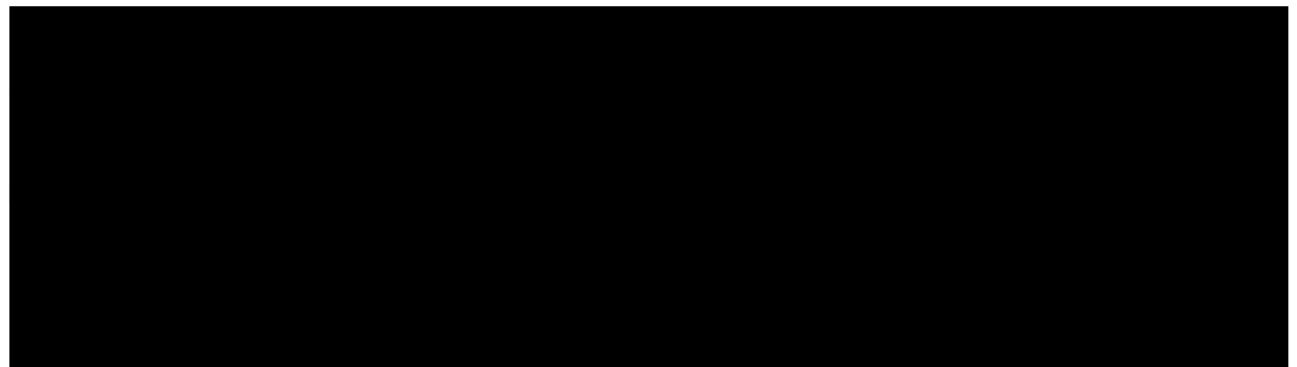
I am writing to make the following comments/objections regarding the three above-mentioned license applications in our EC3 neighbourhood on the grounds that they contradict licensing objectives - namely prevention of crime/disorder, public safety, prevention of public nuisance and protection of children from harm:

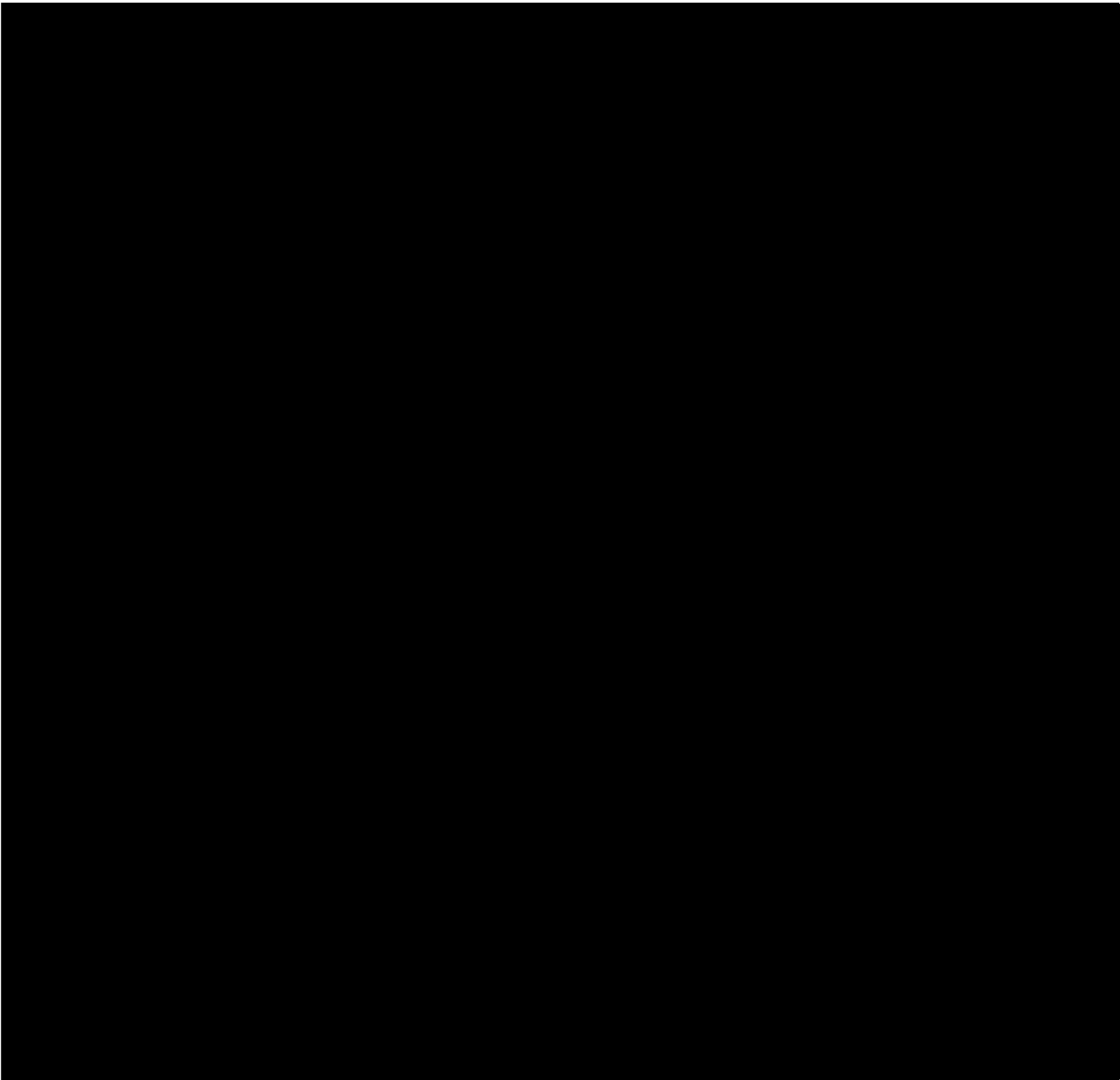
1) Beer & Buns, 20 Bury Street, EC3A 5AX

This establishment intends to offer takeaway food/drink, which will inevitably lead to increased noise and if our experience of the other local bars are anything to go by - additional rubbish bags left around outside the establishment and potential crime around the Gherkin building area/surrounding streets - ie, Creechurch Lane, where we reside.

We are already suffering from the noise of people smoking/loitering outside 'Swingers' golf theme bar near the Gherkin, who are very noisy before leaving the area. A nearby takeaway bar is likely to exacerbate this, as it will extend the time it takes for these people to disperse.

The proprietors take no responsibility once the patrons vacate the premises and the City of London Authorities appear to turn a blind eye to this.





Yours faithfully,

Phyllis Chan

Breese, Robert

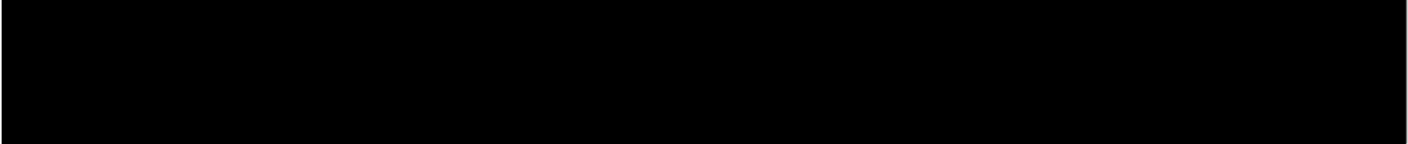
From: Yvonne Courtney [REDACTED]
Sent: 16 July 2017 18:52
To: M&CP - Licensing
Cc: Fredericks, Marianne; Lambert, Richard; Marshall, Siobhan
Subject: Bar applications: Beer & Buns, EC3

Dear Sir/Madam,


I am writing to make the following comments/objections with regards to the following three license applications in our EC3 neighbourhood on the grounds that they contradict licensing objectives - namely prevention of crime/disorder, public safety, prevention of public nuisance and protection of children from harm:

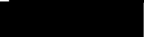
1) Beer & Buns, 20 Bury Street, EC3A 5AX

This establishment intends to offer takeaway food/drink, which is will inevitably lead to increased noise and potential crime around the Gherkin building area/surrounding streets - ie, Creechurch Lane, where we reside. We are already suffering from the noise of people smoking/loitering outside 'Swingers' golf theme bar near the Gherkin, who are very noisy before leaving the area. A nearby takeaway bar is likely to exacerbate this, and extend the time it takes for these people to disperse.



Yours faithfully,
Yvonne Courtney



 Creechurch Lane
EC3A 5AY

Breese, Robert

From: David Rees [REDACTED]
Sent: 16 July 2017 20:32
To: M&CP - Licensing; Fredericks, Marianne; Lambert, Richard; Marshall, Siobhan
Subject: Late night applications in the area surrounding Creechurch Lane EC3.

To:- City of London licensing authority, Walbrook Wharf, 78-83 Upper Thames Street, London EC4R 3TD

To whom it may concern,

It is with some concern that I learn that there have been several applications for late-night venues around the area of my flat.

I understand that they applications are the following:

<https://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/alcohol-entertainment-applications/Pages/Beer-and-Buns.aspx>

<https://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/alcohol-entertainment-applications/Pages/Brewskee.aspx>

<https://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/alcohol-entertainment-applications/Pages/Bob-Bob-Exchange.aspx>

We know from experience that venues are unable to control the early morning noise from their clientele when they leave. This is the most minor issue.

More seriously, we suffer from our courtyard being used as an urinal and, on one occasion even worse, by these late-nighters. I hope that you will appreciate that this is unpleasant in the extreme and something that no-one should have to suffer.

Lastly, and most seriously, it may be recalled that when Caravaggios near us enjoyed a similar late-night licence, there was a death by stabbing. This has lead to the residents feeling very unsafe when returning at night; a situation that we should not have to live through again.

It would be much appreciated if these applications could be rejected because of the inevitable impact on us residents.

Many thanks for any assistance.

Best regards,

David Rees

[REDACTED]
[REDACTED] Creechurch Lane.
London. EC3A 5AY

Sent from [Mail](#) for Windows 10

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City of London Licensing Authority,
Walbrook Wharf,
78-83 Upper Thames Street,
London EC4R 3TD.

16th July 2017

Dear Sir

Ref Planning Applications

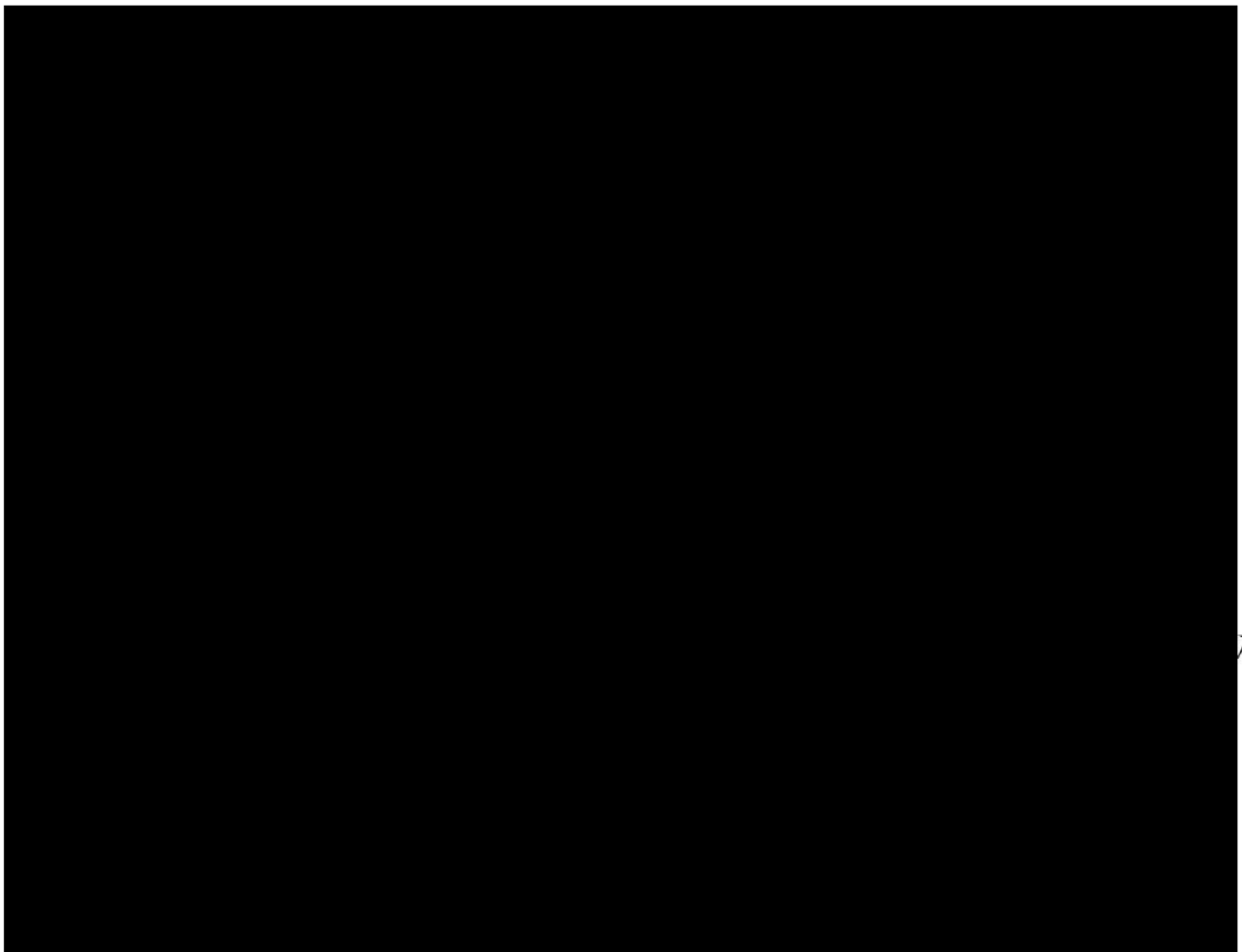
- 1) Beer & Buns, 20 Bury Street, EC3A 5AX
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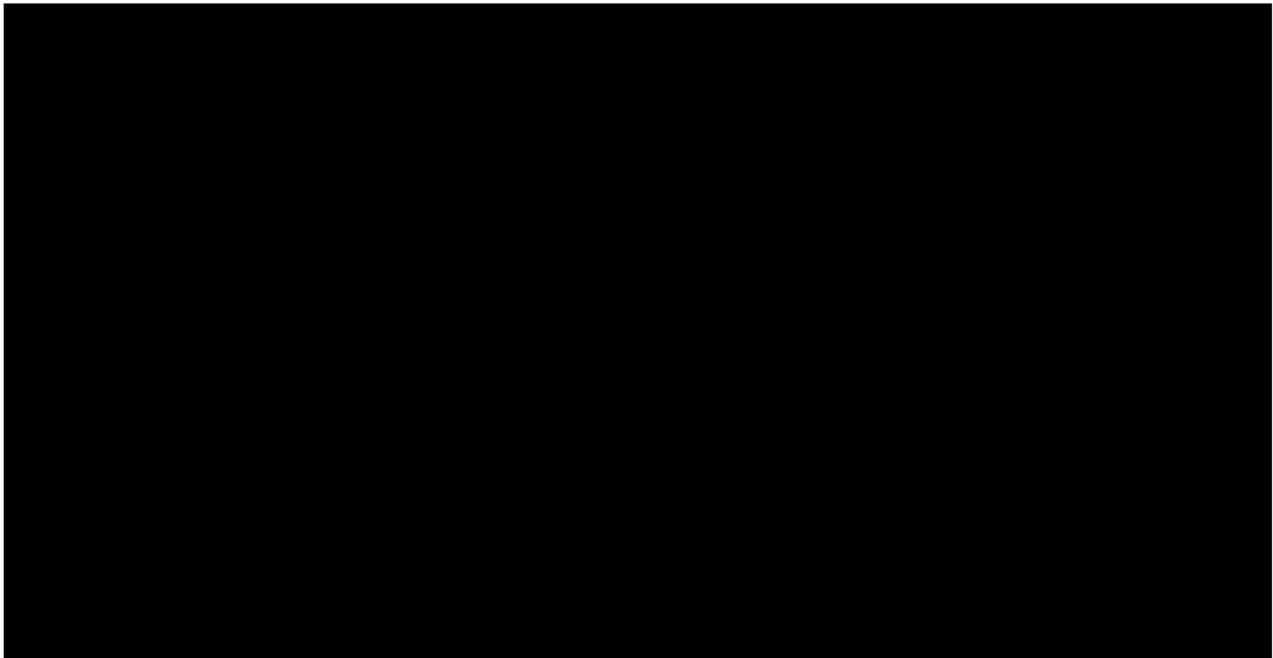
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1) Beer & Buns, 20 Bury Street, EC3A 5AX

This establishment intends to offer takeaway food/drink, which will inevitably lead to increased noise and if the other local bars are anything to go by additional rubbish bags left around outside the establishment and potential crime around the Gherkin building area/surrounding streets - ie, Creechurch Lane, where we reside. We are already suffering from the noise of people smoking/loitering outside 'Swingers' golf theme bar near the Gherkin, who are very noisy before leaving the area. A nearby takeaway bar is likely to exacerbate this, and extend the time it takes for these people to disperse.

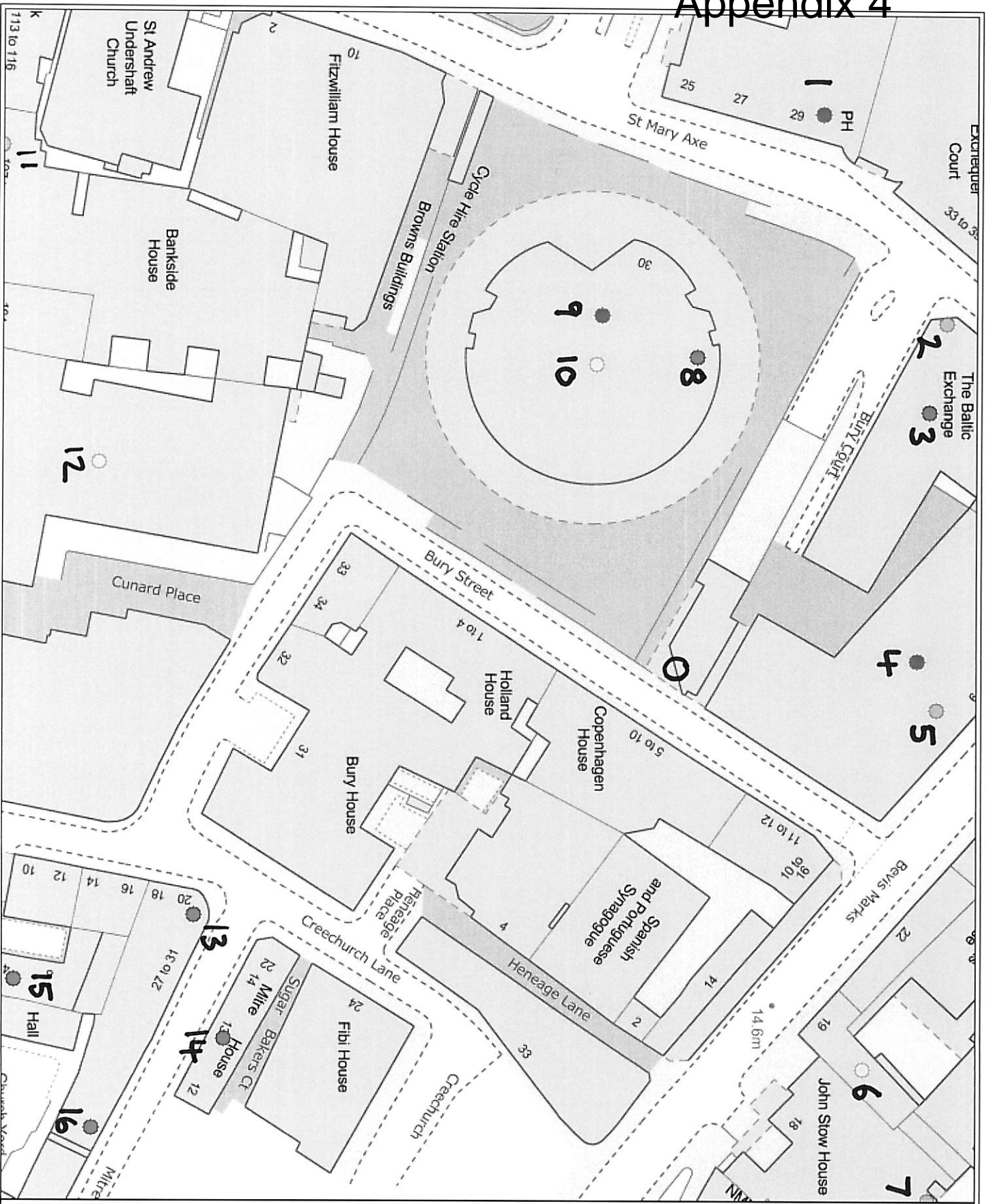
The proprietors take no responsibility once the patrons vacate the premises and the City of London Authorities appear to turn a blind eye to this.





Yours faithfully,

Jonathan Whitby
[redacted] The Creechurch
[redacted] Creechurch Lane
London
EC3A 5AY



Beer & Buns
20 Bury Street

- Latest Licensed Activity**
- Up to 23.00
 - 23.01 - 00.00
 - 00.01 - 02.00
 - 02.01 or later
 - 24 hour opening
- City of London Boundary

Created By:

Date Created
28 Jul 2017

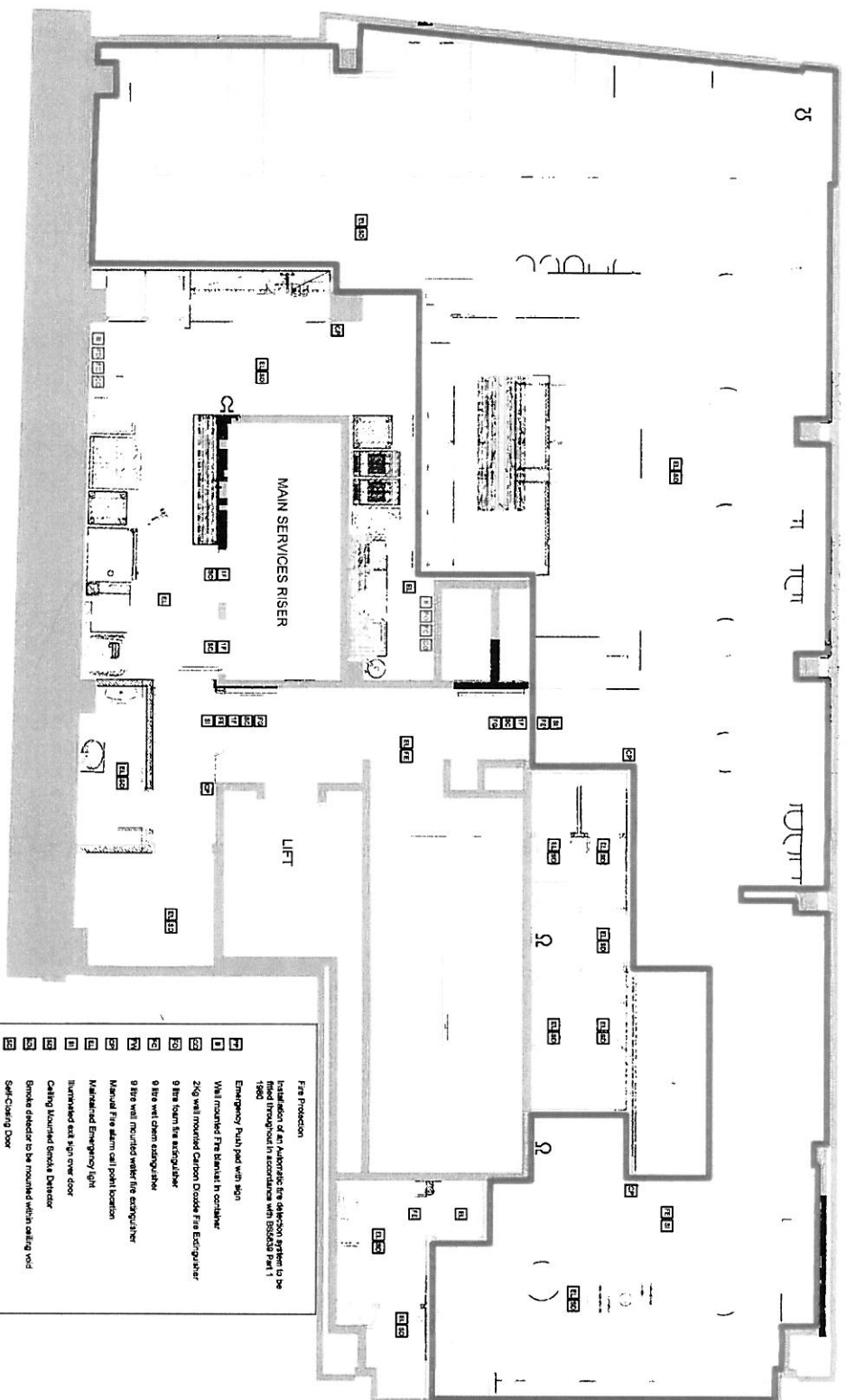


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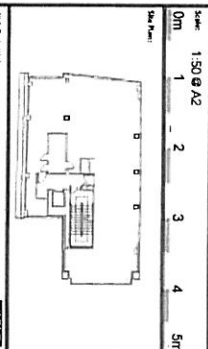
Beer and Buns
20 Bury Street
EC3A 5AX

	<u>Premises</u>	<u>Permitted hours for alcohol sales or other licensable activity with a greater terminal hour</u>
0	BEER AND BUNS	
1	Slug and Lettuce	10:00 – 02:30
2	Balls Brothers Wine Bar	07:00 – 01:00
3	The Baltic Exchange	10:00 – 23:00
4	The Alchemist	07:30 – 03:00 (23:00 – 03:30)*
5	Walter & Monty	11:00 – 00:30
6	La Fenice Rossa	11:00 – 00:00
7	Fora Restaurant	11:00 – 02:00
8	Notes Gherkin	10:00 – 23:00
9	Searcys/The Sterling	07:00 – 04:00
10	Plaza Surrounding Gherkin	11:00 – 00:00
11	Caravaggio/Swingers	10:00 – 02:30
12	Ace European Group	08:00 – 23:00 (23:00 – 00:00)*
13	Jamies	11:00 – 23:00
14	Adriatico	10:00 – 23:59
15	The Old Tea Warehouse	11:00 – 23:00
16	The Craft Beer Company	07:00 – 23:00

* Late Night Refreshment



- Fire Protection**
- Installation of an Automatic fire detection system to be fitted throughout in accordance with BS58 Part 1 1988
- 1 Emergency Push pad with sign
 - 2 Wall mounted Fire Manual In control
 - 3 24v wall mounted Carbon Dioxide Fire Detector
 - 4 9 litre foam fire extinguisher
 - 5 9 litre wet chem extinguisher
 - 6 9 litre wall mounted water fire extinguisher
 - 7 Manual fire alarm call point location
 - 8 Manual Emergency light
 - 9 Interlocked exit sign over door
 - 10 Calling Mounted Smoke Detector
 - 11 Smoke detector to be mounted within ceiling void
 - 12 Self-Closing Door
 - 13 Calling mounted Heat Detector
 - 14 Fire Door Keep clear sign located on direction of opening side door
 - 15 Keep Door Locked Sign located on direction of opening side door
 - 16 Heat hour fire door including intumescent smoke seal strips and positive overhead door detainer, fire stops and sign
 - 17 1 hour fire door including intumescent smoke seal strips and positive overhead door detainer, fire stops and sign
 - 18 Vision panel in door comprising FR glass and two beaded intumescent panels Minimum size of vision panel 2500mm²
 - 19 Emergency exit sign indicating direction of means of escape
 - 20 Fire alarm sounder
 - 21 Audible/visual fire alarm
- The systems contractor to design and complete to local and national codes at design stage. This lays out the fire alarm system on the floor plan and is not to be used for any other purpose.



Scale: 1:50 @ A2
 DM 1 2 3 4 5M

Notes:
 1. The information on this drawing shows information only and must be verified by the fire alarm contractor.
 2. The information on this drawing is not a contract document and does not constitute a contract. The contractor shall be responsible for providing all necessary information for the design and construction of the fire alarm system and for ensuring that the system is installed in accordance with the relevant codes of practice.
 3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CHECK ALL DIMENSIONS ON SITE.
 4. ANY INFORMATION USED BY THE CONTRACTOR IS THE PROPERTY OF SHW DESIGN AND SHALL BE RETURNED TO SHW DESIGN AND NOT REPRODUCED OR COPIED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF SHW DESIGN.

AREA OF INTEREST
 ACTIVITIES

Project: K10 - Bury Street - 1st Floor
 Detail: K10
 Level: 01
 Design: A - Beer & Buns
 Design No: PL-010203-A - Proposed Layout
 Title: Licensing layout

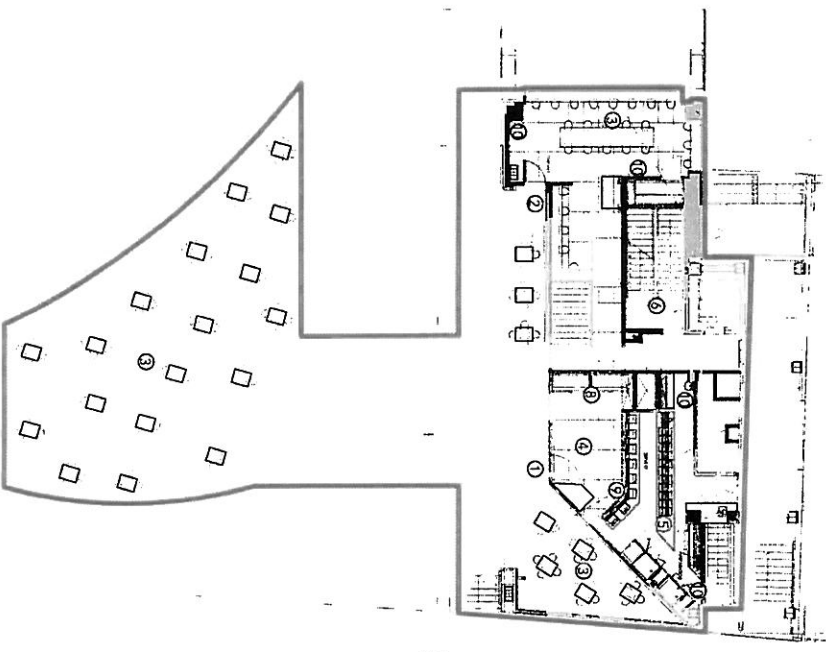
Prepared By: RH Date: 18.05.2017
 Scale: Strategic Definition
 Date: 20199 01 A 111 00

SHW STRATEGY DESIGN IMPLEMENTATION
 +44 (0) 1322 420050
 london@shw-design.com

K10 Bury St. Premises License Plans

- Area where licensable activities take place.
- 01 Main entrance & Exit
- 02 Rear Fire Escape
- 03 Seating Area
- 04 Take Away Area
- 05 Kitchen
- 06 Stairs leading to landro area
- 07 Fire safety Equipment (The location and type of fire safety equipment is shown at present. It may be varied from time to time with the agreement of the officer or after a fire risk assessment.)
- 08 Merchandisers
- 09 Till Counter

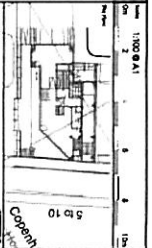
Note: Anything shown on this plan which is not required by the plan regulations is for illustrative purposes only, and DOES NOT form part of the premises license.



5 to 10

Copenhagen House

Holland House



AREA OF LICENSABLE ACTIVITIES

Bury Street	
Ground Floor	A - Foh Kitchen
599000/AB	Use Class
Use Class	13.03.2017
Concept Design	2
20199 GF A 105	00

SHW STRATEGY DESIGN IMPLEMENTATION

44 01 1212 40030 London@shwdesign.com