



LICENSING (HEARING) SUB COMMITTEE

Date: THURSDAY, 28 JUNE 2018

Time: 10.30 am

**Venue: COMMITTEE ROOM 1, 2ND
FLOOR, WEST WING, GUILDHALL**

**APPLICANT:
THE LONDON BAR CONSULTANTS LTD.**

**PREMISES:
MERCHANT HOUSE, 8 BRIDE COURT,
LONDON, EC4Y 8DU**

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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): 28 June 2018	Item no.
Subject: Licensing Act 2003 - Public Hearing in Respect of an Application for the Variation of a Premises Licence		
Name of Premises: The Merchant House Address of Premises: 8 Bride Court London EC4Y 8DU		
Report of: Director of Markets and Consumer Protection		Public / Non- Public
Ward (if appropriate): Castle Baynard		

1 Introduction and Purpose

- 1.1 The purpose of this meeting of the Sub-Committee is to consider and determine, by public hearing, an application to vary a premises licence under the Licensing Act 2003, taking into consideration 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:
London Bar Consultants Ltd

Beagho, Lisbellaw

Co. Fermanagh

was received by the City of London Licensing Authority on 3 May 2018 to vary a premises licence in respect of the premises:

The Merchant House

8 Bride Court

London EC4Y 8DU

- 2.2 The application seeks to vary the existing premises licence so as to add permission for the sale of alcohol on Saturdays between the hours of 11:00 hrs and 23:00 hrs.

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Mon–Fri 11:00 – 00:00	Mon-Fri 11:00-00:00 Saturday 11:00-23:00

The sale of alcohol is currently for *on* the premises only and there is no proposal to alter this situation.

- 2.3 The operating schedule submitted with the application does not suggest any additional licence conditions pertinent to the variation sought. Full details of the application can be seen as Appendix 1.

3 Licensing History of Premises

- 3.1 A premises licence was first granted on 9 September 2011. The licence was granted subject to eight conditions which can be seen in Annex 2 of the current licence. A copy of the current licence is attached as Appendix 2.

4 Representations from Responsible Authorities

- 4.1 There have been no representations from responsible authorities.

5 Representations From Other Persons

- 5.1 There have been three representations against the application from other interested parties.
- 5.2 The three representations each maintain that granting the variation would undermine the licensing objective of *the prevention of public nuisance*. The representations can be seen as Appendix 3(i-iii).

6 Policy Considerations

- 6.1 In carrying out its licensing functions, the Licensing Authority must have regard to its statement of licensing policy and any 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.

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 City of London 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

The following sections/paragraphs of the statutory guidance issued under S182 of the Licensing Act 2003 are particularly applicable to this application (revised April 2018):

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 standardised conditions which ignore these individual aspects should be avoided.’* To which is added; *‘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 as Appendix 4. A key to those premises is included which indicates the maximum respective permitted hours for alcohol sales.
- 7.2 A plan of the premises can be seen as Appendix 4.

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 City of London 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 and necessary for the promotion of the licensing objectives:

- i) grant the application in the manner for which it was applied; or
- ii) reject the application in whole or in part.

Any determination by the licensing sub-committee will not have effect until the end of 21 days following notification of the decision to the applicant by the licensing authority or, in the event of an appeal to the Magistrates' Court against the Sub-Committee's decision, the determination of that appeal.

10 Recommendation

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

Prepared by S J Aznar
 Licensing Officer
 Stephen.aznar@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) Statutory Guidance – ‘Revised Guidance Issued Under Section 182 Of The Licensing Act 2003’. April 2018	MCP	5th Floor Walbrook Wharf Statutory Guidance

Last date ~~1/6/18~~ 1/6/18 Appendix 1 482



Application to vary a premises licence 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 NATHAN BROWN / LONDON BAR CONSULTANTS LTD / MERCHANT HOUSE
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/200502176

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
MERCHANT HOUSE
8 BRIDE COURT
LONDON

Post town LONDON Postcode E14Y 8DU

Telephone number at premises (if any)
Non-domestic rateable value of premises £ 22,956

Part 2 - Applicant details

Daytime contact telephone number
E-mail address (optional)
Current postal address if different from premises address
London Bar Consultants Ltd
Beagho, Lisbellaw
Fermanagh *

*As per Telephone conversation with applicant

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Add Saturday to licensed hours at
~~the same times as Mon-Fri~~
11:00 - 23:00

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

--

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

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)

Sale by retail 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 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here (please read guidance note 3)</u>		
Tue					
Wed			<u>State any seasonal variations for performing plays (please read guidance note 4)</u>		
Thur					
Fri			<u>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 5)</u>		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details (please read guidance note 3)</u>
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events (please read guidance note 4)</u>
Wed			
Thur			<u>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)</u>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
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 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u> <u>State any seasonal variations for the performance of live music (please read guidance note 4)</u> <u>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 5)</u>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)</u>		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music (please read guidance note 4)</u>		
Wed					
Thur			<u>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 5)</u>		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>	
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>	
Wed				
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>	
Fri				
Sat			<p><u>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</u> (please read guidance note 5)</p>	
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises
Day	Start	Finish		Off the premises
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)	<input checked="" type="checkbox"/>
Tue				<input type="checkbox"/>
Wed				<input type="checkbox"/>
Thur				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 5)
Fri				
Sat	11:00	23:00		
Sun				

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 8).

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			<p>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 5)</p>
Tue			
Wed			
Thur			
Fri			
Sat	11:00	23:00	
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	3.5.18
Capacity	DIRECTOR + LICENCEE

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state 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 semi-nudity, 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 applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**Licensing Act 2003
Section 24
Premises licence**

Trading Standards (Licensing Section), City of London
PO Box 270 Guildhall, London EC2P 2EJ

Premises licence number

LN/200502176

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description
Merchant House of Fleet Street, 8 Bride Court

Post town
London

Post code
EC4Y 8DU

Telephone Number

Where the licence is time limited - the dates

Licensable activities authorised by the licence

Alcohol Sales

The times the licence authorises the carrying out of licensable activities

Alcohol Sales

Sunday	-	-	-
Monday	11:00	- 00:00	-
Tuesday	11:00	- 00:00	-
Wednesday	11:00	- 00:00	-
Thursday	11:00	- 00:00	-
Friday	11:00	- 00:00	-
Saturday	-	-	-

The opening hours of the premises

Opening Hours

Sunday	-	-	-
Monday	11:00 - 00:00	-	-
Tuesday	11:00 - 00:00	-	-
Wednesday	11:00 - 00:00	-	-
Thursday	11:00 - 00:00	-	-
Friday	11:00 - 00:00	-	-
Saturday	-	-	-

Where the licence authorises supplies of alcohol - whether these are on and/or off supplies

On the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

The London Bar Consultants Ltd
Beagho
Lisballaw
Fermanagh

Registered number of holder, for example company number, charity number (where applicable)

N1616290

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Nathan Brown
Milton Grove
Stoke Newington
London
N16 8QY

Personal licence number and issuing authority of personal licence held by designated premises supervisor - where the premises licence authorises for the supply of alcohol

LN/200504573 - London Borough of Hackney

Date granted 9th September 2011

Latest amendment 3rd November 2016

Director of Environmental Services

Annex 1 - Mandatory conditions

Alcohol

- 1. No supply of alcohol may be made under the Premises Licence –**
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or**
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.**

- 2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.**

- 3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:**
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –**
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or**
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);**
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;**
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;**
 - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.**
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).**

- 4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.**

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- (a) a holographic mark or
- (b) an ultraviolet feature.
6. The responsible person shall ensure that --
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures --
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 --
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
- (b) "permitted price" is the price found by applying the formula --
- $$P = D + (D \times V)$$
- Where --
- (i) P is the permitted price
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence --

- (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

- 1. Customers will not be permitted to leave the premises with glasses, bottles and other open drinking vessels.**
- 2. Bottles will not be thrown away/recycled between 23.00 hours and 08.00 hours.**
- 3. Staff will be trained in noise management policy.**
- 4. A crime and disorder incident book will be held at the premises.**
- 5. Signs will be displayed requesting that clients leave in a quiet and orderly manner.**
- 6. Children will not be allowed on the premises without accompanied by an adult.**
- 7. Windows and doors will be kept shut at all times after 10pm.**
- 8. Speakers shall not be installed within the entrance lobby of the premises.**

Aznar, Stephen

From: Vanessa Atkinson <[REDACTED]>
Sent: 31 May 2018 13:07
To: M&CP - Licensing
Cc: Sa
Subject: Objection to Premises License Variation Application: Merchant House 8 Bride Court EC4A 8DU

Dear Sir, Madam

We write to strongly object to the above application: Merchant House, 8 Bride Court EC4Y 8DU for Saturday opening hours 1100-2300.

We are residents at [REDACTED] Bride Court, EC4Y 8DU and our living and bedroom windows open out into the light-well, where Merchant House is located below on Bride Court. We often experience noise that travels up the light-well from a number of late night establishments of which Merchants House is one. We are concerned that extending opening hours to include a Saturday will increase the public nuisance for what has been a more peaceful time for the residents when other local late night establishments are not currently open.

I would question the reason why they are wanting to open on a Saturday - is this for private parties for example? Given the city workers are not around will they be encouraging party seekers into the area from other means? When Merchants House applied for their current licence they assured that they would provide someone to work on their front door to manage any noise. However we have never seen a door monitor present so I am not confident that additional noise from weekend patrons will be effectively managed. And even with a door monitor it will be difficult to control people hanging around when they enter/leave and causing disturbance to residents - when the general surroundings are quieter on the weekend we are concerned that additional noise will just amplify further.

Therefore we do not see how Saturday opening would align with the prevention of public nuisance which we understand is a licensing objective the City is promoting.

Please can you acknowledge this objection and confirm when the hearing will take place so we are kept informed and can consider the application.

Regards

Vanessa and Stuart Atkinson

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Breese, Robert

From: Priest, Henrika
Sent: 31 May 2018 12:37
To: M&CP - Licensing
Subject: Objection: Application for a variation of premises licence - Merchant House 8 Bride Court EC4Y 8DU, Castle Baynard ward
Attachments: Application for a variation of premises licence - Merchant House 8 Bride Court EC4Y 8DU, Castle Baynerd ward.docx

Dear Sir / Madam

I am writing to object to the variation to the premises licence sought by Merchant House. If it is granted I believe that it will cause a public nuisance given its very close proximity to several residential properties namely [redacted] Bride Lane, 2 & 9 Bride Court – all of which have rooms or bedrooms overlooking Bride Court.

My concern relates to the reason why they wish to extend their opening hours to include Saturday as most premises, bar The Punch and the Indian restaurant, are closed due to very little footfall in the area.

I envisage that this is so that they can use the premises for private hire in which case it will cause a noise nuisance given that their main and only entrance is based in Bride Court where the echo effect of even the slightest noise is magnified.

The ambient noise reduces significantly during the evening and even very small groups of people talking, and individual conversations, can easily be heard, let alone people drinking and smoking. If large numbers of people mill about, coming and going, as is normally the case with private hire, the noise levels will be intensified and unacceptable. Added to that any noise of clearing up / closing the shutter etc which again will be very late. It's also fair to say that once customers leave, there is absolutely no way they can be controlled by the licenced premises, ie to ensure how quickly they make their way away from the premises, what they get up to generally on the street, ie how much noise they make, how drunk they are, etc etc. And therein lies the real problem which will affect the local residents going forward.

Therefore, I don't believe that the premises will be able to ensure that residents aren't unduly disturbed.

Yours faithfully,

Henrika Priest

Henrika Priest
Common Councilman, Castle Baynard Ward

From: M&CP - DataManagement
Sent: 04 May 2018 15:51
Subject: Application for a variation of premises licence - Merchant House 8 Bride Court EC4Y 8DU, Castle Baynard ward

Dear all,

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Broese, Robert

From: Simons CC, Jeremy
Sent: 31 May 2018 14:24
To: M&CP - Licensing
Subject: VARIATION TO THE PREMISES LICENSE: MERCHANT HOUSE BRIDE COURT

Dear Mesdames and Sirs,

I am writing as a local resident and a Common Councilman for the Ward of Castle Baynard to object to the variation to the premises licence sought by Merchant House.

If the variation is granted there is a high likelihood of public nuisance. In my experience the probability of public nuisance increases dramatically where a licenced premises is in close proximity to residential properties. This is the case the premises is cheek-by-jowl with residences.

The opening hours sought include Saturday, when most nearby bars are closed. This will encourage the manager to permit use by private parties, increasing yet further the potential for public nuisance, and preventing local residents having the quiet enjoyment of their homes. Given the close proximity of residents, a restriction preventing any renting-out for private use should be imposed.

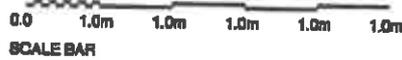
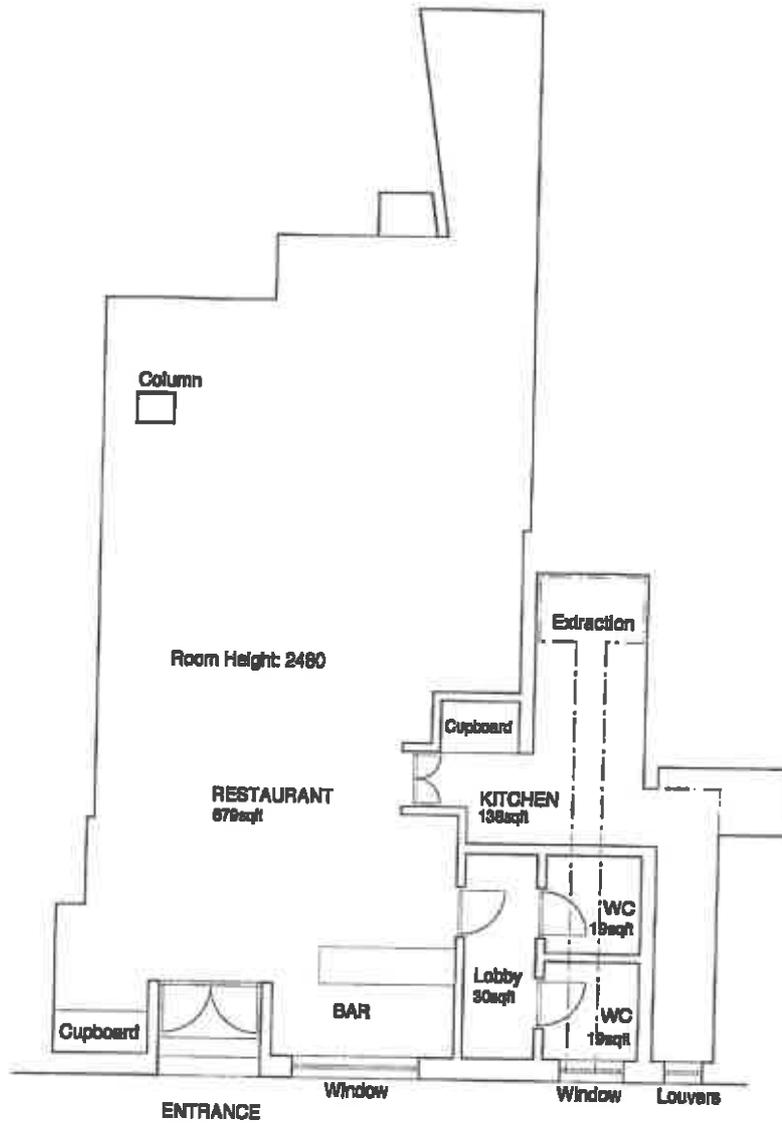
I am concerned that drinking or smoking outside the premises will also cause a nuisance. The door to the premises should remain closed except for access or egress. Noise from customers dispersing from the premises is also likely to be a problem.

I therefore object to this application.

Yours sincerely,

Jeremy Simons
Elected Member Ward of Castle Baynard
Pemberton Row EC4A 3BA

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RESTAURANT SPACE ON 8 BRIDE COURT EC4

SURVEY (very approximate)
Total Area (Gross): 885sqft / 82.2m²

© by michel schranz london 2011

London N16, July 21, 2011

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Premises Location Map



	Trade Name	Alcohol Closing Time	Late Night Refreshment Closing Time
1	Merchant House of Fleet Street	Midnight	Unlicensed
2	Indian City	23:00	Unlicensed
3	Cheeky Chicos Ltd	Midnight	Unlicensed
4	The Bridewell Theatre	02:00	Unlicensed
5	City of London Distillery	Midnight	01:00
6	Chi Noodle Bar & Restaurant	Midnight	01:00
7	Punch Tavern	Midnight	Unlicensed
8	The Albion	Midnight	Midnight
9	The Old Bell Tavern	Midnight	01:00
10	The Crown and Sugar Loaf	23:00	Unlicensed

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