



# **LICENSING (HEARING) SUB COMMITTEE**

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**Date: THURSDAY 12 JULY 2018**

**Time: 10.30 am**

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

**APPLICANT: Mr Mark Wilson - Byward  
London Ltd**

**PREMISES: Byward Kitchen and Bar,  
Byward Street, London, EC3R 5BJ**

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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.<sup>1</sup>
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.

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<sup>1</sup> 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.

<b>Committee(s):</b> <b>Licensing Sub-Committee</b>	<b>Hearing Date(s):</b>	<b>Item no.</b>
<b>Subject:</b> <b>Licensing Act 2003 –      Hearing to Consider an Objection to a    Temporary Event Notice</b>		
<b>Name of premises:</b> <b>Byward Kitchen &amp; Bar</b> <b>Address of premises:</b> <b>Byward Street, EC3R 5BJ</b>		
<b>Report of:</b> <b>Director of Markets and Consumer Protection</b>		<b>Public / <del>Non-Public</del></b>
<b>Ward (if appropriate):</b> <b>Tower</b>		

## 1 Introduction

- 1.1 To consider and determine, by public hearing, objections against notification for two temporary events under the Licensing Act 2003.
- 1.2 Under the Licensing Act 2003 a standard temporary event notice submitted to the Licensing Authority may be objected to by the Police and/or Environment Health within three working days of its receipt. The objections can be on the grounds that one or more of the licensing objectives will be undermined.
- 1.3 A hearing to consider any objection notices has to be held within seven working days beginning with the day following the end of the period within which an objection notice may be given. The hearing must be at least 24 hours before the event is due to take place. Due to the timescales involved this report has been put forward at short notice.

## 2 Summary of Temporary Event Notices

- 2.1 Two temporary event notices were submitted by:  
**Mark Wilson**

They were received by the City of London Licensing Authority on 29 June 2018 for events to be held in respect of the premises:

**Byward Kitchen & Bar**

**Byward Street**

**EC3R 5BJ**

2.2 Details of the proposed temporary event are as follows:

Date and time of events:

**Saturday 11 August 2018.**

**14.00 – 02.00**

**Friday 24 August 2018.**

**21.00 – 02.00**

Licensable activities sought:

**i) Sale of alcohol (on the premises only)**

**ii) Provision of late night refreshment**

Maximum number of people:

**130 (11/08) & 110 (24/08)**

**NB Both forms have stated that sale of alcohol is for on the premises only. As the notice forms have described the premises as “Byward Kitchen and Bar, Byward Street” this is interpreted as the building only. There is no mention of the Garden Terrace so alcohol sales may not take place there. Additionally, under the TEN, alcohol consumption may not take place on the terrace (see 3.1) unless the condition permitting it is imposed from the Premises Licence (as per 8.2, ii).**

2.3 A copy of the Temporary Event Notices can be seen as Appendix 1.

**NB Both forms state that there will be a DJ during the hours of the notice. However, regulated entertainment has not been selected. Recorded music may only be provided as de-regulated entertainment until 23.00.**

### **3 Licensing History of Premises**

- 3.1 A premises licence was originally issued to Beyond Food Foundation Ltd trading as Beyond Boyle on 27 August 2010. The terminal hour for alcohol sales was 23.30 on the premises only (except for consumption in the garden terrace). Licensable activity was also restricted to private hire of the venue.
- 3.2 The licence was transferred to Embankment Partnership Ltd in April 2011 where it began trading as Byward Kitchen & Bar.
- 3.3 A variation was granted to the licence in November 2011 which lifted the restriction on private events. The venue became open to the general public for the first time.
- 3.4 The licence transferred again in September 2017 to Byward London Ltd.
- 3.5 A copy of the current licence can be seen as Appendix 2. The plan can be seen as Appendix 3.

### **4 Objection notices received**

- 4.1 An objection to the temporary event notices were received from the City of London Environmental Health Office on 3 July 2018. The basis of the objection is that the proposed events are not in keeping with the usual operation of the premises and given the proximity to residential buildings would undermine the licensing objective of the 'prevention of public nuisance'.
- 4.2 A copy of the objection emails can be seen as Appendix 4.

### **5 Policy Considerations**

- 5.1 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**

- 5.2 The following sections/paragraphs of the City of London Corporation's Statement of Licensing Policy, although not all directly related to the consideration of an objection to a temporary event notice, contain sections which are applicable to this report.

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

The boxed comment on page 19 also 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.

## **Statutory Guidance**

- 5.3 The following sections/paragraphs of the statutory guidance issued under s182 of the Licensing Act 2003 are particularly applicable to this application:

Chapter 7 relates in general to Temporary Event Notices. Of particular note is paragraph 7.28 (role of licensing authority and determination at the hearing) and paragraphs 7.32 – 7.34 (objection notices and the requirement to issue a counter notice if required).

## **6 Map and Plans**

- 6.1 A map showing the location of the premises together with nearby licensed premises is attached at Appendix 5.

## **7 Summary**

- 7.1 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.



## **8 Options**

- 8.1 The Sub-committee must, having regard to the objection notices;
- i) Give the premises user counter notices if it considers it appropriate for the promotion of one or more of the licensing objectives to do so (which will stop the event from taking place).
- 8.2 If the Sub-committee decide not to issue counter notices it must take one of the following steps:
- ii) Allow the events to go ahead but impose one or more of the existing premises licence conditions on the temporary event notices if it considers it appropriate for the promotion of a licensing objective to do so (but only insofar as such conditions are not inconsistent with the events); or
  - iii) Allow the events to go ahead as set out in the Temporary Event Notice
- 8.3 Following a decision by the sub-committee one of more of the following actions will need to be taken at least 24 hours before the beginning of the event period specified in the temporary event notices:
- Where a counter notice is issued (option i) a copy is to be sent to the premises user, Police and Environmental Health along with a notice stating the reasons for the decision.
  - Where a counter notice is not issued but conditions have been added (option ii) the decision, along with a 'statement of conditions' must be given to the premises user, Police and Environmental Health
  - Where a counter notice is not issued (option iii) notice of the decision must be given to the premises user, Police and Environmental Health.

## **9 Recommendation**

- 9.1 It is therefore RECOMMENDED that your Sub-Committee determine these notices for temporary events in accordance with paragraph 8 of this report.

Prepared by        Andre Hewitt  
                             Licensing Officer

**Background Papers**

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
Corporation of London Statement of Licensing Policy revised January 2017.  Statutory Guidance – ‘Revised Guidance Issued Under Section 182 Of The Licensing Act 2003’. April 2017	MCP	5 <sup>th</sup> Floor Walbrook Wharf  <a href="#"><u>Statutory Guidance</u></a>



**City of London**  
**Temporary Event Notice**  
**Licensing Act 2003**

For help contact  
[licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk)  
 Telephone: 020 7332 3406

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

First name

Family name

E-mail address

Main telephone number

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ Applying as a business or organisation, including as a sole trader  
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status



Include country code.

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

☐ Yes

☒ No

Your date of birth

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national Insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

### Section 3 of 9

### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

☒ Yes

☐ No

### Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Byward Kitchen and Bar

Street

Byward Street

District

City or town

London

County or administrative area

Postcode

EC3R 5BJ

Country

United Kingdom

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither

☒ Premises licence

☐ Club premises certificate

Premises licence number

LN200501843

### Location Details

Provide further details about the location of the event

The restaurant/bar is attached to All Hallows Church.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Restaurant and Bar - Attached to All Hallows by the Tower Church

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Private over 30's bbq and drinks event

#### Section 4 of 9

#### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

[\(see also guidance on completing the form, note 6\):](#)

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☐ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

#### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date

11	/	08	/	2018
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

12	/	08	/	2018
dd		mm		yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

14.00 TO 2AM

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

130

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- ☒ On the premises only  
☐ Off the premises only  
☐ Both

#### Section 5 of 9

#### RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

DJ FROM 14.00 TO 2M

#### Section 6 of 9

#### PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

☒ Yes

☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Tower Hamlets

Licence number

26310

Date of issue

/  /   
dd mm yyyy

Any further relevant details

## Section 7 of 9

### PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐ Yes

☒ No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐ Yes

☒ No

b) Begins 24 hours or less after the event period proposed in this notice?

## Section 8 of 9

### ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes

☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐ Yes

☒ No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes

☒ No



Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes

☒ No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

#### Section 9 of 9

#### CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

#### DECLARATION [\(See also guidance on completing the form, note 18\)](#)

- \* The Information contained in this form is correct to the best of my knowledge and belief
- \* I understand that it is an offence:
  - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
  - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date  /  /   
dd mm yyyy

[Add another signatory](#)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/city-of-london/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY****Applicant reference number** 11 August 2018**Fee paid****Payment provider reference****ELMS Payment Reference****Payment status****Payment authorisation code****Payment authorisation date****Date and time submitted****Approval deadline****Error message****Is Digitally signed**☐[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

**Application ref:** city-of-london-646315  
**Licence:** Temporary Event Notice  
**Applicant name:** Mr Mark Wilson  
**Applicant email:** [REDACTED]  
**Submitted on:** 29/08/2018 11:27  
**Total fee:** £21.00  
**Payment status:** Paid  
**WorldPay ref:** 7272993588  
**Amount paid:** £21.00  
**Fee outstanding:** £0.00

**Application**

Mr Mark Wilson application form

**Supporting documents (0)****Authority Reference**

**Reference:**



**Tacit consent applies**

**Process by:** 03/08/2018

**Status:** Not collected

**Recent History**





**City of London  
Temporary Event Notice  
Licensing Act 2003**

For help contact  
[licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk)  
Telephone: 020 7332 3406

\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

First name

Family name

E-mail address

Main telephone number

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ Applying as a business or organisation, including as a sole trader  
☐ Applying as an individual



Include country code.

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

☐ Yes

☒ No

Your date of birth   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

### Section 3 of 9

#### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

☒ Yes

☐ No

#### Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes

☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Byward Kitchen and Bar

Street

Byward Street

District

City or town

London

County or administrative area

Postcode

EC3R 5BJ

Country

United Kingdom

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither

☒ Premises licence

☐ Club premises certificate

Premises licence number

LN200501843

#### Location Details

Provide further details about the location of the event

The restaurant/bar is attached to All Hallows Church.

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Describe the nature of the premises below [\(see also guidance on completing the form, note 4\)](#)

Restaurant and Bar - Attached to All Hallows by the Tower Church

Describe the nature of the event below [\(see also guidance on completing the form, note 5\)](#)

Private 25th Birthday party

#### Section 4 of 9

#### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises [\(see also guidance on completing the form, note 6\)](#):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☐ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

#### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date

24	/	08	/	2018
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

25	/	08	/	2018
dd		mm		yyyy



State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

21.00 TO 2AM

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

110

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- ☒ On the premises only  
☐ Off the premises only  
☐ Both

#### Section 5 of 9

##### RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

DJ FROM 21.00 TO 2M

#### Section 6 of 9

##### PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

☒ Yes

☐ No

Provide the details of your personal licence below.

Issuing licensing authority

Tower Hamlets

Licence number

26310

Date of issue

1 / 01 / 2008  
dd mm yyyy

Any further relevant details

## Section 7 of 9

### PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐ Yes

☒ No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐ Yes

☒ No

b) Begins 24 hours or less after the event period proposed in this notice?

## Section 8 of 9

### ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes

☒ No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐ Yes

☒ No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐ Yes

☒ No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes

☒ No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

## Section 9 of 9

### CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

### DECLARATION [\(See also guidance on completing the form, note 18\)](#)

\* The information contained in this form is correct to the best of my knowledge and belief

\* I understand that it is an offence:

- \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
- \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

mark wilson

Capacity

director

Date

29

dd

/ 06

mm

/ 2018

yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/city-of-london/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number	24 August 2018
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

[< Previous](#)   [1](#)   [2](#)   [3](#)   [4](#)   [5](#)   [6](#)   [7](#)   [8](#)   [9](#)   [Next >](#)

**Application ref:** city-of-london-646320  
**Licence:** Temporary Event Notice  
**Applicant name:** Mr Mark Wilson  
**Applicant email:** [REDACTED]  
**Submitted on:** 29/08/2018 11:29  
**Total fee:** £21.00  
**Payment status:** Paid  
**WorldPay ref:** 7272995318  
**Amount paid:** £21.00  
**Fee outstanding:** £0.00

**Application**

Mr Mark Wilson application form

**Supporting documents (0)****Authority Reference**

**Reference:** [REDACTED]

**Tacit consent applies**

**Process by:** 03/08/2018

**Status:** Not collected

**Recent History**





**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/200501843**

**Part 1 - Premises details**

**Postal address of premises, or if none, ordnance survey map reference or description**  
The Kitchen at Tower, Queen Elizabeth Centre at All Hallows By The Tower, Byward Street

**Post town**  
London

**Post code**  
EC3R 5BJ

**Telephone Number**  
[REDACTED]

**Where the licence is time limited - the dates**

**Licensable activities authorised by the licence**

Alcohol Sales  
Recorded Music  
Perform Dance  
Provision of Dance  
Live Music

**The times the licence authorises the carrying out of licensable activities**

**Alcohol Sales**

Sunday	12:00 - 23:30	-
Monday	12:00 - 23:30	-
Tuesday	12:00 - 23:30	-
Wednesday	12:00 - 23:30	-
Thursday	12:00 - 23:30	-
Friday	12:00 - 23:30	-
Saturday	12:00 - 23:30	-

**Recorded Music, Perform Dance, Provision of Dance, Live Music**

Sunday	09:00 - 00:00	-
Monday	09:00 - 00:00	-
Tuesday	09:00 - 00:00	-
Wednesday	09:00 - 00:00	-
Thursday	09:00 - 00:00	-
Friday	09:00 - 00:00	-
Saturday	09:00 - 00:00	-

**The opening hours of the premises****Opening Hours**

Sunday	-	-
Monday	-	-
Tuesday	-	-
Wednesday	-	-
Thursday	-	-
Friday	-	-
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**

Byward London Ltd  
■ Beechcroft Road  
Bushey  
WD23 2KU

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

10387615

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

Mark Wilson  
Noelle St Katharine Docks  
■ St Katharine Way  
London  
E1W 1LA

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

14412 – London Borough of Tower Hamlets

Date granted 27th August 2010

Latest amendment 7<sup>th</sup> September 2017

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. There shall be no sale or supply of alcohol for consumption off the premises, except within the terrace area adjoining the property.
2. CCTV shall be installed, maintained and operated in full working order.
3. Notices shall be displayed requesting guests to be respectful of local residents as they leave the premises.
4. No children shall be allowed on the premises without complete adult supervision.
5. When music is being played after 22:00 hours the front doors leading onto the garden terrace shall be closed.
6. A Noise limiting device shall be installed, fitted and maintained at the premises in such a manner as to control the volume of all amplified music or speech at the premises. The noise limiter shall be calibrated and secured to the satisfaction of the City of London's Environmental Health Service.
7. A comprehensive colour CCTV system shall be maintained in working order at the premises to monitor all public areas of the licensed premises, including all entry and exit points. This must enable facial identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with time and date stamping. All recordings shall be made available to the Police and the Licensing Authority together with facilities for viewing.
8. 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 Licensing Authority recent data or footage with the absolute minimum of delay when requested.

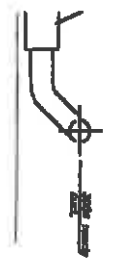
Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

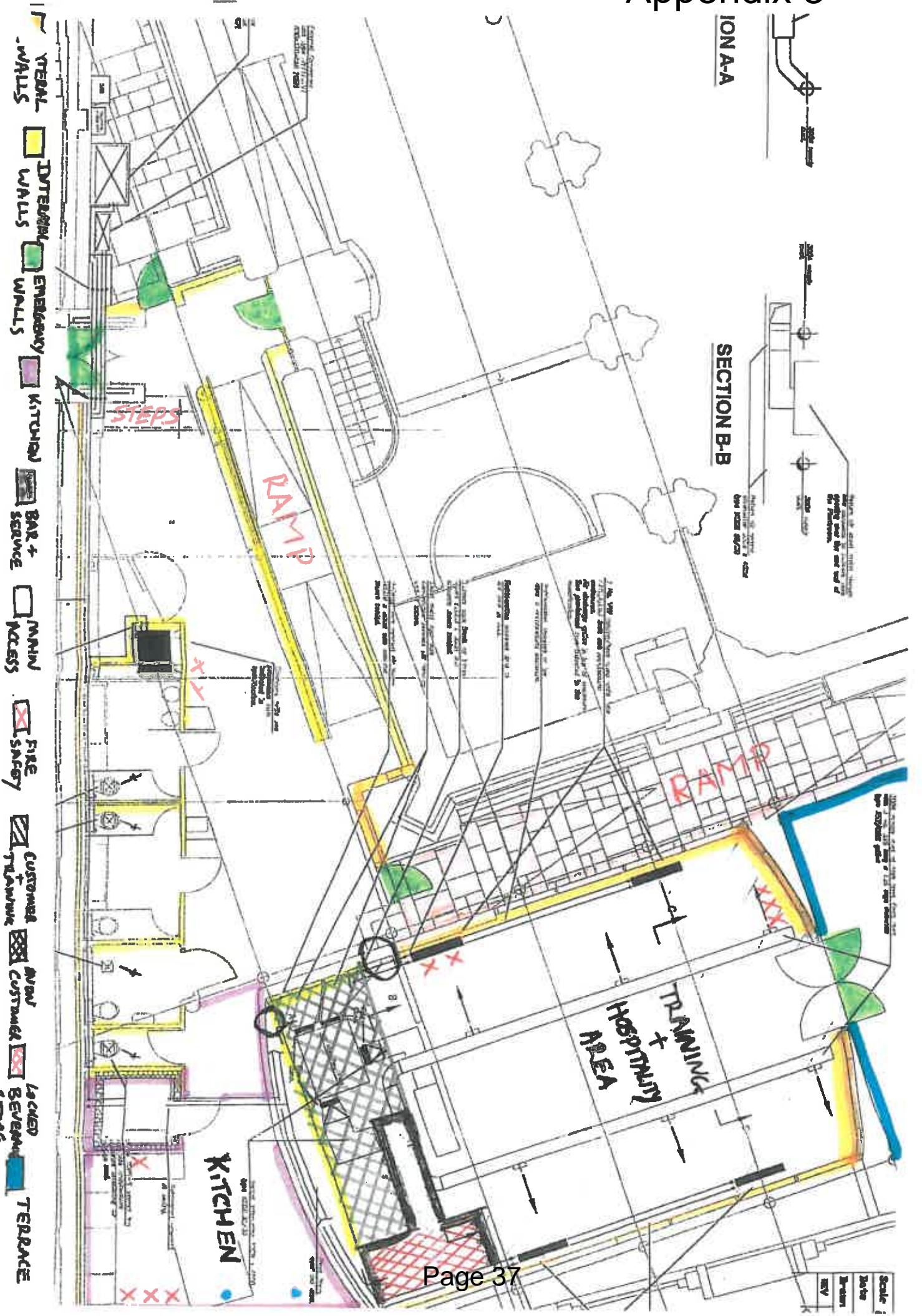
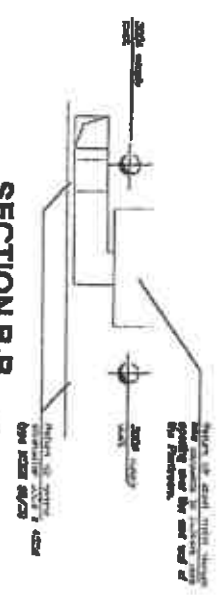
Licensing Plan

July 2010

ION-A-A



SECTION B-B



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## Murphy, Leanne

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**From:** Marshall, Siobhan  
**Sent:** 03 July 2018 15:47  
**To:** M&CP - Licensing  
**Cc:** Pye, Rachel  
**Subject:** The Kitchen Byward Street - 11th August  
**Attachments:** 00206BB42B8D180629153759.pdf

Good Afternoon,

This department wishes to make a representation to object to this promoted event taking place on 11<sup>th</sup> August at the The Kitchen on Byward Street. It is considered that this event will give rise to a public nuisance.

Kind Regards  
Siobhan

**Siobhan Marshall**  
Environmental Health Officer  
Pollution Team

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

[REDACTED]

[REDACTED]

Register non-road mobile machinery (NRMM) via this link: [nrmm.london](http://nrmm.london)

Should you wish to provide feedback on the service you have received, please follow this link:  
[surveymonkey.com/r/PHPP\\_Noise](http://surveymonkey.com/r/PHPP_Noise)

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## Murphy, Leanne

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**From:** Marshall, Siobhan  
**Sent:** 03 July 2018 15:43  
**To:** M&CP - Licensing  
**Cc:** Pye, Rachel  
**Subject:** The Kitchen Byward Street - 24th August 2018  
**Attachments:** 00206BB42B8D180629155621.pdf

Good Afternoon,

This department wishes to make a representation to object to the event taking place on 24<sup>th</sup> August at the The Kitchen on Byward Street. It is considered that this event will give rise to a public nuisance.

Kind Regards  
Siobhan

**Siobhan Marshall**  
Environmental Health Officer  
Pollution Team

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

[REDACTED]

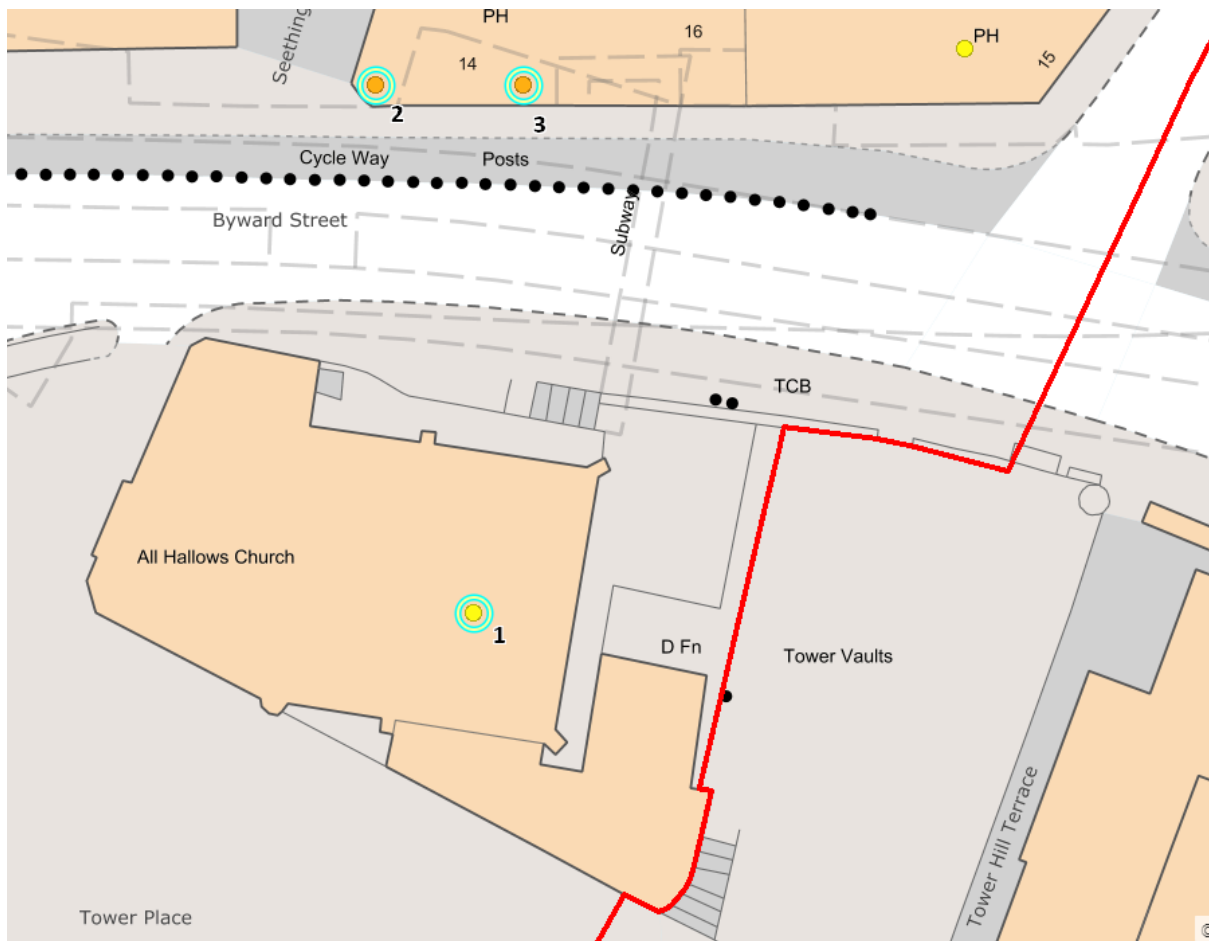
[REDACTED]

Register non-road mobile machinery (NRMM) via this link: [nrmm.london](http://nrmm.london)

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[surveymonkey.com/r/PHPP\\_Noise](https://surveymonkey.com/r/PHPP_Noise)

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## Byward Kitchen Location Map



	Trade Name	Alcohol Closing Time	Late Night Refreshment Closing Time
1	Byward Kitchen and Bar	23:30	Unlicensed
2	Bodean's BBQ	Midnight	00:30
3	All Bar One	Midnight	01:00

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