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LICENSING (HEARING) SUB COMMITTEE

Date: MONDAY, 10 JUNE 2019

Time: 3.00 pm or at the rising of the earlier Hearing, whichever is latest

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

Applicant: Barts Square Active One Ltd

Premises: Unit 2, Bartholomew Close, London, EC1

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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.

Agenda Annex

Committee(s):	Hearing Date(s):	Item no.
Licensing Sub-Committee	10 June 2019	
Subject:		
Licensing Act 2003 - Public Hearing in R	espect of an Appli	cation for
the Grant of a Premises Licence	-	
Name of Premises: Unit 2		
Address of Premises: Bartholomew Clos	se, London, EC1	
Report of:	Public / N	on-
Director of Consumer Protection & M	Aarket Publie	
Operations		
-		
Ward (if appropriate): Farringdon Within	n	

1 Introduction

- 1.1 The purpose of this Sub-Committee is to consider and determine, by public hearing, an application for the grant of a premises licence under the provisions of the Licensing Act 2003, taking into consideration the representations of 'other persons' as 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:
Barts Square Active One Ltd
12 Castle Street
St Helier
Jersey, JE2 3RT

was received by the City of London licensing authority on 16 April 2019 for the grant of a premises licence in respect of the premises:

'Unit 2' Bartholomew Close London, EC1

- 2.2 Full details of the application can be seen as Appendix 1.
- 2.3 The application seeks permission for the sale of alcohol for consumption **on** the premises and other licensable activities (and opening hours) as shown in the following table:

<u>Activity</u>	<u>Current Licence</u>	Proposed Licence
Sale of alcohol for consumption on the premises	N/A	Mon – Sat 10:00-23:00 Sun 12:00-22:30
Late Night Refreshment	N/A	Mon – Sat 23:00-23:30
Opening Hours	N/A	Mon – Fri 08:00-23:30 Sat 09:00-23:30
		Sun 09:00-23:00

2.4 The operating schedule submitted with the application suggests steps intended to be taken in order to promote one or more of the four licensing objectives. Conditions consistent with this schedule which (modified as appropriate) could be included as conditions on the premises licence are attached as Appendix 2.

3 Licensing History of Premises

- 3.1 This is a new application for a premises licence with no previous licensing history. That being the case there are no complaints recorded against the premises.
- 3.2 The premises is intending to become a bar/café/delicatessen.

4 Representations from Responsible Authorities

4.1 There are no representations from responsible authorities.

5 Representations from Other Persons

- 5.1 There are seven representations from other persons. All representations are against the granting of the licence and feel the terminal hour applied for is too late and will undermine the licensing objective of 'the prevention of public nuisance'.
- 5.2 In addition, all seven of the representations feel that if the application was to be granted, there should be a condition included on the licence stating that all windows and doors should be kept closed at all times.
- 5.3 The representations can be seen in full as Appendices 3(i) to 3(vii).

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

Pages 19-22 address the licensing objective 'The prevention of public nuisance', with paragraphs 79 - 81 addressing the need of care when controlling noise particularly from those persons leaving a premises.

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

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

The boxed comment on page 22 considers various factors that should be taken into account when considering whether any licensable activity should be permitted.

Paragraphs 115-121 state the 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 ten of this report.

Statutory Guidance

6.3 The following sections/paragraphs of the statutory guidance issued under S182 of the Licensing Act 2003 are particularly applicable to this application (revised April 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 licensed premises is included which indicates the maximum respective permitted hours for alcohol sales or for late night refreshment if greater.

7.2 A plan of the premises can be seen as Appendix 5.

8 Public Notices

- 8.1 The statutory blue public notice was duly exhibited at the premises as evidenced by officers on 24/4/19.
- 8.2 A copy of the statutory newspaper advertisement was placed in the Islington Tribune in the edition 26 April 2019.

9 Summary

9.1 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.

10 Options

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

For the purposes of paragraph 10.1(i) conditions consistent with the operating schedule are modified if any of them are altered or omitted or any new condition is added.

10.2 Where a licensing authority takes one or more of the steps stated in paragraph 10.1 above the applicant, or the holder of the licence and/or a person who made relevant representations in relation to the application, may appeal the decision to the Magistrates' Court. Any appeal must be commenced within 21 days following notification of the decision to the appellant by the licensing authority.

11 Recommendation

11.1 It is therefore RECOMMENDED that your Sub-Committee determine this application for the grant of a premises licence in accordance with paragraph 10 of this report.

Prepared by P. Davenport

Licensing Manager 020 7332 3227 Peter.davenport@cityoflondon.gov.uk

Background Papers

BACKGROUND PAPER	<u>DEPT</u>	FILE
Corporation of London Statement of Licensing Policy (revised Jan 2017)	MCP	5th Floor Walbrook Wharf
Statutory Guidance – 'Revised Guidance Issued Under Section 182 Of The Licensing Act 2003'. (April 2018)		Statutory Guidance

Last Paris 14-SAppendix 1/88

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

apply descr releva	(Insertibed)	Square Active One Ltd rt name(s) of applicant) a premises licence under section in Part 1 below (the premises) a censing authority in accordance remises details	nd I/we are n	nakin	this applicati	on to you as the
Posta	addı	ress of premises or, if none, ordne	nce survey ma	ıp refe	rence or descrip	otion
Unit 2 Barth		ew Close		D	CITY OF LONDO Environmental Health Public Protection 1 6 APR 20	1/20
Post	town	London			Postcode	BC1
Telep	hone	number at premises (if any)				
Non-	dome	stic rateable value of premises	£Not yet rate	đ		
		pplicant details whether you are applying for a	oremises licen	ce as	Please tick	as appropriate
			,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	_		
a)		ndividual or individuals *			please comple	ete section (A)
b)	a pe	rson other than an individual *				
	i	as a limited company/limited lia partnership	bility	[~]	please comple	ete section (B)
	ii	as a partnership (other than limi	ted liability)		please comple	ete section (B)
	iii	as an unincorporated association	or		please comple	ete section (B)
	iv	other (for example a statutory co	orporation)		please comple	ete section (B)
c)	a re	cognised club			please comple	ete section (B)
d)	a ch	arity			please comple	ete section (B)

e)	the propr	ietor	of an	educatio	nal establishi	ment		please comp	olete section (E	3)
f)	a health	ervio	ce bod	у				please comp	olete section (F	3)
g)		ndard	ls Act	2000 (c1	nder Part 2 of 4) in respect es			please comp	olete section (E	3)
ga)	1 of the I	lealti ing o	h and f that	Social C	nder Chapter are Act 2008 an independe	(within		please comp	olete section (E	3)
h)	the chief England			oolice of	a police forc	e in		please comp	olete section (E	3)
* If yo		lying	as a p	erson de	escribed in (a) or (b)	please o	onfirm (by ticl	cing yes to one	box
premi	ses for lic	nsab	le act	ivities; o	r	ness wh	ich invo	olves the use of	the	[]
I am r	making the statutory			•	nt to a					
					tue of Her M	ajesty's	prerog	ative		
(A) II	NDIVIDU	AL A	APPL	ICANTS	S (fill in as ap	plicabl	e)			
Mr	□ м	rs		Miss		Ms [ner Title (for imple, Rev)		
Surna	ame					First	names			
Date	of birth				I am 18 y	ears old	or over	Plea	se tick yes	
Natio	nality									
addre	nt resident ss if differ ses addres	ent fr	rom							
addre	ss if differ ses addres	ent fr	rom					Postcode		
addres premi	ss if differ ses addres	ent fr		e numbe	er			Postcode		

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	□ M	irs		Miss		Ms		Other Title (for example, Rev)	
Surna	me					Fi	rst na	mes	
Date o	f birth				I am	18 years	old or	over P	ease tick yes
Nation	ality								
differer address	t postal a nt from p	remi	ses						
Post to	wn							Postcode	
Post to	wn ie contac	t tel	ephone	numbe	r			Postcode	

(B) OTHER APPLICANTS

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

Name
Barts Square Active One Ltd
Address
Castle Street,
St Helier,
fersey,
TE2 3RT
Registered number (where applicable)
E116022
Description of applicant (for example, partnership, company, unincorporated association etc.)
ompany
elephone number (if any)
-mail address (optional)
-mail address (optional)

Par	t 3 Operating Schedule	
Whe	en do you want the premises licence to start?	DD MM YYYY 3 1 0 5 2 0 1 9
	ou wish the licence to be valid only for a limited period, when ou want it to end?	DD MM YYYY
Plea	se give a general description of the premises (please read guidance	note 1)
Bar/	cafe/delicatessen	
	000 or more people are expected to attend the premises at any time, please state the number expected to attend.	
Wha	t licensable activities do you intend to carry on from the premises	?
(plea	se see sections 1 and 14 and Schedules 1 and 2 to the Licensing A	ct 2003)
Prov	ision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (f (if ticking yes, fill in box H)	g) \square

Provision of late night refreshment (if ticking yes, fill in box I)	[1]
Supply of alcohol (if ticking yes, fill in box J)	[✓]
In all cases complete boxes K. I. and M	

timing	rd days as	read	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidan	ce note 7)		Outdoors	
Day	Start	Finish		Both	
Mon	***************************************		Please give further details here (please read guid	ance note 4)	
Tue					
Wed			State any seasonal variations for performing plaguidance note 5)	vs (please reac	i
Thur					
Fri			Non standard timings. Where you intend to use the performance of plays at different times to the column on the left, please list (please read guidan	ose listed in th	
Sat					
Sun					

Films Standard days and timings (please read guidance note 7)		read	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Buidai	ice note /	,		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	ance note 4)	
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Wed	1011111		State any seasonal variations for the exhibition (guidance note 5)	of films (pleas	e read
Thur		111111111111111111111111111111111111111			
Fri			Non standard timings. Where you intend to use	the premises	for
			the exhibition of films at different times to those column on the left, please list (please read guidane	listed in the	101
Sat				•	
Sun		-			

Standa timing:	r sporting rd days a s (please ce note 7	read	Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed	111111111111111111111111111111111111111		
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			- Character of the state of the
Sat			
Sun			

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)		nd read	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors [
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui		<u> </u>
Tue					
Wed			State any seasonal variations for boxing or wreentertainment (please read guidance note 5)	estling	
Thur					
Fri			Non standard timings. Where you intend to us boxing or wrestling entertainment at different in the column on the left, please list (please read	times to those I	isted
Sat			The series of the series prease has the prease read	guidance note	5)
Sun					

Standa	Live music Standard days and timings (please read		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidan	ice note 7)		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	ance note 4)	
Tue					
Wed			State any seasonal variations for the performan read guidance note 5)	ce of live mus	<u>ic</u> (please
Thur					
Fri	2.100.1111100	THE SHIP	Non standard timings. Where you intend to use performance of live music at different times to t column on the left, please list (please read guidan	hose listed in	for the the
Sat				-	
Sun					

Recorded music Standard days and timings (please read guidance note 7)		ind read	Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	
Day	Start	Finish	-	Outdoors	
Mon	-		TNI.	Both	
			Please give further details here (please read guid	ance note 4)	
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eri II			Non standard timings. Where you intend to use playing of recorded music at different times to the column on the left, places list follows:		or the
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			column on the left, please list (please read guidance	e note 6)	<u>ie</u>
eri Sat			South on the tert, please list (please read guidance	e note 6)	<u>ie</u>

Performances of dance Standard days and timings (please read		nd	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
	ce note 7			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guid	iance note 4)	
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Wed			State any seasonal variations for the performation read guidance note 5)	ice of dance (p	lease
Thur					
Fri			Non standard timings. Where you intend to us the performance of dance at different times to column on the left, please list (please read guida	those listed in	for the
Sat					
Sun					

descrifalling (g) Stands timing	hing of a siption to g within (ard days a significance pote 7	that (e), (f) or and read	Please give a description of the type of entertainm providing	ent you will b	e
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	Тп
Mon			outdoors or both - please tick (please read guidance note 3)	Outdoors	
Tue			Please give further details here (please read guid	Both	
Wed			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) (p)	of a similar	
Fri		************	guidance note 5)		
Sat			Non standard timings. Where you intend to use the entertainment of a similar description to that (e), (f) or (g) at different times to those listed in the left, please list (please read guidance note 6)	Callin tel. 1	
Sun					

Late night refreshment Standard days and timings (please read		ıd	Will the provision of late night refreshment take place indoors or outdoors or both — please tick (please read guidance note 3)	e indoors or outdoors or both - Indoors []	
	ce note 7)			Outdoors	
Day	Start	Finish		Both	
Mon	23.00	23.30	Please give further details here (please read gui	dance note 4)	
Tue	23.00	23.30			
Wed	23.00	23.30	State any seasonal variations for the provision refreshment (please read guidance note 5)	of late night	
Thur	23.00	23.30			
Fri	23.00	23.30	Non standard timings. Where you intend to us provision of late night refreshment at different in the column on the left, please list (please reached)	times, to those	e listed
Sat	23.00	23.30	THE THE PARTY OF T	- Bernerraa 11016	ν,
Sun					

Stand timing	Supply of alcohol Standard days and timings (please read guidance note 7)		Will the supply of alcohol be for consumption — please tick (please read guidance note 8)	On the premises	[4]
	_	1		Off the premises	
Day	Start	Finish		Both	
Mon	10.00	23.00	State any seasonal variations for the supply of a guidance note 5)	cohol (please	read
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00	Non standard timings. Where you intend to use supply of alcohol at different times to those listed the left please list (please list (please list)).	the premises	for the
Fri	10.00	23.00	the left, please list (please read guidance note 6)	m sac cotain	<u>11 011</u>
Sat	10.00	23.00			
Sun	12.00	22.30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Jane Beels		
Date of bir	th 15/12/70	
Address Shurland East Barnet	i Avenue	
Postcode	EN4 8DD	
Dansonal II.	ence number (if known)	
LN/200713	010	

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)		olic nd read	State anv seasonal variations (please read guidance note 5) From the start time on New Year's Eve to the finish time on New Year's day
Day	Start	Finish	
Mon	08.00	23.30	
Tue	08.00	23.30	
Wed	08.00	23.30	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on
Thur	08.00	23.30	the left, please list (please read guidance note 6)
Fri	08.00	23.30	
Sat	09.00	23.30	
Sun	09.00	23.00	

M Describe the steps you intend to take to promote the four licensing objectives: a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10) Substantial food shall be available at all times that the premises are trading Supplies of alcohol shall be available by waiter/waitress service to patrons seated at tables or at the service counter. b) The prevention of crime and disorder The premises will install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises will be covered enabling frontal identification of every person entering in any light condition. The CCTV cameras will continually record whilst the premises are open to the public and recordings will be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system will be present at all times when they are open to the public. This staff member will be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested. There will be no promoted events, where a promoted event means an event involving music and/or dancing where the musical entertainment is provided at any time by a DJ or DJs, one or some of whom are not employees of the premises licence holder and the event is promoted to the general public. c) Public safety Health and safety risk assessments will be undertaken and all staff shall be trained therein d) The prevention of public nuisance All steps appropriate to the business and its surroundings will be taken to ensure that local residents and local businesses are not disturbed by any licensable activity at the premises. Waiting staff will continually exercise supervision throughout the premises. Notices shall be prominently displayed to remind patrons that they are leaving premises with residential neighbours The premises licence holder shall take steps to establish contact with local residents and to provide a contact telephone number for management.

e) The protection of children from harm

The licence holder shall operate a Challenge 25 system at the premises.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	[1]
•	I have enclosed the plan of the premises.	[/]
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	[~]
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	[~]
•	I understand that I must now advertise my application.	[/]
•	I understand that if I do not comply with the above requirements my application will be rejected.	- 4-
•		[✓]
	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).	

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

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

Part 4 - Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	 [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK
	(and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	16 th April 2019
Capacity	Solicitors for the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature				
Date				
Capacity				
Contact nan this applica Craig Bayli BCLP Adelaide He London Brid	ouse	usly given) and postal add dance note 14)	ress for corresponde	nce associated with
Post town	London		Postcode	EC4R 9HA
Telephone r	number (if any)		1 0010000	LCHK HIA
If you would	d prefer us to corresp	ond with you by e-mail, y	our e-mail address (c	optional)

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout
 and any other information which could be relevant to the licensing objectives. Where
 your application includes off-supplies of alcohol and you intend to provide a place for
 consumption of these off-supplies, you must include a description of where the place will
 be and its proximity to the premises.
- 2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider:
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 10. Please list here steps you will take to promote all four licensing objectives together.
- 11. The application form must be signed.
- 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
- 14. This is the address which we shall use to correspond with you about this application.
- 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

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

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

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as
 the child of the holder, is a British citizen or a citizen of the UK and Colonies having the
 right of abode in the UK [please see note below about which sections of the passport to
 copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an
 endorsement indicating that the named person is allowed to stay indefinitely in the UK or
 has no time limit on their stay in the UK, when produced in combination with an official
 document giving the person's permanent National Insurance number and their name
 issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least
 one of the holder's parents or adoptive parents, when produced in combination with an
 official document giving the person's permanent National Insurance number and their
 name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's

permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the
 Home Office to the holder which indicates that the named person can currently stay in the
 UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home
 Office to the holder with an endorsement indicating that the named person may stay in the
 UK, and is allowed to work and is not subject to a condition preventing the holder from
 doing work relating to the carrying on of a licensable activity when produced in
 combination with an official document giving the person's permanent National Insurance
 number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their
 permission to be in the UK with the Home Office such as the Home Office
 acknowledgement letter or proof of postage evidence, or reasonable evidence that the
 person has an appeal or administrative review pending on an immigration decision, such
 as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,

- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

<u>Unit 2, Bartholomew Close</u> Conditions Consistent with the Operating Schedule

- 1. The premises will install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recent data or footage with the absolute minimum of delay when requested. (MC01)
- 2. There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public. (MC02)
- 3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly. (MC16)
- 4. The Licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising. (MC19)
- 5. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card. (MC21)

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Appendix 3i)

Murphy, Leanne

From: Catherine Cox

Sent: 13 May 2019 14:08 **To:** M&CP - Licensing

Subject: OBJECTION TO UNIT 2, BARTS SQ. DEVELOPMENT

I am writing to object to the opening hours applied for with respect to the above unit.

Unit 2 sits in a quiet residential area. The right of the large number residents to be able to enjoy the quiet of their homes in the evening and also not to have their sleep disturbed should therefore take priority. It is inevitable that a closing time of 11.30pm Mon - Sat and 10.30pm on Sundays will lead to the quiet of the locality regularly being disturbed. Middlesex Passage will become a much used short cut, with the sound reverberating off the walls into the bedrooms that abut the passageway.

In view of the way sound reverberates in high density locations, I would be grateful if you would ensure that the conditions attached to the licence stipulate that all doors and windows are to be kept closed at all times and that silent air conditioning is in place.

I should be grateful if you would acknowledge receipt of this objection.

Many thanks
Catherine Cox

Flat Bartholomew Close, London EC1A 7HN

Appendix 3ii)

Murphy, Leanne

From: Natasha Curran

Sent: 14 May 2019 17:55 **To:** M&CP - Licensing

Subject: OBJECTION TO UNIT 2, BARTS SQUARE DEVELOPMENT

OBJECTION TO UNIT 2, BARTS SQUARE DEVELOPMENT

Dear City

I am writing to object to the opening hours applied for this unit.

This property has residential units all around it and a closing time of <u>23.30 Monday- Saturday (22.30</u> Sunday) is far too late. In practice, customers may well be exiting the premises after midnight.

The proximity of the property to Middlesex Passage means people would be using this narrow passageway long after the vast majority of my neighbours I have gone to bed.

It is vitally important that a condition that all doors and windows are kept closed at all times and that silent air conditioning is put in place.

Thank you for acknowledging receipt of this objection.

Kind regards, Natasha Curran

Flat Bartholomew Close, EC1A 7HN.

Appendix 3iii)

Murphy, Leanne

From: Ben Winstanley

Sent: 13 May 2019 21:12 **To:** M&CP - Licensing

Subject: Objection to Unit 2, Barts Square

Dear Sir/Madam,

We are writing to object to the opening hours applied for this unit.

This property has residential units above / beside it and a closing time of 23.30 Monday-Saturday (22.30 Sunday) is far too late. In practice, this would mean customers might well be exiting the premises after midnight.

We would also stress how important it is that there is a condition that all doors and windows are kept closed at all times and that silent air conditioning is in place.

Many thanks

Ben and Helena Winstanley

Flat Bartholomew Close, EC1A 7HN

Appendix 3iv)

Murphy, Leanne

From: Susie Carrington

Sent: 13 May 2019 13:00

To: licensing@cityoflondon.gov.uk.

Subject: planning objection

OBJECTION TO UNIT 2, BARTS SQ. DEVELOPMENT.

Dear Sir/madam,

I am writing to object to the opening hours applied for this unit.

This property has residential units above it and beside it and a closing time of 23.30 Monday- Saturday (22.30 Sunday) is far too late. In practice, this would mean customers might well be exiting the premises after midnight.

In addition, the proximity of the property to Middlesex Passage is likely to mean significant numbers would be using this narrow passageway, long after we have retired for the night.

I would also stress how important it is that there is a condition that all doors and windows are kept closed at all times and that silent air conditioning is in place.

I should be grateful if you would acknowledge receipt of this objection.

Many thanks

Susie and Rick Carrington

flat Bartholomew Close. EC1A 7HN

Appendix 3v)

Murphy, Leanne

From: Turner, Stephen

Sent: 13 May 2019 09:30 **To:** M&CP - Licensing

Subject: RE: OBJECTION re: Unit 2, Bartholomew Close

Dear Sirs,

OBJECTION

I am writing to object to the opening hours applied for this unit.

This property has residential units above it and beside it and a closing time of 23.30 Monday- Saturday (22.30 Sunday) is far too late.

In practice, this would mean customers might well be exiting the premises after midnight.

In addition, the proximity of the property to Middlesex Passage is likely to mean significant numbers would be using this narrow passageway, which is universally recognised as an "echo chamber" amplifying significantly even the most conversational tones.

Scores of flats overlook Middlesex Passage and the majority have bedrooms which face on to the Passage. Both bedrooms in my flat fall into this category.

The capacity for late night noise pollution and disturbance is immense.

I would also stress how important it is that there is a condition that all doors and windows in the licenced premises are kept closed at all times and that silent air conditioning is in place.

I should be grateful if you would acknowledge receipt of this objection.

Regards,

Stephen Turner

Flat

Bartholomew Close,

EC1A 7HN

Stephen M. Turner, Partner, Real Estate Department





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Appendix 3vi)

Murphy, Leanne

From: Ann Holmes

Sent: 13 May 2019 08:41 **To:** Breese, Robert

Subject: Unit 2, Bartholomew Close

Dear Robert

I am writing to object to the opening hours applied for this unit.

This property has residential units above it and beside it and a closing time of 23.30 Monday- Saturday (22.30 Sunday) is far too late. In practice, this would mean customers might well be exiting the premises after midnight.

In addition, the proximity of the property to Middlesex Passage is likely to mean significant numbers would be using this narrow passageway, which literally abuts our bedroom, long after we have retired for the night.

I would also stress how important it is that there is a condition that all doors and windows are kept closed at all times and that silent air conditioning is in place.

I should be grateful if you would acknowledge receipt of this objection.

Many thanks

Ann Holmes

Flat Bartholomew Close, EC1A 7 HN

Appendix 3vii)

Murphy, Leanne

From: Brendan Barns

Sent: 08 May 2019 12:17 **To:** M&CP - Licensing

Subject: Unit 2 Bartholomew Close

Hello Licensing

I would like to object to this licensing application. It's difficult to know what type of establishment is actually being proposed by the applicant and furthermore it's unclear whether the applicant will actually run the establishment in the future. In any case, I do not believe the proposed Unit should be granted such late licensing hours as those proposed. In addition, it is important that the proposed establishment ensures that doors and windows are kept closed at all times as there are residential units all around it.

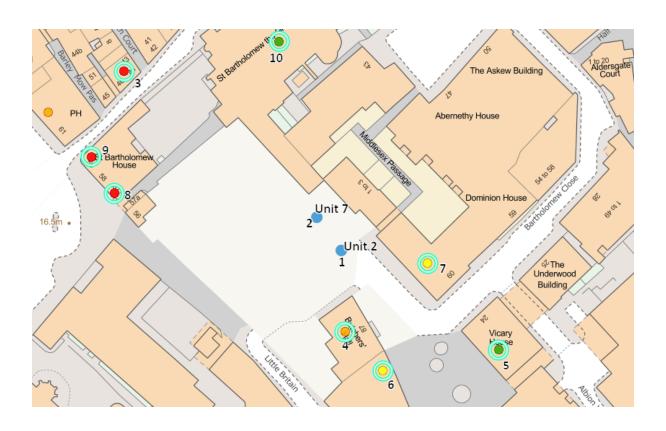
The area in which this Unit is located has long been a very quiet and peaceful residential area. The potential noise that will come from patrons using this establishment, particularly late in the evening but also throughout the day is not welcome. In addition, there is a huge likelihood that patrons will use Middlesex Passage as a way out of the area causing considerable noise disturbance for local residents.

Yours faithfully

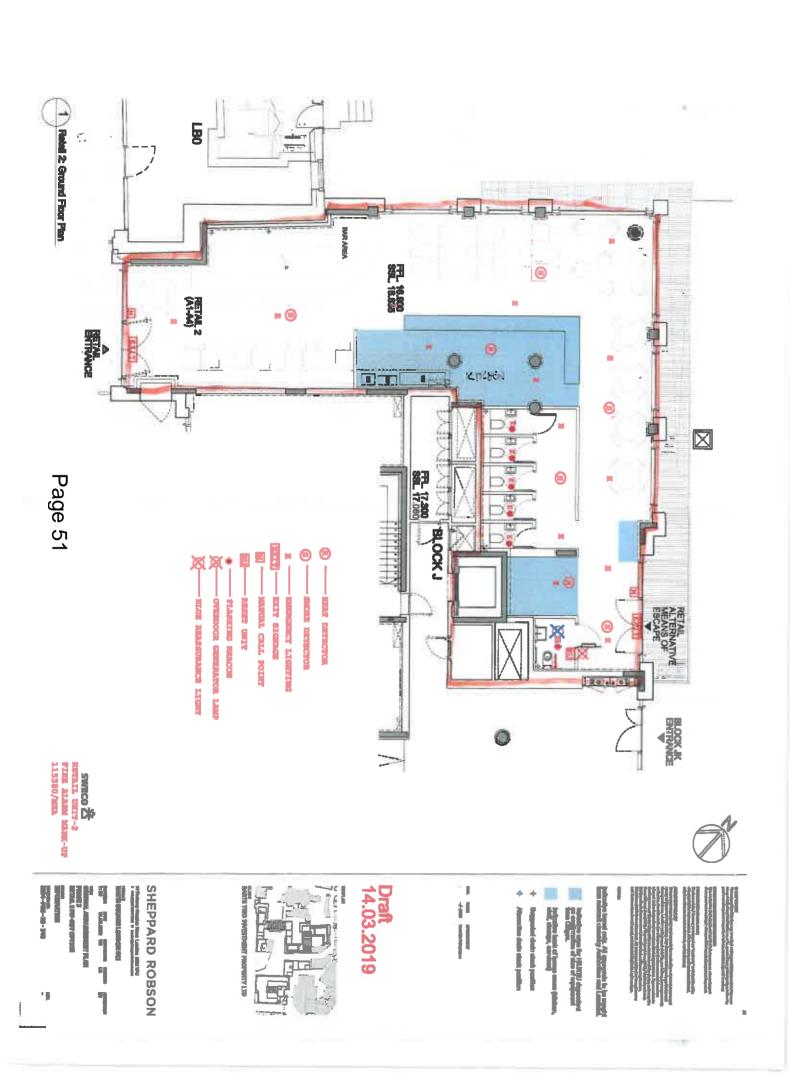


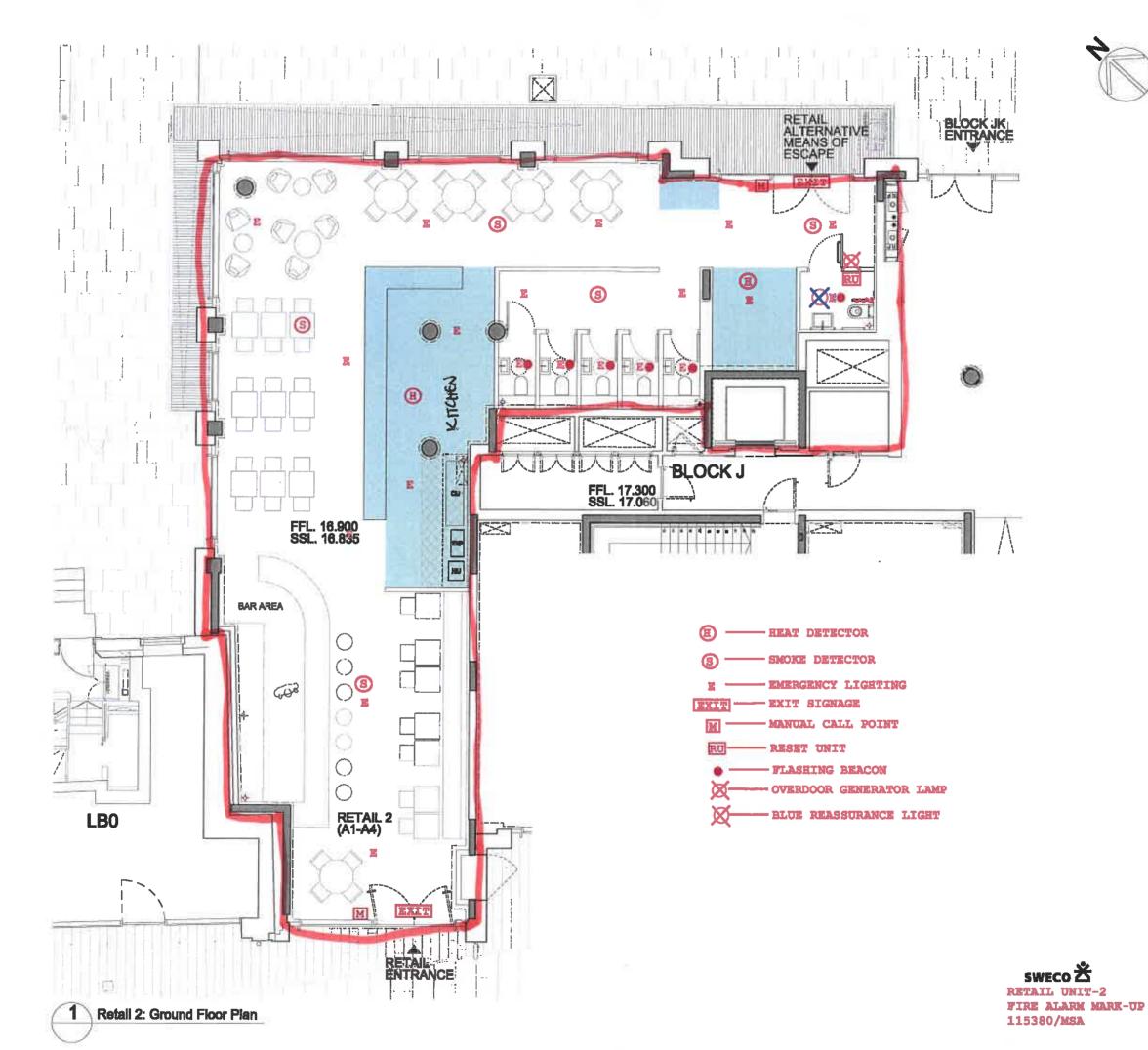
Appendix 4

Premises Location Map



	Trade Name	Alcohol Closing Time	Late Night Refreshment Closing Time
1	Unit 2		
2	Unit 7		
3	Bowling Bird (Korpen Ltd)	23:00	05:00
	Worshipful Company of		
4	Butchers	02:00	02:00
5	Half Cup, Unit 9	22:30	Unlicensed
6	Lino	23:30	23:30
7	Stem + Glory	23:30	23:30
8	Club Gascon	Midnight	05:00
9	Le Bar	Midnight	05:00
10	St. Bartholomew The Great	23:00	Unlicensed





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indicative layout only. All approvals to be cought from relevant statutory Authorities and Landford.



from Citigen.

Indicative back of house areas (idichen staff, storage, services)

Suggested drain stack position

Alternative drain stack position

REV. DATE ANIBONERS

Draft 14.03.2019



BARTS TWO INVESTMENT PROPERTY LTD

SHEPPARD ROBSON

77 Parkway Comdon Town London NWI 7F

RARTS SQUARE LONDON ECI

SCALEGAS DATE ORIGINATOR CHECKED AUTHORISED 1:30 10.02.2010 YE LB ST

TITLE GENERAL ARRANGEMENT PLAN PHASE 3 RETAIL 2 PIT-OUT OPTION

STATUS INFORMATION

режина но. **5294 - РНЗ - 20 - 340**

PORMATION