

Town Clerk's Office

John Barradell

Town Clerk & Chief Executive



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Our ref GS/LIC**Date** 15 February 2016

Dear Sir/Madam

Applicant:	W W Moor Place Limited
Premises:	1 Fore Street, London, EC2Y 5EJ
Date / time of Hearing:	Tuesday, 9 February 2016 – 11.00am
Venue:	Committee Room 1, 2nd Floor, West Wing, Guildhall, London EC2P 2EJ

I write to confirm the decision of the Licensing (Hearing) Sub-Committee at the hearing held on 9 February 2016 in relation to the above-mentioned application. The Sub Committee's decision is set out below.

The Sub-Committee comprised of Deputy Jamie Ingham Clark (Chairman), The Revd. Dr. Martin Dudley and Peter Dunphy.

Mr Craig Baylis – a solicitor representing the applicant and Mr Shelford Cupid, Facilities Manager for WeWork Ltd, made submissions in support of the application.

Rachel Sambells (Environmental Health), Mr Robert Barker, Mr and Mrs Chessum, Elizabeth Hirst, Helen Kay, Vivienne Littlechild, Tim Macer, Natalie Robinson, Hilary Sunman and Geoff Tuffs made submissions against the application.

1. This decision relates to an application made by W W Moor Place Limited, for a new premises licence in respect of the premises situated at 1 Fore Street, London EC2Y 5EJ.

The application originally sought to provide the following activities:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed</u>
Supply of Alcohol	N/A	Mon - Sun 14:00 – 23:00

2. Prior to the date of the hearing, the applicant, in response to a number of objections from local residents, submitted amendments to the licence application which were as follows:

- No consumption of alcohol on the external terraces
- Supply of alcohol to be limited to 14:00 to 20:00

During the hearing, the applicant made the further concession that the supply of alcohol be limited from Mon-Fri only, excluding Public Holidays.

3. At the start of the Hearing, the Chairman sought confirmation from the applicant regarding a detailed description of how WeWork operated.
4. Mr Baylis advised that WeWork was, effectively, a number of serviced offices with a mixture of users – some long and some short term. All of the seven floors within this premises had ‘Pantry’ areas where users could help themselves to tea, coffee, soft drinks and beer/cider via zip taps that could be controlled by WeWork and switched on/off as necessary. He added that the company had been running for some time now with a total of 8 premises across London (including 2 others within the City).
5. The Hearing heard from Rachel Sambells, Environmental Health, representing the responsible authorities who stated that, whilst the amendments proposed by the applicant were welcome, some concerns around how drinking and use of the external terraces would be properly controlled still remained.
6. The Hearing also heard from Robert Barker, Tim Macer, Natalie Robinson, Vivienne Littlechild, Elizabeth Hirst and Helen Kay - residents who elaborated on their concerns outlined in their submitted representations.
7. The Sub-Committee considered these concerns and, in response the Applicant highlighted that efforts had recently been made to meet with Barbican residents to directly address their concerns. The Sub Committee were also informed that a Management Policy was currently in the course of being agreed in order to allay these concerns.
8. The Sub Committee considered the application and carefully deliberated upon the representations submitted in writing and orally at the hearing by those making representations and the Applicant.
9. In reaching the decision the Sub-Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London’s own Statement of Licensing Policy dated January 2013.
10. Furthermore, the Sub-Committee had regard to the duty to apply the statutory test as to whether an application should or should not be granted, that test being that the application should be granted unless it was satisfied that it was necessary to refuse all, or part, of an application or necessary and appropriate to impose

conditions on the granting of the application in order to promote one (or more) of the licensing objectives.

11. In determining the application, the Sub-Committee first and foremost put the promotion of the licensing objectives at the heart of their decision; in this instance the most relevant of those objectives being the prevention of public nuisance.
12. In reaching its decision the Sub Committee took into account the character of the area and the proposed business operations of the Applicant and the information provided by the Applicant along with the representations made both orally and in writing by those opposing the application. The Sub-Committee were of the view that the application was somewhat unique in nature insofar as the proposed licensable activity would be taking place alongside normal office activities. The Sub-Committee were also conscious of the proximity of the premises to the Barbican Estate and the potential for public nuisance resulting from licensable activities. However, the Sub-Committee concluded that, with the imposition of appropriate conditions, the premises could operate in accordance with the licensing objectives and that it was not necessary to reject the application.
13. It was the Sub-Committee's decision to grant the premises licence as follows:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed</u>
Supply of Alcohol	N/A	Mon - Fri 14:00 – 20:00 (excluding Public Holidays)

14. The Sub Committee then considered the issue of conditions and concluded that it was necessary and appropriate to impose conditions upon the licence so as to address the concerns relating to public nuisance.
15. Mindful of the nature of the premises and the concerns expressed, the Sub-Committee considered the following conditions to be appropriate and necessary to promote the licensing objectives:
 - a) *The sale of alcohol by retail is limited to beer and cider only, dispensed from the zip taps/kegerators situated on each floor of the licensed premises.*
 - b) *All zip taps/kegerators to be locked in the off position at the terminal hour of licensable activities and may only be unlocked at the commencement of the permitted licensable activities the next day.*
 - c) *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).*
 - d). *The external terraces are excluded from the licensed premises.*

19. Whilst the Sub Committee did not consider it to be necessary or appropriate to impose a condition to such effect, the Sub Committee would expect the licensee to ensure its staff are aware of and implement a "Challenge 25" policy.
20. The Sub-Committee noted that a Management Plan was in the course of being agreed by the premises and stated that they would expect the parties to abide by the terms of any such agreed plan.
21. If any party is dissatisfied with this decision, he or she is reminded of the right to appeal, within 21 days of the date of this letter, to a Magistrates' Court. Any party proposing to appeal is also reminded that under s181(2) of the Licensing Act 2003, the Magistrates' Court hearing the appeal may make such order as to costs as it thinks fit.

Yours faithfully,

Gemma Stokley

Clerk to the Licensing (Hearing) Sub Committee

Useful Numbers/Websites:

An 'Out of Hours' noise response service is available 24 hours a day by telephone:
0207 6063030

The City's Environmental Health Team can be contacted at:

publicprotection@cityoflondon.gov.uk

The City's Licensing Department can be contacted on: licensing@cityoflondon.gov.uk

Licensing Policy and Code of Good Practice for Licensed Premises:

<http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Licensing-policy.aspx>

CC: Craig Baylis, BLP, Adelaide House, London Bridge, EC4R 9HA