

Committee(s):	Date(s):	
Licensing	14 January 2013	
Subject: Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	Public	
Report of: Director of Markets and Consumer Protection	For Information	
<p>Summary:</p> <p>This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 October 2012 to 31 December 2012. It does not include any premises where Members have been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.</p> <p>The report also gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 October 2012 and 31 December 2012.</p> <p>Recommendations:</p> <p>For Information</p>		

Main Report

Premises Licence Applications

1. Pursuant to the instructions from your committee, I attach for your information a list detailing 'premises licence' applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 October 2012 and 31 December 2012.
2. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix II.
3. Any questions of detail concerning premises licences can be obtained from the Corporation's public register which can be found on http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Business/Licences_and_street_trading/Public_register.htm. or by contacting Peter

Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at licensing@cityoflondon.gov.uk.

4. Appendix IV details the conditions attached to the premises licences listed in Appendices I and II.

Routine Enforcement

5. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix III). The table in Appendix III shows the number of visits undertaken, number of complaints received and the number of enforcement actions taken. Enforcement actions include warning letters, notices, simple cautions, legal proceedings etc.
6. Appendix III provides data from 1 October 2012 to 31 December 2012.
7. Licensing Officers undertake some routine enforcement visits in checking on premises licensing conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and also in response to complaints. The Departmental Policy Statement on Enforcement is followed prior to escalating action and taking legal proceedings.
8. The Departmental Policy Statement on Enforcement conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
9. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to make up the top level premises list that comprises those that are causing the most enforcement problems. These are then targeted by relevant enforcement officers. This process will be reviewed if the Code of Practice and associated Risk Assessment scheme are introduced in 2013.
10. There is a very good working relationship between the PH&PP Licensing Team, The City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at Walbrook Wharf.

11. The Memorandum of Understanding (MoU) between the City of London Police and the Markets and Consumer Protection Department agreed in November 2011 outlines specific arrangements for cooperation between the Licensing Teams.
12. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE). Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do, officers from this Department seek authorisation to take enforcement action under the Town and Country Planning Act 1990.

Response to complaints

13. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
14. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

Implications

15. There are no financial, legal or strategic implications that arise from this report

Background Papers:

none

Contact:

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Appendix I

New Licence Applications Issued by way of Delegated Authority (Oct-Dec 2012)

Name	Address	Ward	Details
Wurst Club	56-57 Cornhill	Cornhill	A 17:00
Cheapside Initiative	Cheapside (1 day licence)	Cheapside	(e), (f) 17:00
Tortilla	14 Upper Cheapside Pasage	Bread Street	A, (f) 23:00
Hush Brasseries	1-3 St Pauls Churchyard	Bread Street	A, L, (f) 00:00
Hatch	25-26 Lime Street	Langbourn	A, L, (b),(e),(f),(g),(i) 03:00

Total Licences Issued = 5

Key to Details:

- | | |
|----------------------------|---------------------------|
| A Sale of Alcohol | (e) Live Music |
| L Late Night Refreshment | (f) Recorded Music |
| (a) Plays | (g) Performances of Dance |
| (b) Films | (h) Making Music |
| (c) Indoor Sporting Events | (i) Dancing |
| (d) Boxing or Wrestling | |

Times stated are the latest terminal hour for at least one of the licensable activities.

Number of Licences by Ward Order

WARD	No.
Bread Street	2
Cheapside	1
Cornhill	1
Langbourn	1

Appendix II

Licence Variations Issued by way of Delegated Authority (Oct-Dec 2012).

Name	Address	Ward	Details
Lutyens	85 Fleet Street	Castle Baynard	<ul style="list-style-type: none"> • Extension of terminal hour on Thursdays and Fridays from 00:00 to 02:00. • Addition of recorded music on Thursdays and Fridays until 02:00.
Crowne Plaza	19 New Bridge Street	Castle Baynard	<ul style="list-style-type: none"> • Variation to layout/design
Burger Lobster	1 Bread Street	Cordwainer	<ul style="list-style-type: none"> • Removal of condition 1 preventing alcohol to be sold other than with a meal plus variation to layout/design
Blanc Brasseries	1 Watling Street	Bread Street	<ul style="list-style-type: none"> • Extension of terminal hour during December to 02:00 for private parties only.
The Gable	25 Moorgate	Coleman Street	<ul style="list-style-type: none"> • Variation to layout/design
Wagamama	22 Old Broad Street	Cornhill	<ul style="list-style-type: none"> • Removal of conditions primarily those grandfathered over in 2005. Permits sale of alcohol other than with a meal.
Heron Tower	110 Bishopsgate	Bishopsgate	<ul style="list-style-type: none"> • Change of terminal hour – now 24 hour licence.

Total Variations = 7

Number of Licences by Ward Order

WARD	No.
Bishopsgate	1
Bread Street	1
Castle Baynard	2
Coleman Street	1
Cordwainer	1
Cornhill	1

Personal Licences Issued by way of Delegated Authority

01 Oct 2012 – 31 Dec 2012 1

Appendix III

Enforcement Action Carried out Under the Licensing Act 2003 1 October 2012 - 31 December 2012

Total Number of Inspections	38
Number of Warning Letters	3
Number of Premises advised	12
Number of simple cautions	1
Number of suspension notices	20
Paid prior to suspension	14
Licence lapsed*	3
'Dead' Suspensions**	2
'Live' Suspensions***	1

*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

**A 'dead' suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

***A 'Live' suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

Number of complaints received 26

Breakdown of Complaints

<u>Premises</u>	<u>Date Received</u>	<u>Ward</u>
Premises 1	19/11/2012	Coleman Street
Premises 2	07/12/2012	Tower
Premises 2	23/10/2012	Tower
Premises 2	23/11/2012	Tower
Premises 2	27/11/2012	Tower
Premises 2	22/10/2012	Tower
Premises 3	06/11/2012	Castle Baynard
Premises 4	06/11/2012	Bridge And Bridge Without
Premises 4	27/10/2012	Bridge And Bridge Without
Premises 5	28/11/2012	Queenhithe
Premises 6	09/10/2012	Tower
Premises 7	27/10/2012	Farringdon Within
Premises 8	09/12/2012	Tower
Premises 8	10/12/2012	Tower

Premises 8	18/12/2012	Tower
Premises 9	07/12/2012	Broad Street
Premises 10	05/10/2012	Farringdon Within
Premises 11	02/12/2012	Bishopsgate
Premises 11	11/12/2012	Bishopsgate
Premises 12	01/11/2012	Aldersgate
Premises 12	04/10/2012	Aldersgate
Premises 13	30/11/2012	Tower
Premises 14	12/12/2012	Food: Area 1
Premises 15	08/11/2012	Bread Street
Premises 16	14/11/2012	Bishopsgate
Premises 17	06/11/2012	Farringdon Within

Conditions Applied to Licences Granted by way of Delegated Authority

Wurst Club London

None

Cheapside Initiative

None

Tortilla

None

Hush Brasseries

None

Hatch

1. The premises shall install and maintain a CCTV system. The CCTV 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 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 recordings of the preceding two days immediately when requested.

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.

3. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:

(a) all crimes reported to the venue

(b) all ejections of customers

(c) any incidents of disorder (disturbance caused either by one person or a group of people)

[There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]

(d) seizures of drugs or offensive weapons

(e) any faults in the CCTV system or searching equipment or scanning equipment

(f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it

4. All doors and windows shall remain closed at all times during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.

5. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

6. 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.

7. Children under the age of 18 years shall not be allowed on the premises after 21:00 hours unless accompanied by an adult.

8. Any designated queuing area shall be enclosed within appropriate barriers to ensure that the highway is kept clear.

9. There shall be no admission to the premises after 02:00 hours.

Lutyens

When basement area open to customers until 02:30, food will be served until 1 hour prior to the terminal hour.

From 00:30 on Fridays and Saturdays only the main entrance on Fleet Street will be in use for the access and egress of customers.

Crowne Plaza

None

Burger Lobster

None

Blanc Brasseries

During December alcohol sales and late night refreshment shall only be provided after midnight on any day to patrons attending a private pre booked function.

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.

The Gable

None

Wagamama

All named licensable activities on the licence are permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Heron Tower

On the 40th floor, between the hours of 03.00am and 10.00am, the Sale of Alcohol will only be to persons taking a table meal.

All named licensable activities on the licence are permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.