

Committee(s):	Date(s):
Licensing Committee	15 May 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 January 2013 to 31 March 2013. 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 January 2013 and 31 March 2013.</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 January 2013 and 31 March 2013.
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 January 2013 to 31 March 2013.
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 add to the top level premises list that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
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 (Jan-Mar 2013)

Name	Address	Ward	Details	
Artigiano	70 St Pauls Churchyard	Bread Street	A, (f)	22:30
The Haberdashery	60 Holborn Viaduct	Farringdon Within	A, L, (b), (e), (f)	02:00
The Church of St Edmund King & Martyr	Lombard Street	Langbourn	A,L,(a),(b),(c), (e),(f),(g)	00:00
Le Pain Quotidien	1 St Pauls Churchyard	Bread Street	A, L	23:30
The Happenstance	1a Ludgate Hill	Bread Street	A, L	23:30
Sainsburys	63 Queen Victoria St	Vintry	A	23:00
Peel Hunt LLP	120 London Wall	Coleman Street	A	23:00
Earl of Sandwich	38-40 Ludgate Hill	Farringdon Within	A	23:00
Cote Restaurant	57 Whitecross Street	Cripplegate	A, (f)	22:30
La Piazzetta Bistro	3 White Kenett Street	Portsoken	A, L, (f)	23:30
The Flying Burrito	122 Cannon Street	Candlewick	A	22:00
Etc Venues	45 Moorfields	Coleman Street	A, (f)	23:00
Piccolo Snack Bar	7 Gresham Street	Aldersgate	A	22:00

Total Licences Issued = 13

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.
Aldersgate	1
Bread Street	3
Candlewick	1
Coleman Street	2
Cripplegate	1
Farringdon Within	2
Langbourn	1
Portsoken	1
Vintry	1

Appendix II

Licence Variations Issued by way of Delegated Authority (Jan-Mar 2013).

Name	Address	Ward	Details
Be At One	28 King William Street	Candlewick	<ul style="list-style-type: none">Extend terminal hour to 02:00 on Thursdays.
The Mercer	34 Threadneedle Street	Cornhill	<ul style="list-style-type: none">Extend hours of operation to 1st floor.
K10	3 Appold Street	Bishopsgate	<ul style="list-style-type: none">Variation of layout.
Worshipful Company of Clothworkers	Dunster Court	Tower	<ul style="list-style-type: none">Extend terminal hour to 02:00 Mon–Sun.
Plasterers Hall Ltd	1 London Wall	Aldersgate	<ul style="list-style-type: none">Extend terminal hour to 01:00 Mon-Sun.
Pontis Polo Bar	176 Bishopsgate	Bishopsgate	<ul style="list-style-type: none">Variation of layout.Addition of licensable activities (sale of alcohol and recorded music).Removal of conditions.

Total Variations = 6

Number of Licences by Ward Order

WARD	No.
Aldersgate	1
Bishopsgate	2
Candlewick	1
Cornhill	1
Tower	1

Personal Licences Issued by way of Delegated Authority

01 Jan 2013 – 31 Mar 2013 3

**Enforcement Action Carried out Under the Licensing Act 2003
1 January 2013 - 31 March 2013**

Total Number of Inspections	39
Number of Warning Letters	7
Number of Premises advised	12
Number of simple cautions	1
Number of suspension notices	16
Paid prior to suspension	11
Licence lapsed*	0
‘Dead’ Suspensions**	4
‘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 16

Breakdown of Complaints

Date of Complaint/Premises	Ward	Outcome
Mumbai Square	Portsoken	
15/02/2013		No nuisance witnessed; informal verbal warning to manager
19/02/2013		Informal warning – City Police visited but private event finishing
17/03/2013		No noise witnessed; warning letter sent
Pause, Basement Retail Unit	Aldgate	
02/03/2013		No noise witnessed - warning letter – Negotiated changes to sound system and crowd dispersal policy
04/03/2013		As above
M&S Simply Food	Bread Street	
28/01/2013		No nuisance witnessed; M&S

		agreed to prevent engine idling during deliveries
Brasserie Blanc	Tower	
03/02/2013		No nuisance witnessed; Music level reduced on the night after EHO visit
Clause	Bridge And Bridge Without	
08/02/2013		To Be Added; Informal warning to management – ongoing improvements following observations
Bonds	Cornhill	
11/01/2013		Informal – Hotel changed bottle disposal times
Kings Stores Public House	Bishopsgate	
01/01/2013		No nuisance witnessed; Noise ceased after SEO visit
02/02/2013		Advice to complainant
Trident Bar, Trident Club	Aldgate	
26/03/2013		No nuisance witnessed; music voluntarily stopped
14/01/2013		Observations made; No nuisance witnessed; advice given
The Breakfast Club	Bishopsgate	
28/03/2013		No nuisance witnessed
14/02/2013		No nuisance witnessed; verbal warning to manager
Shiso	Farringdon Within	
26/02/2013		Noise from air conditioning plant; Referred to Planning Dept.

Conditions Applied to Licences Granted by way of Delegated Authority

Artigiano

None

The Haberdashery

1. 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.
2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
3. 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.

The Church of St Edmund King & Martyr

1. There shall be no self-service of alcohol on the premises.
2. 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.
3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

Le Pain Quotidien

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling facial identification of every person entering in any light condition. 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. 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
3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

The Happenstance

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises.
2. Children under the age of 16 years shall not be allowed on the premises unless accompanied by an adult.

Sainsburys

1. The premises shall install and maintain a CCTV system. All recordings shall be kept available for a minimum of 30 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.

Peel Hunt LLP

None

Earl of Sandwich

None

Cote Restaurant

1. All licensable activities named on the licence are permitted throughout the night on New Years Eve until the start of permitted hours on New Years Day.
2. The premises shall install and maintain a comprehensive CCTV system. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings of the preceding two days shall be made available immediately upon the request of the Police or the Licensing Authority.
3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
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.

La Piazzetta

1. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

The Flying Burrito

None

Etc Venues

None

Piccolo Snack Bar

None