

Committee(s):	Date(s):
Licensing Committee	28 April 2014
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 2014 to 31 March 2014. 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 gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 January 2014 and 31 March 2014. This report also presents data from the ‘traffic light’ risk scheme introduced within the City of London on 1 April 2013. The data covers the period 1 Apr 2013 to 28 February 2014.</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 2014 and 31 March 2014.
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/business/licensing/beer-and-entertainment/Pages/Search-the-public-register.aspx>. 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 2014 to 31 March 2014.
7. Licensing Officers undertake routine enforcement visits checking on premises licence 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 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. This report details data produced from the 'traffic light' risk scheme for the period of 1 April 2013 to 28 February 2014. 14 premises have accrued a sufficient number of points to turn 'Red' and 7 premises a sufficient number to turn 'Amber'. Further details can be seen in Appendix V.
11. There is a very good working relationship between the Port Health & Public Protection (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.

12. 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.
13. 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

14. 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.
15. 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

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

Background Papers:

None

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Appendix I

New Licence Applications Issued by way of Delegated Authority (Jan-Mar 2014)

Name	Address	Ward	Details	
The Alchemist	6 Bevis Marks	Aldgate	A, L, (b),(e),(f)	03:30
Barburrito	60B Holborn Viaduct	Farringdon Within	A, (f)	00:00
Sainsbury's	31 New Bridge Street	Farringdon Within	A	00:00
Etc Venues	155 bishopsgate	Bishopsgate	A, L	00:00
Burger Pit	106 Leadenhall Street	Aldgate	A, (f)	00:00
Chilango	18 King William Street	Candlewick	A	21:00
107 Leadenhall Ltd	107 Leadenhall Street	Aldgate	A, L, (e), (f)	02:30

Total Licences Issued = 7

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 | |
| (d) Boxing or Wrestling | |

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

Number of Licences by Ward

WARD	No.
Aldgate	3
Bishopsgate	1
Candlewick	1
Farringdon Within	2

Appendix II

Licence Variations Issued by way of Delegated Authority (Jan-Mar 2014).

Name	Address	Ward	Details
Accenture PLC	30 Fenchurch Street	Billingsgate	<ul style="list-style-type: none">• Extension of all licensable activities to 4th floor of building
Be At One	16-18 Brushfield Street	Bishopsgate	<ul style="list-style-type: none">• Recorded Music amended from 12:00 to 22:00 (Mon-Wed) and 12:00 to 23:00 (Thu and Fri) to 12:00 to 01:00 Mon to Sun• Now opening on Sunday from 08:00 to 01:00

Total Variations = 2

Number of Licences by Ward

WARD	No.
Billingsgate	1
Bishopsgate	1

Personal Licences Issued by way of Delegated Authority

01 Jan 2014 – 31 Mar 2014 3

Enforcement Action Carried out Under the Licensing Act 2003 1 January 2014 - 31 March 2014

Total Number of Inspections	32
Number of Warning Letters	8
Number of Premises advised	5
Number of simple cautions	0
Number of suspension notices	7
Paid prior to suspension	6
Licence lapsed*	0
'Dead' Suspensions**	1
'Live' Suspensions***	0

*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 between 01 January 2014 and 31 March 2014

No of Complaints = 22

Date	Outcome	Details	Ward
Neo Pizzeria, 131 Aldersgate Street			
17/03/2014	Informally resolved	Shouting in the street, loud music	Farringdon Within
16/01/2014	Informally resolved	Noisy collection	Farringdon Within
Patch, 58-62 Carter Lane			
19/01/2014	Resolved/Compliance	email re noise from Patrons leaving after midnight	Farringdon Within
The Brewery on Chiswell Street			
24/01/2014	No action required	Mini cabs hooting collection patrons disturbing resident	Coleman Street
09/01/2014	No action required	Live music/DJs continued through to 12.30	Coleman Street
Coco Di Mama, Retail Unit, 90-91 Fleet Street			
07/01/2014	Resolved/Compliance	Loud noise levels. Playing of loud music in the café	Castle Baynard
Golden Lane Community Assoc'n Bar			
28/02/2014	No action required	Loud music & people from community hall on going now	Cripplegate
The Spectator, 6 Little Britain			
10/02/2014	Resolved/Compliance	Staff from Spectator making noise late at night.	Aldersgate
Abbey, St Clare House, 30-33 Minories			
29/03/2014	Advice given	Noise complaint - OOH - noise from smokers	Tower
Mary Jane, 124-127 Minories			
12/01/2014	Resolved/Compliance	Noise from patrons leaving club	Tower
12/01/2014	Resolved/Compliance	Fighting, car horns and shouting	Tower
Thai Square In The City, 136-138 Minories			
04/01/2014	Resolved/Compliance	OOH - music	Tower
Street Record, Minories			
14/02/2014	Informally resolved	Bar noise music & people Abbey when people leaving.	Tower
Gilt London, 14 New London Street			
25/01/2014	Informally resolved	Music and people leaving making excessive noise	Tower
Feng Shui, 1A Pudding Lane			
10/01/2014	Resolved/Compliance	Shouting - revving cars and making a lot of noise	B & Bridge Without
Grand Union Public House, Rolls Passage			
28/03/2014	Resolved/Compliance	Noise complaint - OOH - people noise	Farringdon Without
22/03/2014	Resolved/Compliance	Out of hours - people noise	Farringdon Without
19/03/2014	Resolved/Compliance	Concerns re noise and other issues from Patrons outside	Farringdon Without
Ironmongers' Hall, Shaftesbury Place			
04/03/2014	Informally resolved	Music	Aldersgate
01/03/2014	Informally resolved	Very loud music ongoing possibly open window and doors	Aldersgate
63 West Smithfield, London			
31/03/2014	Resolved/Compliance	Collection of bottles at 04:00 a.m.	Farringdon Within
Henessys, 36 Jewry Street			
17/03/2014	Resolved/Compliance	Loud music from live band. Cannot work with excess noise.	Tower

Conditions Applied to Licences Granted by way of Delegated Authority

NEW APPLICATIONS

The Alchemist

1. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public.

2. The premises shall install and maintain a CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, 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 28 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.

3. 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.

Barburrito

None

Sainsbury's

1. The premises shall install and maintain a comprehensive CCTV system. The system will incorporate a camera covering each of the entrance doors and the main alcohol display area. The CCTV cameras shall continually record whilst the premises are open to the public and 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.

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

Etc Venues

None

Burger Pit

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

Chilango

None

107 Leadenhall Street

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, 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.

4. 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.

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.

VARIATIONS

Accenture PLC

None

Be At One

None

Premises obtaining sufficient points on the Risk Scheme to reach Red or Amber. (Apr 2013 – Feb 2014)

RED (20 penalty points or at least 10 from one licensing objective)

1 – Castle Baynard (Crime and Disorder – 35)	35
2 – Coleman Street (Crime and Disorder – 31)	31
3 – Bread Street (Crime and Disorder – 30)	30
4 – Walbrook (Crime and Disorder – 29)	29
5 – Cordwainer (Crime and Disorder – 27)	27
6 – Lime Street (Crime and Disorder – 26)	26
7 – Billingsgate (Crime and Disorder – 25)	25
8 – Bridge & Bridge Without (Crime and Disorder – 13, Public Nuisance - 8)	21
9 - Bishopsgate (Crime and Disorder – 16, Public Safety - 5)	21
10 - Candlewick (Crime and Disorder – 17)	17
11 - Cheap (Crime and Disorder – 13, General - 2)	15
12 – Bridge & Bridge Without (Crime and Disorder – 13, Public Nuisance - 2)	15
13 – Coleman Street (Crime and Disorder – 12, Public Safety - 2)	14
14 – Cornhill (Crime and Disorder – 13)	13

15 – Candlewick (Crime and Disorder – 13)	13
16 – Cordwainer (Crime and Disorder – 12)	12
17 - Bishopsgate (Crime and Disorder – 11)	11
18 – Castle Baynard (Crime and Disorder – 10)	10

Billingsgate	1	Candlewick	2	Cordwainer	2
Bishopsgate	2	Castle Baynard	2	Cornhill	1
Bread Street	1	Cheap	1	Lime Street	1
B/B Without	2	Coleman Street	2	Walbrook	1

AMBER (11 penalty points or at least 6 from one licensing objective)

1 – Aldgate (Crime and Disorder – 9)	9
2 – Farringdon Without (Public Nuisance – 6, Public Safety - 3)	9
3 – Farringdon Without (Crime and Disorder – 5, Public Safety - 3)	8
4 – Tower (Crime and Disorder – 6, Public Nuisance - 2)	8
5 – Cheap (Crime and Disorder – 8)	8
6 – Bassishaw (Crime and Disorder - 8)	8
7 – Aldgate (Crime and Disorder – 7)	7

8 – Bishopsgate (Crime and Disorder – 7)	7
9 – Bishopsgate (Crime and Disorder - 7)	7
10 – Vintry (Crime and Disorder – 6)	6
11 – Bridge & Bridge Without (Crime and Disorder – 6)	6
12 – Bishopsgate (Crime and Disorder – 6)	6
13 – Bishopsgate (Public Safety - 6)	6
14 – Bread Street (Crime and Disorder – 6)	6

Aldgate	2	B/B Without	1	Vintry	1
Bassishaw	1	Cheap	1		
Bishopsgate	4	Farringdon W/out	2		
Bread Street	1	Tower	1		