

Committee:	Date:
Licensing	21 July 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 style="text-align: center;">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 April 2014 to 30 June 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 April 2014 and 30 June 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 June 2013 to 31 May 2014.</p> <p>Recommendation: To note the contents of the report.</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 April 2014 and 30 June 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 April 2014 to 30 June 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 June 2013 to 31 May 2014. 18 premises have accrued a sufficient number of points to turn 'Red' and 1 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

Contact:

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Appendix I

New Licence Applications Issued by way of Delegated Authority (Apr-Jun 2014)

Name	Address	Ward	Details
Ace Capita 1V LTD	100 Leadenhall Street	Aldgate	A, L 00:00
Amazon	60 Holborn Viaduct	Farringdon Within	A, L 00:00
Appleberry Food Limited	94 Fleet Street	Castle Baynard	A 23:00
Compass @ CBI	4 th Floor, 78 Cannon Street	Dowgate	A, L 00:00
Co-op	5 Cheapside	Bread Street	A 00:00
Elvendon Restaurant	3a Botolph Alley	Bridge and Bridge Without	A 20:00
Honest Burger	12 Widegate Street	Bishopsgate	A, L 00:00
La Pizzetta	5 White Kennett Street	Portsoken	A, L, (f) 23:30
Merchant House	13 Well Court	Cordwainer	A, L, (e), (f) 00:00
Nationwide Building Society	1 Threadneedle Street	Cornhill	A, L 01:00
Notes, Music and Coffee Ltd	1 Ropemaker Street	Coleman Street	A 23:00
Pasty Shop	B Lower Concourse, Liverpool Street	Bishopsgate	L 05:00
Paternoster Associates (Bowler Hat and Adjoining bar)	Street Record	Bread Street	A, (a), (e), (f), (g) 23:45
The Fish and Chip Shop	69 Old Broad Street	Bishopsgate	A, L, (e), (f) 00:30
The Leadenhall Building	122 Leadenhall Street	Lime Street	(a), (b), (d), (e), (f), (g) 23:00
The Trading House	91 Gresham Street	Cheap	A, L, (f) 02:00

Total Licences Issued = 16

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	1
Bishopsgate	3
Bread Street	2
Bridge and Bridge Without	1
Castle Baynard	1
Cheap	1
Coleman Street	1
Cordwainer	1
Cornhill	1
Dowgate	1
Farringdon Within	1
Lime Street	1
Portsoken	1

Appendix II

Licence Variations Issued by way of Delegated Authority (Apr-Jun 2014).

Name	Address	Ward	Details
Ask for Janice	50-52 Long Lane	Farringdon Within	<ul style="list-style-type: none"> To remove condition “alcohol shall only be served on the premises together with food” to “Substantial food shall be available at all times during the permitted hours”
Broadgate Towers	201 Bishopsgate	Bishopsgate	<ul style="list-style-type: none"> To extend timings on licensable activities To add the sale of alcohol To add area
City Social	Tower 42, 25 Old Broad Street	Cornhill	<ul style="list-style-type: none"> To amend hours regarding the sale of alcohol and regulated entertainment Addition condition to provide taxi booking service for customers
Omnino Steak House	79 Leadenhall Street	Aldgate	<ul style="list-style-type: none"> To amend licence activate hours

Total Variations = 4

Number of Licences by Ward

WARD	No.
Farringdon Within	1
Bishopsgate	1
Cornhill	1
Aldgate	1

Personal Licences Issued by way of Delegated Authority

01 Apr 2014 – 30 Jun 2014 2

Appendix III

Enforcement Action Carried out Under the Licensing Act 2003 1 April 2014 - 30 June 2014

Total Number of Inspections	36
Number of Warning Letters	1
Number of Premises advised	7
Number of simple cautions	0
Number of suspension notices	17
Paid prior to suspension	6
Licence lapsed*	4
'Dead' Suspensions**	3
'Live' Suspensions***	4

*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 April 2014 and 30 June 2014

No of Complaints = 36

Date	Outcome	Details	Ward
Abbey, St Clare House, 30-33 Minories			
03/04/14	Resolved/Compliance	Noise from smokers at rear	Tower
11/04/14	Resolved/Compliance	Noise from smokers at rear	Tower
01/05/14	Resolved/Compliance	Noise from smokers at rear	Tower
02/05/14	Resolved/Compliance	Noise from smokers at rear	Tower
10/05/14	Resolved/Compliance	Noise from smokers at rear	Tower
Anokha, 4 Burgon Street			
25/06/14	Resolved/Compliance	Shouting, loud music. Fans operating after 11.	Farringdon Within

Ask for Janice, 50-52 Long Lane			
04/06/14	Resolved/Compliance	Music breakout and raised voices disturbing flat above.	Farringdon Within
Bird of Smithfield, 26 Smithfield Street			
03/06/14	Ongoing	Noise and cooking smells going into complainant's flat	Farringdon Without
21/06/14	Ongoing	Talking/music emanating from terrace	Farringdon Without
Boisdale of Bishopsgate, 202 Bishopsgate			
12/06/14	Informally resolved	Loud music being played after 11 p.m.	Bishopsgate
Clause, 1 Lovat Lane			
08/04/14	Resolved/Compliance	Noise from bar	Bridge & Bridge w/o
Copenhagen House, 5-10 Bury Street			
02/04/14		Noise & vibration from chiller outside office window	Aldgate
Corney & Barrow, 1 Ropemaker Street			
07/01/2014	Resolved/Compliance	Noise from people smoking outside in Moor Lane	Coleman Street
Grand Union, Rolls Passage			
04/04/14	Resolved/Compliance	People laughing, yelling in front of residential building	Farringdon Without
11/04/14	Resolved/Compliance	Noise from patrons	Farringdon Without
15/05/14	Resolved/Compliance	Noise from people and music breakout	Farringdon Without
Kings Stores Public House, 14 Widegate Street			
30/05/14	Resolved/Compliance	Noise from people and music	Bishopsgate
Patch, 58-62 Carter Lane			
13/04/14	Resolved/Compliance	Noise from patrons outside bar	Farringdon Within
23/04/14	No action required	Recording rec re patrons outside. Advised no comps 5/6 wk	Farringdon Within
05/05/14	Resolved/Compliance	Recording received from patrons outside	Farringdon Within
30/05/14	Informally resolved	Music breakout and people noise outside	Farringdon Within
31/05/14	Resolved/Compliance	General noise complaint	Farringdon Within
Punch Tavern, 99 Fleet Street			
26/04/14	Resolved/Compliance	Loud music from Punch Tavern	Castle Baynard
Smithfield Meat Markets			
01/04/14		Bottle crates being banged at 3 a.m.	Farringdon Without
St Barts Brewery, 66 West Smithfield			
15/06/14	Resolved/Compliance	Singing and shouting.	Farringdon Within
St Mary-At-Hill Church. St Mary-At-Hill			
02/05/14	Resolved/Compliance	Loud music	Billingsgate
Street record, Crutched Friars			
05/06/14	Resolved/Compliance	Noise from drinkers & music in courtyard	Tower
Thai Square, 136-138 Minories			
22/06/14	Resolved/Compliance	Part & people noise coming from outside	Tower
22/06/14	Resolved/Compliance	Party spilled onto street. Loud music.	Tower
22/06/14	Resolved/Compliance	Music too loud. 30-40 people on street making noise	Tower
22/06/14	Resolved/Compliance	Part & people noise from Thai Square	Tower
The Crutched Friar, 39-41 Crutched Friars			
06/06/14	Resolved/Compliance	Noise from customers standing outside	Tower
The Jugged Hare, 49 Chiswell Street			
27/04/14	Resolved/Compliance	Noise from music breakout	Coleman Street
28/04/14	No action required	Barbican res comp noise from wedding. Music too loud	Coleman Street
The Minories Public House, 64-73 Minories			
10/01/2014	Resolved/Compliance	Loud music coming from PH	Tower
Vinezia Bacaro, 3-5 Goswell Road			
28/03/2014	Resolved/Compliance	Noise from people drinking outside	Cripplegate

Appendix IV

Conditions Applied to Licences Granted by way of Delegated Authority

NEW APPLICATIONS

Ace Capital 1V Ltd

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises.

Amazon

1. The provision of licensable activities shall be restricted to: employees and officers of the organisations in occupation, or their associated companies; and bona fide guests of the said employees, officers and companies; and persons attending any bona fide private event at the premises.

Appleberry Food Limited

None

Compass @ CBI

1. The provision of named licensable activities is restricted to: employees and officers of the organisations in occupation, or their associated companies; and bona fide guests of the said employees, officers and companies; and persons attending any bona fide private event at the premises.

Co-op

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 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.

Elvendon Restaurant

None

Honest Burger

1. The premises shall install and maintain a comprehensive digital colour 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. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

3. Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

La Pizzaetta

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

Merchant House

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,. 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.

2. All doors and windows shall remain closed at all times the premises licence is in use, 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.

Nationwide Building Society

None

Notes, Music and Coffee Ltd

None

Pasty Shop

None

Paternoster Associates (Bowler Hat and Adjoining bar)

None

The Fish and Chip Shop

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 28 days.

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

3. All doors and windows shall remain closed at all times after 23.00 hours save for entry or exit, or in the event of an emergency.

The Leadenhall Building

None

The Trading House

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 28 days.

2. All windows and external doors shall remain closed at all times after 21:00 hours during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.

3. There shall be no sale of alcohol in unsealed containers for consumption off the premises

VARIATIONS

Ask for Janice

1) Substantial food shall be available at all times on the premises during permitted hours for licensable activities.

Broadgate Towers

None

City Social

1) The premises may be used for the provision of private entertainment as previously permitted under the Private Places of Entertainment (Licensing) Act 1967.

2) Permission is given for the playing of recorded music.

3) Late night refreshment may be provided between the hours of 11.00pm and 5.00am.

4) The sale of alcohol is permitted from opening time on New Years Eve until closing time on New Years Day.

Omnino Steak House

None

Appendix V

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

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

1 – Coleman Street (Crime and Disorder – 44)	44
2 – Castle Baynard (Crime and Disorder – 38)	38
3 – Lime Street (Crime and Disorder – 26)	26
4 – Billingsgate (Crime and Disorder – 25)	25
5 – Bread Street (Crime and Disorder – 19, General - 4)	23
6 – Cordwainer (Crime and Disorder – 23)	23
7 – Cornhill (Crime and Disorder – 22)	22
8 – Bridge & Bridge Without (Crime and Disorder – 11, Public Nuisance - 10)	21
9 - Candlewick (Crime and Disorder – 20)	20
10 - Walbrook (Crime and Disorder – 19)	19
11 - Cheap (Crime and Disorder – 16, General - 2)	18
12 – Bishopsgate (Crime and Disorder – 15)	15
13 – Bridge & Bridge Without (Crime and Disorder – 13, Public Nuisance - 2)	15
14 – Candlewick (Crime and Disorder – 14)	14

15 – Bishopsgate 13
(Crime and Disorder – 10, Public Safety - 3)

16 – Coleman Street 12
(Crime and Disorder – 10, Public Safety - 2)

17 - Cordwainer 11
(Crime and Disorder – 11)

18 – Tower 10
(Crime and Disorder – 10)

Billingsgate 1
Bishopsgate 2
Bread Street 1
B/B Without 2

Candlewick 2
Castle Baynard 1
Cheap 1
Coleman Street 2

Cordwainer 2
Cornhill 1
Lime Street 1
Tower 1
Walbrook 1

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

1 – Tower 11
(Crime and Disorder – 9, Public Nuisance - 2)

Tower 1