

Committee(s):	Date(s):	Item no.
Licensing Committee	29 July 2015	
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 April 2015 to 30 June 2015. 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 2015 and 30 June 2015. 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 December 2014 to 31 May 2015.</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 2015 and 30 June 2015.
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/alcohol-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 2015 to 30 June 2015.
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 December 2014 to 31 May 2015. For the first time since the scheme began in April 2013 there are no premises classified as 'Red'. 7 premises have a sufficient number of points to be classified as '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 (Apr-Jun 2015)

Name	Address	Ward	Details	
Japanese Canteen	61 Watling Street	Cordwainer	A	22:30
Farmers/Fletchers Hall	3 Cloth Street	Farringdon W/in	A, L, (e), (f)	23:59
Fox Fine Wine	118 London Wall	Coleman St	A, L, (f)	01:00
Canto Corvino	15-25 Artillery Lane	Bishopsgate	A, L, (f)	00:00
Sodexo	78 Cannon Street	Dowgate	A	23:00
Bolatti London	141-142 Fenchurch St	Langbourn	A	22:00
Chop'd Ltd	1-3 Leadenhall Mkt	Lime Street	A	21:00
Gatti's	1 Ropemaker Street	Coleman St	A, L, (e), (f)	00:00
Tesco	16-18 New Bridge St	Castle Baynard	A	00:00
Burger & Lobster	34 Old Bailey	Farringdon W/in	A, L, (f)	00:00
Caffe Vergnano	70 Mark Lane	Tower	A, L, (f)	02:00
Tesco	14 St Martins-le-Grand	Cheap	A	00:00
Restaurant Associates	122 Leadenhall Street	Lime Street	A	23:00
Street Kitchen	42 Broadgate Circle	Bishopsgate	A, L, (f)	01:00
Leadenhall Dev Co	122 Leadenhall Street	Lime Street	A, L, (f)	01:30
Basement Bar & Grill	5 Minories	Tower	A, L, (f)	04:00

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.		
Bishopsgate	2	Farringdon Within	2
Castle Baynard	1	Langbourn	1
Cheap	1	Lime Street	3
Coleman Street	2	Tower	2
Cordwainer	1		
Dowgate	1		

Appendix II

Licence Variations Issued by way of Delegated Authority (Apr-Jun 2015).

Name	Address	Ward	Details
JP Morgan Chase	60 Victoria Embankment	Castle Baynard	<ul style="list-style-type: none"> Expand licensed are to include some rooms on floor 6 (currently floors 1-3 licensed).
Gaucho Grill	5 Finsbury Avenue	Bishopsgate	<ul style="list-style-type: none"> All licensable activities increased by one and a half hours to 02:30.
Chilango	64 London Wall	Broad Street	<ul style="list-style-type: none"> New basement layout to include a new seating booth
Pause	80 Leadenhall Street	Aldgate	<ul style="list-style-type: none"> Terminal hour extended by 1 hour on Wed to 01:00 and by 2 hours on Thu-Sat to 02:00.
Burger & Lobster	52 Threadneedle Street	Cornhill	<ul style="list-style-type: none"> Commencement hour for licensable activities brought forward by 1 hour to 07:00.
Dirty Dicks	202 Bishopsgate	Bishopsgate	<ul style="list-style-type: none"> Terminal hour for alcohol sales and LNR increased to 03:00 on Th-Sat (From 01:00). All other Lic Activities increased until 02:30 (00:30).

Total Variations = 6

Number of Licences by Ward

WARD	No.		
Aldgate	1	Castle Baynard	1
Bishopsgate	2	Cornhill	1
Broad Street	1		

Personal Licences Issued by way of Delegated Authority

01 Apr 2015 – 30 Jun 2015 2

Enforcement Action Carried out Under the Licensing Act 2003 1 April 2015 - 30 June 2015

Total Number of Inspections	50
Number of Warning Letters	2
Number of Premises advised	26
Number of simple cautions	1
Number of suspension notices	16
Paid prior to suspension	10
Licence lapsed*	0
'Dead' Suspensions**	3
'Live' Suspensions***	3
Still to be determined	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 1 January 2015 and 31 March 2015

Outcome Code

No action required - Complaint unjustified.

Informally Resolved - Complaint justified but not statutorily actionable - informal action taken results in satisfactory outcome.

Resolved / Compliance - Complaint justified and statutorily actionable; formal or informal action taken results in satisfactory outcome.

Unresolved - Noise not reduced or controlled, nor have preventive measures to prevent recurrence been implemented.

Total number of complaints = 30

Details	Date	Outcome	Ward
Bangalore Express, 1 Corbet Court, London, EC3V 0AT			
Complaint of possible noise nuisance regarding Bangalore bar, 1 Corbet Court as an incident occurred on the previous night regarding loud people noise as guests leaving.	24/05/2015	No action possible	Langbourn
Duke of Somerset, Duke Of Somerset Public House, 15 Little Somerset Street, London, E1 8AH			
Alleged loud music coming from Duke of Somerset Pub	15/04/2015	Resolved informally	Portsoken
Grand Union, Grand Union Public House, Rolls Passage, London, EC4A 1HL			
Noise from patrons talking & laughing outside premises	01/05/2015	Resolved informally	Farringdon Without
Noise from pub users in Rolls Passage.	22/05/2015	No action possible	Farringdon Without
Noise from drinkers.	22/05/2015	No action possible	Farringdon Without
Noise from patrons standing and talking outside pub	04/06/2015	Resolved informally	Farringdon Without
Complaint of music and people noise coming from the Grand Union Pub, Roll Passage.	04/06/2015	Resolved informally	Farringdon Without
Noise from patrons outside in Rolls passage	25/04/2015	Resolved informally	Farringdon Without
Kurumaya, 74-75 Long Lane, London, EC1A 9ET			
Noise and odour	25/06/2015	Case still in progress	Cordwainer
La Fenice Rossa, 19 Bevis Marks, London, EC3A 7JB			
Loud music	14/06/2015	No action possible	Aldgate
Le Paris Grill, 6 Little Britain, London, EC1A 7BX			
Alarm	15/06/2015	No action possible	Aldersgate
Mumbai Square, 7 Middlesex Street, London, E1 7AA			
Music Noise	11/04/2015	Ceased not likely to reoccur	Portsoken
Patch, 58-62 Carter Lane, London, EC4V 5EA			
Complaint of loud music and people noise from Patch Bar, Carter Lane	13/06/2015	Resolved informally	Farringdon Within

Pilpel, 1A Wine Office Court, London, EC4A 3BY			
Construction noise from business. Workmen had been installing ventilation ducting	15/05/2015	No action possible	Castle Baynard
Steam & Rye, 147 Leadenhall Street, London, EC3V 4QT			
Caller called in to complain about band playing loud music. Noise was happening at the time of call. 15.30	16/06/2015	Resolved informally	Lime Street
The Brewery on Chiswell Street, Conference Hall And Function Rooms, The Whitbread Brewery, 52 Chiswell Street, London, EC1Y 4SA			
Dismantling a marquee. Blocking traffic causing cars to horn. Guest making noise.	18/05/2015	No action possible	Coleman Street
The Old Bengal Warehouse, 16A New Street, London, EC2M 4TR			
Complaint of loud steel band music	11/06/2015	Resolved informally	Bishopsgate
Loud Music	11/06/2015	Resolved informally	Bishopsgate
There were cleaners there this morning around 4:30 am who have apparently cleaned the outside space with water and were so noisy, that we all woke up. This is not the first time this has happened.	18/05/2015	Resolved informally	Bishopsgate
Music	12/06/2015	Resolved informally	Bishopsgate
The Samuel Pepys, Samuel Pepys Public House, Stew Lane, London, EC4V 3PT			
Samuel Pepys pub is loading and unloading in the early morning at 5.45, 6.00 and 6.45 which is very loud, also they are slamming a gate to get to a side entrance	22/04/2015	Resolved informally	Queenhithe
The Shakespeare, The Shakespeare Public House, 2 Goswell Road, London, EC1M 7AA			
Noise from people standing outside public house at 7.30 pm	10/04/2015	No action possible	Cripplegate
Noise from patrons of the Shakespeare Pub	05/06/2015	Referred to other services	Cripplegate
The St Barts Brewery, 66 West Smithfield, London, EC1A 9DY			
Loud noise	08/04/2015	No action possible	Farringdon Within

Noise at St Barts Brewery, 66 West Smithfield, London, EC1A 9DY, The noise starts every Friday night at 9pm.	10/04/2015	No action possible	Farringdon Within
Loud Music	10/04/2015	Resolved informally	Farringdon Within
Complaint of loud live band music at St Barts Brewery, West Smithfield.	01/05/2015	Resolved informally	Farringdon Within
The Trading House, 91 Gresham Street, London, EC2V 7AA			
Customer calling to report that the noise from the building next doors ventilation system is very loud this morning & is disturbing the staff.	20/05/2015	Resolved informally	Cheap
Air conditioning unit makes a noise on Basinghall Street this has been reported already.	13/05/2015	Resolved informally	Cheap
Extractor noise	01/06/2015	Case still in progress	Cheap

Appendix IV

Conditions Applied to Licences Granted by way of Delegated Authority

NEW APPLICATIONS

Japanese Canteen

None.

Farmers/Fletchers Hall

None

Fox Fine Wine

None

Canto Corvino

1. The premises shall install and maintain a comprehensive 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.

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

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

Sodexo

1) Alcohol shall not be sold or supplied otherwise than to:

- a) directors, partners, officers and employees of the Threadneedle Group of Companies (and subsidiaries thereof) and their bona fide guests;
- b) persons attending by prior invitation a private or organised function in the premises.

Bolatti London

None

Chop'd Ltd

None

Gatti's

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.

Tesco (New Bridge St)

None

Burger & Lobster

None

Caffe Vergnano

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises.
2. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
3. 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.
4. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
5. 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.
6. 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.

Tesco (St Martins-le-Grand)

None

Restaurant Associates

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.

Street Kitchen

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

Leadenhall Dev Co

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. 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.

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

Basement Bar & Grill

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. 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.

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.

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

VARIATIONS

J P Morgan Chase

None

Gaucho Grill

None

Chilango

None

Pause

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 comprehensive 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.

Burger & Lobster

None

Dirty Dicks

1. When the premises is carrying on licensable activities after 00.00 hours on Thursday and after 01.00 hours on Friday and Saturday, at least 1 registered door supervisor is to be on duty after 21.00 hours.