

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE
FRIDAY, 15TH JULY 2016

APPLICANT: STRADA TRADING LIMITED
PREMISES: 4 ST PAUL'S CHURCHYARD, EC4M 8AY

Sub Committee

Deputy Jamie Ingham Clark (Chairman)
Deputy John Barker
Michael Hudson

Mr Hudson declared an interest as the Old Deanery is in Castle Baynard Ward, the Ward he represents. Those attending were asked if they consented to Mr Hudson being a Member of the Sub-Committee and were informed Mr Hudson would, if there was an objection, withdraw. There was no objection.

City of London Officers

Ru Rahman - Comptroller & City Solicitor's Department
Julie Mayer - Town Clerk's Department
Peter Davenport - Department of Markets and Consumer Protection

The Applicant

Strada Trading Ltd
Thomas O'Maoileoin – Partner, Thomas and Thomas Partners

Parties with Representations

Mr C C Scott – Church Commissioners
Mrs Chartres – resident of The Old Deanery (closeby the premises)

Licensing Act 2003 (Hearings) Regulations 2005

A Hearing was held at 11:00am in Committee Room 1, Guildhall, London, EC2, to consider and determine an application for a variation to a premises licence for **4 St Paul's Churchyard EC4M 8AY**.

The Sub Committee had before them the following documents:-

Report of the Director of Markets and Consumer Protection:

Appendix 1 – Copy of Application

Appendix 2 – Current Licence

Appendix 3 – Existing Conditions

Appendix 4 – Representations from Other Persons:

- St Paul's Cathedral School
- Church Commissioners

Appendix 5 –Map of subject premises, together with other licenced premises in the area and their latest terminal time for alcohol sales

Appendix 6 - Current Plans of Premises

- 1) The Hearing commenced at 11:00am.
- 2) The Chairman introduced the Sub-Committee Members and confirmed that the Sub-Committee, in advance of the Hearing, had considered all papers. The Chairman asked those present to introduce themselves and state in what capacity they were attending the Sub-Committee.
- 3) The Chairman opened the hearing by underlining that the Sub-Committee must be formed with a view to promoting one or more of the four licensing objectives.
- 4) The Chairman invited the applicant to clarify a proposed amendment to their original application and Mr O'Maoileoin, from Thomas and Thomas Partners, representing Strada Trading Ltd, explained that, following careful consideration of the submissions from those making representations, the applicant had amended their original application and was now seeking just a 30 minute extension to the existing Licence on Mondays to Saturdays and no change on Sundays.
- 5) The Chairman then invited those making representations to submit their case and Mr C C Scott, Church Commissioners, Church of England, expressed concerns about public (noise) nuisance in respect of the application. Given that the Old Deanery is a Grade 1 Listed Building and single glazed, there would be a greater risk of sound transmission from the adjoining premises. Mr Scott was also concerned about the possibility of anti-social behaviour as well as further noise nuisance on dispersal and from rubbish collections.
- 6) Mr Scott was concerned that the proposed variation might affect the sleep of nearby residents and reminded the Sub Committee of the City of London Corporation's Licensing Policy, which states that it is not unreasonable for residents' sleep to be undisturbed between 11pm and 7 am. Mr Scott was concerned that the current plans did not show how the noise would be mitigated, which was likely to increase with later sales of alcohol. Furthermore, one of the premises' windows opened onto the Deanery Court Yard.
- 7) Mr Scott, then called Mrs Chartres, the resident of the Old Deanery, who was concerned at the current saturation of licensed premises in the area and the potential impact on local residents. However, Mrs Chartres advised that she had enjoyed a cordial relationship with the Applicant and welcomed their spirit of compromise. Mrs Chartres also confirmed that she had not made any formal complaints against Strada.

- 8) The Chairman then invited the applicant to explain the nature of the business proposed. The Sub Committee noted that, whilst the 'Coppa Clubs' were a new concept in London, with this being the third, they were not nightclubs but late 'supper clubs', which were open to all. There would be no regulated entertainment, just incidental background music for diners, so there would be no requirement to include 'recorded music' as a licensable activity. There was no intention to increase the capacity or change the balance in food or alcohol sales and the Applicant's intention was to offer a style of continental dining, in response to customers' and tourists' expectations.
- 9) The Applicant advised that they would actively encourage dispersal away from the Deanery and towards St Paul's Courtyard. Staff on duty always offered to call cabs for patrons, however, this was often not necessary, given the rise in popularity of taxi apps.
- 10) In addition to the amendments to the original application, as set out above, the applicant proposed the following additional conditions:
 1. Substantial food and non-intoxicating beverages, including drinking water, shall be available during licensing hours in all parts of the premises, where alcohol is sold or supplied for consumption on the premises. (*This condition was the same as previously, with the word 'liquor' replaced by alcohol*)
 2. All windows to be closed after 9pm. (*In addition to this condition the applicant said that the windows to the rear of the premises would be double-glazed and sealed shut.*)
 3. All alcohol sales off the premises would be in sealed containers. (*The Sub Committee noted that the number of off-sales was very low at the premises.*)
 4. Notices would be placed at all exits, asking patrons to leave quietly.
 5. A direct line telephone number for the on duty manager would be provided to all residents in the vicinity.
 6. No promoted events will 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.

- 11) With regards to waste collections, the Applicant stated that they would make arrangements to ensure that waste was collected during the daytime.
- 12) There were no further cross examinations and each party was invited to sum up.
- 13) Those making representations summed up by stating that, whilst they had enjoyed cordial relationships with the Applicant and thanked them for reviewing their original application, they remained concerned that the extension might encourage others to follow and this could, in turn, increase the risk of public (noise) nuisance. The applicant summed up by stating that they too valued their cordial relationship and had therefore reviewed the original application, so that it represented just 30 additional minutes on the original licence from Monday to Saturday, with no change on Sundays. They were keen to promote the restaurant ambiance and did not expect to regularly stay open for the full licensing period.
- 14) The Chairman thanked all parties and explained that the Sub-Committee would now retire to deliberate on the application.
- 15) The Chairman explained that written confirmation of the decision would be circulated to all within five working days.
- 16) The Sub-Committee ended at 12.20pm.

Chairman

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