

## MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON WEDNESDAY, 16<sup>TH</sup> AUGUST 2017 AT 11.00 AM

**APPLICANT:** KNBY LND OP3 Ltd  
**PREMISES:** BOB BOB EXCHANGE, LEVEL 3, THE LEADENHALL BUILDING, 122 LEADENHALL STREET, LONDON, EC3V 4AB

### **Sub Committee:**

Ms Marianne Fredericks (Chairman)  
Deputy Keith Bottomley  
Mr Michael Hudson

### **Officers:**

Town Clerk – Bose Kayode & Gemma Stokley  
Comptroller and City Solicitor – Paul Chadha  
Markets & Consumer Protection – Peter Davenport & Steve Blake

### Given Notice of Attendance:

### **Applicant:**

Mr Thomas O'Maoileoin, Solicitor, Mr Nicholas Schleich, Proposed DPS and Mr Leonid Schutov, Owner, Bob Bob Exchange

### **Making representation:**

Ms Yvonne Courtney - Resident  
Mr Jonathan Whitby - Resident

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### **Licensing Act 2003 (Hearings) Regulations 2005**

A public Hearing was held at 11:00 AM in Committee Room 1, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises, 122 Leadenhall Street, London, EC3V 4AB.

The Sub Committee had before them the following documents:-

Appendix 1 – Report of the Director of Markets and Consumer Protection  
Copy of Application  
Amendments to the original application

Appendix 2 – Conditions Consistent with the Operating Schedule

Appendix 3 – Representations from Other Persons:  
i) Chan

- ii) Courtney
- iii) Rees
- iv) Whitby

Appendix 4 – Map of subject premises together with other licenced premises in the area and their latest terminal time for alcohol sales

Appendix 5 – Plan of Premises

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- 1) The Hearing commenced at 11:00 am.
- 2) The Chairman introduced the Sub-Committee members and confirmed that all papers had been considered by the Sub-Committee in advance of the hearing. The Chairman asked all of those present to introduce themselves and state in what capacity they were attending the Sub-Committee.
- 3) The Chairman opened the hearing by stating that the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives and that these could only be promoted during licensed hours.
- 4) The Chairman said that it would be helpful to the panel if the applicant were to outline their business model and how they would run the business.
- 5) Mr O'Maoileoin advised that prior to the date of the Hearing he had contacted those residents who had made submissions against the application as well as the licensing authority by way of email, advising that he had been given instructions to amend the application so that licensable activities end at midnight.
- 6) Mr O'Maoileoin stated that the application is for a very high quality restaurant creating a luxurious dining experience within this landmark building. The planning and the terms of the lease are strict and clear that only a restaurant can be run within the premises.

Mr O'Maoileoin informed the panel that given the business model, the type of clientele visiting the restaurant, it is highly unlikely to be associated with antisocial behaviour or noise that could be associated with clientele leaving a nightclub.

- 7) Mr Schutov informed the panel that Bob Bob Exchange has a sister restaurant to Bob Bob Ricard, Soho, a well-known restaurant, regularly ranked within the top five restaurants in London as well as internationally.

Bob Bob Exchange aims to attract and recreate a similar experience to that offered in Bob Bob Ricard. Mr Schutov described the interior décor of Bob Bob Exchange and stated that all seating is booth style and fixed. Therefore although the maximum capacity is 240 (includes the capacity within the three private dining rooms) he stated that it is unlikely that the restaurant will run at

full capacity, as the intention is to provide a comfortable, private, dining experience.

Mr Schutov stated that there is no 'stand up bar' area within the restaurant as they want to exclude the casual drinking culture. As for security, Mr Schutov stated that there is 24 hour security within the Leadenhall building. Further, the restaurant will have staff present at all times on the ground floor entry to the building and a reception upstairs where customers will be booked into the restaurant. Customers travelling by car can be dropped off on Leadenhall Street. Mr Schutov stated that he did not foresee congestion being an issue.

- 8) In response to concerns raised by the objectors relating to smoking outside of the premises, Mr Schutov stated that he does not envisage the type of clientele visiting the restaurant with standing outside smoking. Further, he stated that there is a designated smoking area defined within the building for those visiting the restaurant to use. As for individuals drinking outside whilst smoking, Mr Schutov stated that china and cut crystals are not allowed to be removed from the restaurant and therefore this would not be an issue.
- 9) In relation to a question from the panel relating to off-sales, Mr Schutov stated that this was included in the application to allow those wanting to take the remainder of a bottle of wine purchased during a meal off the premises the ability to do so. He stated that this does not occur regularly, but, on the few occasions that this does occur, they wanted the option to be available. The panel were assured that notices would be placed around the premises asking that individuals leave the building and the area quietly.
- 10) The invited those who had made representations to address the Sub Committee.
- 11) Following the detailed description as to how Bob Bob Exchange would operate, those making representations against the application stated that any concerns originally had, had been negated.
- 12) As there were no further points or questioned raised, the Chairman invited the Applicant to sum up.
- 13) The Chairman thanked all parties and explained that the Sub-Committee would now retire to deliberate on the application and return shortly.
- 14) The Sub-Committee retired at 11:50
- 15) At 12:15 the Sub-Committee returned from their deliberations and explained that they had reached a decision. The Chairman thanked those who had remained to hear the decision of the Sub-Committee.
- 16) In determining the application, the Sub-Committee first and foremost put the promotion of the licensing objectives at the heart of their decision; in this instance the most relevant of those objectives being the prevention of public nuisance.

- 17) In reaching its decision, the Sub Committee took into account the character of the area and the proposed business operations of the Applicant. The Sub Committee concluded that, in discharging its duty to promote the licensing objectives, it was not necessary to reject the application.
- 18) The Chairman reported that it was the Sub-Committee's decision to grant the premises licence as follows:

<b>Activity</b>	<b>Current Licence</b>	<b>Proposed</b>
Live Music	N/A	Mon – Sun 23:00 – 00:00
Recorded Music	N/A	Mon – Sun 23:00 – 00:00
Late Night Refreshment	N/A	Mon – Sun 23:00 – 00:00
Supply of Alcohol	N/A	Mon – Sun 07:00 – 00:00
Hours premises are open to the public	N/A	Mon – Sun 07:00 – 00:30

- 19) The Sub Committee then considered the issue of conditions and, in particular, those put forward by the applicant, namely MC01 and MC02. The Sub Committee noted Bob Bob Exchange's intention to install CCTV, however considered that it was not necessary to impose this as a condition given that there had not been any concerns regarding crime and disorder. In addition, the Sub Committee noted that there had not been any representations relating to concerns of crime and disorder or promoted events by the police or those who had objected. The panel therefore did not consider it necessary or appropriate to impose condition MC02.
- 20) Taking into account all of the information before it, the panel of the Sub Committee determined to grant the premises licence without the need to impose any conditions, given the clear outline of how Bob Bob Exchange would be run which, alleviates any concerns raised.
- 21) The Chairman thanked all parties for their attendance and explained that written confirmation of the decision would be circulated.

**The meeting closed at 12:20**

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Chairman

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