

Public Document Pack



Licensing (Hearing) Sub Committee

Date: MONDAY, 18 JULY 2022
Time: 1.45 pm
Venue: COMMITTEE ROOM 3 - 2ND FLOOR WEST WING, GUILDHALL

Supplementary Agenda

7. RESIDENTIAL PROXIMITY TO PAVILION BAR AND RESTAURANT

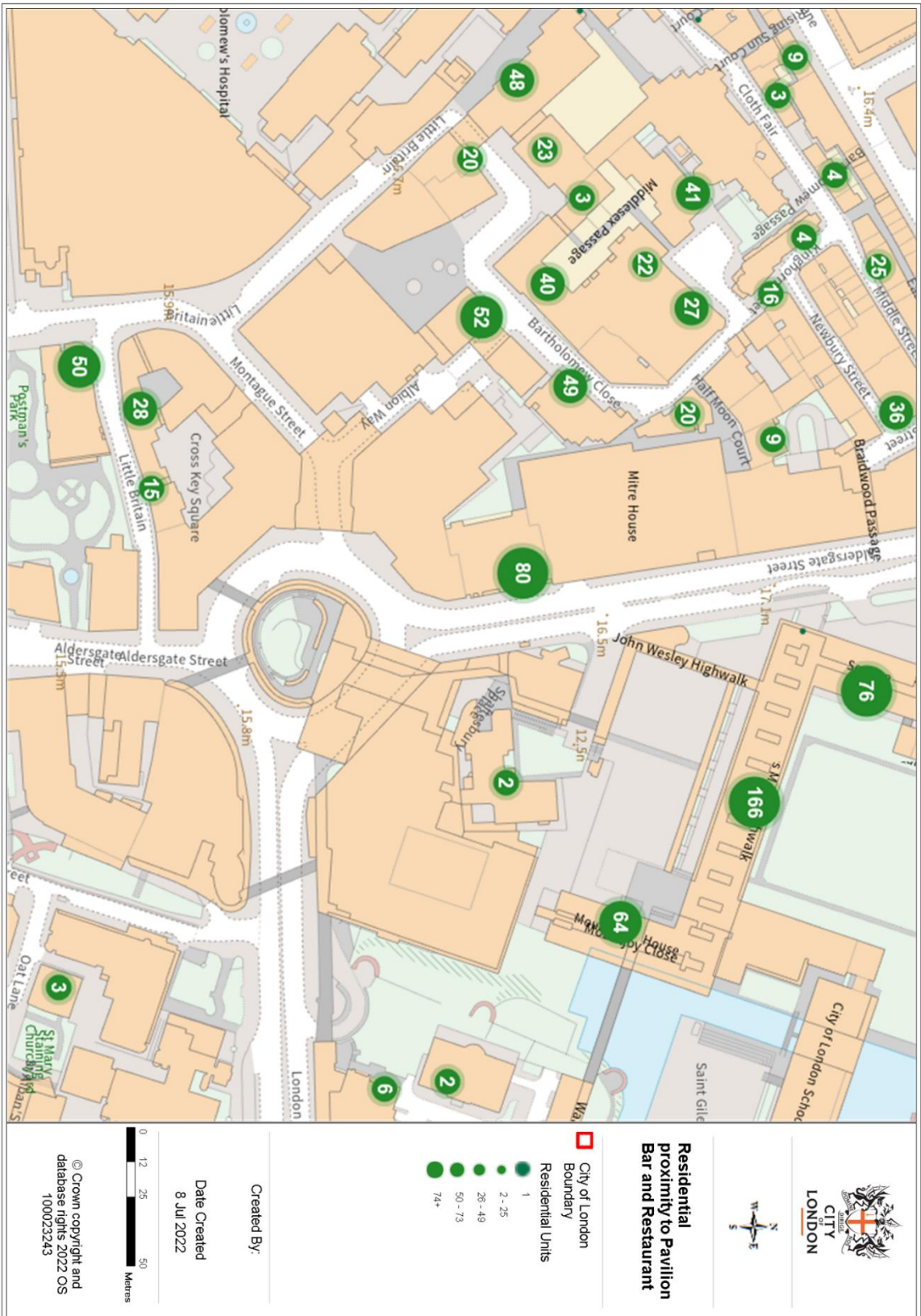
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8. PAVILION STATEMENTS AND SUPPORTING DOCUMENTS

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John Barradell
Town Clerk and Chief Executive

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LICENSING HEARING STATEMENTS & SUPPORTING DOCUMENTS

APPLICANT The Pavilion Bar & Restaurant Ltd
PREMISES ADDRESS Unit 3 South, 200 Aldersgate, London EC1A 4HD

In advance of the hearing, the applicant provides the following statement to the Licensing Sub-Committee, in support of the application for a new Premises Licence.

This is done in order to facilitate any discussions on those subjects where we are willing to make concessions ahead of the hearing. We include those agreements already reached with the Responsible Authorities for clarity.

PROPOSED HOURS

Sale of Alcohol

The hours proposed for the Retail Sale of Alcohol in the original application have been reduced on the request of Environmental Health, Public Health and Planning, without objection by the applicant, to:

- Monday to Sunday 12.00 to 23.00

Late Night Refreshment

The applicant proposes to remove the hours applied for Late Night Refreshment, as with the agreed reduction in the hours for the Sale of Alcohol, these are no longer required.

Opening Hours

The applicant proposes to reduce the opening hours following the agreement reached to reduce the hours for the Sale of Alcohol. The opening hours will now reflect those hours for the Sale of Alcohol, with an additional 30 minutes built in to allow for an orderly dispersal. The revised Opening Hours are therefore:

- Monday to Sunday 07.00 to 23.30

AGREED & PROPOSED CONDITIONS

Agreed Conditions

The applicant has already agreed with the Police to include the following condition:

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, 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 Licensing Authority recordings of the preceding two days immediately when requested.

Proposed Conditions

Having received and reviewed the representations from the Residents, the applicant would be willing for any of the conditions below to be added to the Premises Licence were the Licensing Sub-Committee minded to grant the Licence.

The purpose of providing these in advance of the hearing is to facilitate the process at the hearing. The applicant hopes that this will go some way to demonstrating that they take the comments made by the residents seriously and are seeking to reassure them that it is their intention to be a good neighbour and to be considerate of the residents' concerns.

It will be for the Sub-Committee to decide which conditions are appropriate, but the applicant would offer up the following conditions:

- Appropriate induction training shall be undertaken with all relevant staff who do not hold a Personal Licence to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol.
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
 - d. The premises Dispersal Policy

All training shall be recorded and training records made available on request to an authorised officer of the Licensing Authority or the Police.

- The premises shall maintain written reports and registers. These shall be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records shall be maintained of the following:
 - a. Any complaint against the premises in respect of any of the licensing objectives
 - b. Any crime reported at the premises
 - c. Any fault in the CCTV system

All written reports and registers shall be regularly checked by the DPS.

- Alcohol shall only be sold for consumption off the premises when such a sale is to customers seated at tables in the external area of the premises and then only when a valid pavement licence issued by the City of London is in place.
- Alcohol for consumption in any external part of the premises, shall only be served to patrons who are seated. There shall be no vertical drinking outside the premises.
- All tables and chairs located in the external areas of the premises shall be rendered unusable after 22.00 on each day.
- Telephone contact details for the premises shall be provided to residents and the Responsible Authorities on request.
- A suitable Dispersal Policy shall be adopted by the premises and all relevant staff shall receive training in the implementation of the policy. A copy of the policy shall be kept at the premises and made available to the Police or Environmental Health Officer on request.
- All external doors and windows shall remain closed after 22.00 except for entrance and egress, to prevent noise escaping from the premises.
- No more than 8 customers will be permitted to smoke outside the premises at any one time after 22.00.
- No externally promoted events shall be permitted at the premises; 'externally promoted events' are those which are wholly promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.

SUPPORTING DOCUMENTS

Supplied alongside this statement are a number of supporting documents which either provide additional information or seek to demonstrate the nature of the application.

- **Dispersal Policy** - The Dispersal Policy has been drafted to deliver a directive for the applicant to train the staff. It sets out how the premises will seek to control and disperse customers, in order to minimise any impact on residents. The current policy is a draft and will be reviewed subject to the outcome of the hearing.

- **Business Statement** – This statement is designed to give the committee and the residents a better understanding of the focus of the business, which may not have come across as the applicant would have liked, in the original application. The applicant will be present at the hearing and can provide further clarity and answer questions on the nature of the proposed business.
- **Support of Artists and Others** – In support of the business statement, we have received letters of support from artists with whom the applicant collaborates and who offer their support to the proposed business.

The attached documents will be referred to in the statements made at the hearing and are supplied in advance of the hearing to enable the Committee and Residents the opportunity to give them consideration in advance.

Peter Mayhew - Agent

Beyond the Blue Limited

Last Updated 10th July 2022

Pavillion Bar & Restaurant

DISPERSAL POLICY

1. PURPOSE

This policy is designed to provide guidance for the management and employees and set out the terms for the dispersal of customers from the premises.

The purpose of this policy is to set out the reasonable steps the premises will undertake to prevent unnecessary avoidable disturbance to residents, services and other businesses operating in the vicinity of the premises.

It is the stated intention of the premises to operate in a manner which causes the minimum impact from noise nuisance and anti-social behaviour from our customers to neighbours and other members of the public.

To this end all relevant staff will be trained in this policy and other appropriate skills to achieve an orderly and safe dispersal from the premises.

All staff are compelled by their contract of employment to comply with and actively implement this dispersal policy; where their job role includes these responsibilities.

It is the responsibility of the Designated Premises Supervisor to ensure that this policy is enforced at the premises and to regularly update the policy to meet the requirements of the business.

2. LOCAL CO-OPERATION

The premises will work in co-operation, where appropriate, with other premises in the area to ensure that local policies are co-ordinated.

The premises will, where practicable, work in partnership with Responsible Authorities through Pubwatch or similar partnership group to share information and best practice.

3. DISPERSAL

Dispersal shall take place through the front door(s) of the premises onto the Rotunda.

All conditions relating to dispersal included in the Premises licence will be enforced and relevant staff will be trained in these conditions, as well as the terminal hours and operating hours outlined on the premises licence.

Sale of Alcohol

- Monday to Sunday 12.00 to 23.00

Opening Hours

- Monday to Sunday 07.00 to 23.30

Pavillion Bar & Restaurant

Relevant Conditions

- Alcohol shall only be sold for consumption off the premises when such a sale is to customers seated at tables in the external area of the premises and then only when a valid pavement licence issued by the City of London is in place.
- Alcohol for consumption in any external part of the premises, shall only be served to patrons who are seated at the premises. There shall be no vertical drinking outside the premises.
- No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Telephone contact details for the premises shall be provided to residents and the Responsible Authorities on request.
- All tables and chairs located in the external areas of the premises shall be rendered unusable after 22.00 on each day.
- All external doors and windows shall remain closed after 22.00 except for entrance and egress, to prevent noise escaping from the premises.
- No more than 8 customers will be permitted to smoke outside the premises at any one time after 22.00.

Allocation of staff in the last 30 minutes prior to closing will be reviewed, to ensure that the collecting of glasses and the clearing of other waste is prioritised; this provides a message to customers that the premises is in the process of closing and encourages them to finish their drinks and prepare for departure.

A suitable member of staff or a Door Supervisor will be visible at each public entrance / exit to control the dispersal, to remind people to leave quietly and to prevent patrons from re-entering the premises.

Action Points:

- Make an announcement at the end of the evening to encourage patrons to disperse gradually and to leave the area quietly.
- Ensure adequate signage is available at each exit asking people to leave quietly and not to congregate outside or in the local area; direct patrons attention to these signs as they leave.
- Remove drinks and glass vessels from patrons as they leave to ensure no glass leave the premises.

4. DOOR SUPERVISORS

Door Supervisors Licensed by the Security Industry Authority will be employed by the premises based upon the risk assessment carried out in relation to the following factors:

- Expected attendance
- Type of event taking place
- Time of year

Pavillion Bar & Restaurant

- Special occasion (New Year, Halloween, Local Festivals etc.)

Where the Risk Assessment finds there is no requirement for Door Supervisors, these tasks should be assigned to another suitably trained & experienced member of staff.

Door Supervisors will be tasked with:

- **Dispersal from the Premises.** During the 'soft closure' period and once the premises is closed, the Door Supervisors shall assist with the dispersal of customers from the area. The purpose of an effective dispersal is to ensure that patrons leave the area quickly, quietly and in an orderly manner.

The most effective approach to dispersal is to be friendly and helpful, understanding that one of the effects of alcohol is to inhibit the effective decision-making ability. What may seem obvious and logical to a sober person, may seem confusing and complicated to a person who has consumed alcohol.

People loitering may be doing so because they are unable to make a decision or easily access the information they require; often they will disperse when they are given this information. Many patrons will move on if they can be helped to achieve one of the following outcomes:

- How to get home?
- Where they can go next?
- Where they can get some food?

By providing this information it can encourage them to leave the immediate area more quickly.

Just because someone arrived using one form of transport, do not assume that transport option is still available to them or that they can remember immediately how they arrived. Give them options, and offer assistance:

- Call a local taxi
 - Provide information on local bus / train / underground routes
 - Help to locate their friends
 - Call someone for them
- **Door Supervisors will be easily identifiable.** The law requires Door Supervisors to display their SIA Licence, however the use of a clear uniform or high visibility jacket will provide greater awareness of their presence.

Action Points:

Door Supervisors can expediate the dispersal of patrons with their actions both at closing time and throughout the night by:

- Controlling the level of intoxication of patrons throughout the night and acting appropriately when people start to become intoxicated. Anyone who becomes too intoxicated to be served at the bar, shall be removed from the premises.
- Prevent re-entry after 23.00.

Pavillion Bar & Restaurant

- Encourage patrons to leave gradually via the appropriate exits at the end of the night; try and avoid large numbers of patrons all leaving at the same time.
- Provide information about the transport options from the premises.
- Remove drinks and glasses and bottles from those leaving the premises
- Remind people who are leaving to do so quietly and direct their attention to the signs displayed
- Ask patrons not to assemble or loiter outside the premises once they have left; politely reminding people who do not comply that they may be refused entrance in the future if they fail to disperse.

5. SIGNAGE & LIGHTING

The following signs will be displayed at the premises:

- Signs requesting patrons to Leave Quietly and Respect the Neighbours
- Signs to ask customers outside to respect the neighbours and keep noise to a minimum
- Signs to inform patrons that drinks may not leave the premises, except for those people seated outside.

These signs are to be displayed prominently at every public entrance and exit from the premises.

Lighting (Internal) – The premises will turn on the House Lights 30 minutes prior to closing time; the time by which every patron must have left the premises; this coincides with the closing time of the bar.

Turning the house lights on is a clear indication to patrons that the premises is in the process of closing and generally encourages patrons to leave gradually over the following 30 minutes (often referred to as a 'drinking up time'). There is a distinct advantage to patrons leaving of their own free will as they are much more likely to leave and disperse, then if they are asked to do so.

Lighting (External) – External lighting should be sufficient for patrons to leave the premises safely. Providing sufficient lighting in the external areas of the premises will encourage patrons to leave; patrons may be slower to leave if it is brighter inside than outside.

External lighting will be regularly reviewed to ensure it is not a cause of nuisance to neighbours.

Both internal and external lighting will be regularly reviewed to ensure it does not impede the effectiveness of CCTV.

6. TRANSPORT

In order to facilitate the dispersal of patrons from the premises, patrons will be provided with information on the various means of transport available from the premises:

- **Taxi & Taxi Ranks** – The premises shall make available the number(s) of a local taxi company and the location of any taxi rank located in the proximity of the premises. The staff should contact a taxi on behalf of customers when requested to do so and advise the taxi company of the location

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of the premises and / or the appropriate collection point; they should be asked not to sound their horns on arrival.

Where a taxi has been called for a Patron, those persons will be asked to wait inside for their taxi to arrive.

- **Local & Night Bus Services**
 - Little Britain Stop - 4, 56, 76 & 100
 - London Wall Museum Stop - 76 & 100
 - Museum of London - 4 & 56
 - St Paul's - 8, 25, 56, 521, N8, N25 & N242
- **Underground**
 - Barbican (Central Line, Metropolitan Line & Hammersmith & Fulham Line) 0.2 Miles - 4 Min. Walk
 - St Pauls (Central Line) 0.3 Miles / 5 Min. Walk
 - Farringdon (Elizabeth Line) 0.4 Miles / 9 Min. Walk
 - Bank (Waterloo & City Line & DLR) 0.5 Miles / 11 Min. Walk
 - Blackfriars (District Line) 0.7 Miles / 16 Min. Walk.
- **Main Line Trains**
 - Moorgate - 0.5 Miles / 10 Min. Walk
 - Farringdon - 0.4 Miles / 9 Min. Walk
 - City Thames Link - 0.6 Miles / 12 Min. Walk
- **Car Parks** - The use of cars as a form of transport will be discouraged.

7. SMOKING AREAS

The Premises operates a smoking area to the front of the premises.

The maximum number of patrons permitted in the smoking area at any one time is restricted to 8 after 22.00. The number of people using the smoking area will be controlled by an appropriately trained member of staff to ensure that the maximum number is not exceeded at any time.

After 22.00 the smoking area is specifically for smokers and no drinks, glasses or bottles are permitted in this area. Once patrons have finished smoking they should be directed back inside the premises to reduce the noise generated outside the premises.

The smoking area will be closed 30 minutes prior to the closure of the premises and at the same time the bar is closed.

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The closing of the smoking area at this time will aid dispersal and prevent confusion between those in the smoking area and those leaving the premises. It will also mean that anyone wishing to smoke must leave the premises and no re-entry is permitted after this time.

8. BOTTLES, GLASSES & LITTER

The premises will maintain the area immediately to the front of the premises clear of bottles, glasses and litter by regularly sending a member of staff to the area to clear these items.

No glasses, bottles or other drinks are permitted to leave the premises, except to those people seated at tables and it is the responsibility of the Door Supervisor and / or other appointed members of staff, to ensure this rule is enforced. This includes preventing such items being taken into the smoking area or away from the premises at the end of the night.

It may be the case that glass bottles and glasses are brought to the area from other premises and left in the vicinity or at the front of the premises. It is the responsibility of the Door Supervisor and / or other appointed members of staff, to ensure none of these items enter the premises or the smoking area.

Despite these items not originating from the premises, it is the responsibility of staff to clear them on a regular basis throughout a session and to check at the end of the night that no such items remain to the front of the premises.

Effective house-keeping of this nature reduces the chances of glasses and bottles breaking or causing potential accidents. Consideration should also be given that such litter causes a nuisance to neighbours and while much of this may not originate from the premises an effort should be made to clear such litter as is reasonable by way of being a good neighbour.

Action Points:

- Place signs at the exits reminding customers that drinks may not be removed from the premises or be taken into the smoking area.
- Prior to closing the premises check that all litter to the front of the premises has been cleared
- Sweeping outside the premises at the end of the session not only clears smaller rubbish, but may assist in getting patrons to move away from the premises.

9. 'SOFT CLOSURE'

A 'soft closure' is in place at the premises, this is designed to close the premises more slowly and thus to encourage a more even dispersal rather than everyone being asked to leave at the same time. This in turn seeks to minimise the potential for noise and anti-social behaviour which can occur when larger numbers of people leave a venue at the same time.

The Music volume will be turned down to a background level 30 minutes prior to the premises closing and turned off 20 minutes before closure of the premises. This advises patrons that the premises is closing and also allows them to finish their drinks in a quieter environment; this in turn will reduce the noise patrons make when they leave. Patrons who leave a loud premises will naturally talk more loudly once they leave, thus the potential for nuisance is greater.

Pavillion Bar & Restaurant

The type of music being played in the last hour prior to closing should be considered. It is useful to play more 'calming' / 'chill out' music in the hour prior to closing the premises as this will have a positive impact of the behaviour of patrons when they leave the premises.

1. Patrons will be notified by announcement of 'Last Orders' giving the 10 minutes to purchase a last drink if they wish to do so.
2. Closing 'Time' will then be announced when the bar closes.
3. Once 'Time' has been announced the smoking area will be closed, people still smoking should be allowed to finish their cigarette, but no further people should be admitted to the area.
4. 10 Minutes after 'Time' has been called, staff cleaning and collecting glasses will start politely asking people to finish their drinks. Doing this in a polite individual manner, rather than shouting at the whole bar, is likely to have a more positive effect.
5. 20 Minutes after 'Time' has been called people should be asked to leave in the same manner as that indicated above.
6. 30 Minutes after 'Time' has been called, everyone should have left and dispersal as described earlier in this policy should be underway.

The music will not be turned back on by staff for their own entertainment while cleaning the premises, once customers have left the premises.

10. CONTROLLING CUSTOMERS & PREVENTING LOITERING

There are a number of solutions already described earlier in the policy on strategies which will help move people away from the premises and disperse them. However additional consideration can be given to the following:

- Making announcements
- Lighting
- Notices and signage
- Staff allocation
- Thanking patrons on the way out; this also encourages them to return by ensuring their final interaction with staff is positive.
- Staff should be aware when leaving after their shift, where background noise may no longer drown them out, staff can be a source of nuisance themselves.
- Providing perceived incentives; such as giving patrons a lollipop as they leave, not only does this seem like an incentive, someone with a lollipop in their mouth will talk less

Updated 7th July 2022 – Peter Mayhew

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BUSINESS STATEMENT

PREMISES ADDRESS The Pavilion Bar & Restaurant, Unit 3 South, 200 Aldersgate, London EC1A 4HD

My name is Andrew Deyhim. I'm married, 35 years old and have a 1-year-old daughter. I am from London.

Firstly, I would like to apologise if my application has caused any concerns to the residents and I welcome the opportunity to respond to questions at the hearing. It is our sincere ambition once we open, to become an asset to the local community.

In setting out the premises licence I have always been happy to commit to respectable trading times regarding the sale of alcohol.

When making the original application, I was advised poorly by a previous consultant to apply for longer hours and make changes if necessary thereafter. In hindsight, I see this has led to confusion regarding the type of business we are.

We are not a nightclub or late-night bar, hoping to stay open as long as possible.

Due to the strong emphasis we have on promoting the arts and education, we do not expect our business to resemble a typical bar or pub.

There will be regular activities that focus on the Arts and Humanities - a mix of subjects that include Philosophy, Literature, Psychology, History and Aesthetics.

The activities we seek to deliver, will stimulate discussion in these subjects.

They include talks from educators, displays from emerging artists, group discussions and reading groups.

Artists and teachers in particular have offered to support us in what ways they can, understanding our goals. We hope to create a positive community for people to share their interest and expand their horizons.

We believe the social environment described will have a positive impact on Londoners, many of whom will find themselves drinking less, drinking low abv beverages or avoiding alcohol altogether, with alcohol free drinks and coffee when visiting.

We believe there is a demand for social activities based on academic interests and expect to have interest from mature professionals living and working in London.

It is our intention to support community artists in showcasing their work. They will have sections of wall space in our premises to display their work and a catalogue to support their extended range.

We have also been encouraged by professionals working in the charity sector to apply for funding to support the Arts and Humanities. We hope to use the platform that develops to assist artists and teachers in this area.

I look forward to having the opportunity to set out my vision further at the hearing.

Sincerely

Andrew

JWJ Verity
Romney Road
Hayes Middlesex
UB4 8PU

Hillingdon Artists

To whom it may concern

Our group was founded in 2005 by our chairperson Sheena Rosser we have about four exhibitions a year, all in the local area.

All the artists work from home and now with our shop/exhibition in the pavilions shopping mall at Uxbridge we seem to have found a semi permanent home.

We open the shop seven days a week, have a rota to staff it ourselves and are at last getting to meet and know each other.

We are now in our eighth month of operations, out of our members that number about fifty, twenty seven are showing in the shop

It's generated so much attention that our numbers are growing all the time and although we are a local group its wonderful that our members come from all corners of the world

Through the shop three of the artists have found work at a local Ruislip school where they teach art for one day a week over a six week period. Three different age groups of children from that school now visit the shop with their teachers for a discovery trail and workshop, run by our volunteer artists.

I started attending Andrews art meet up group about six years ago and was immediately impressed by him, a young man but with some old fashioned and worth values.

Level headed and conscious of the environment as well as for the feelings of others around him

Quite a few of us are very interested in exhibiting in Andrews café and are excited at the fact that it is located in the saint Paul's area of London

Yours truly,

Artists Name

Signature

Phone/email

JOHN VERITY

CHRISTINE
RODRIGUES

CARLA HEDSTRAND

BENITA AMBROSE

Nagi Mehr

Ana Taborda

JASH GHATA-AURA

IAN CHAL KANE

Lisa Enright

Dear City of London Licensing Committee and concerned Residents living nearby 200 Aldersgate.

We are writing to confirm that the coffee shop, bar and eatery, - the Pavilion, at 200 Aldersgate, is a place we have an agreement in principle to display art, presently available for viewing in Uxbridge, at Pop Up stores provided to the group by the local council.

The Pavilion has offered to assist us by displaying art in Central London, without charging up front rental fees for wall space or catalogue space.

Unlike many central London galleries and institutes, the Pavilion operates a profit share model, allowing emerging artists to display their work and portfolio without the typical up front costs.

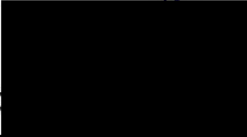
Andrew is an individual who genuinely cares about the Arts and Philosophy in particular, and intends to provide Aesthetics, Philosophy and Psychology reading classes.


Our understanding is that this will be an important part of the character in the premises they wish to create.

We hope the Pavilion will be a good resource for independent artists in London who struggle to get their work into galleries.

It's our view that the community and Londoners in general will benefit from the interesting subjects that the Pavilion will be focused on.

Signed

 Lisa Enright

 ELVIS HALL

BENITA AMBROSE

CHRISTINE
RODRIGUES

JASH GHATA-AURA

Ana Taborda

IAN KANE

My name is Dr. Nicola Diamond. I am a PHD and have a Psychoanalytic BPC reg.

I currently teach Film, Philosophy and Psychoanalysis at the Tavistock Clinic, and am a former senior lecturer in Psychosocial Studies at the University of East London. This included Philosophical approaches to Ontology and Epistemology.

I have known Andrew since earlier this year.

I have offered to help with insights into different art styles, philosophical movements and periods of history.

I am a clinician mostly engaged in phenomenology and post thinking, where I hope to add value and contribute.

If you have further queries, my email is:

[REDACTED]

Yours sincerely,
Dr. Nicola Diamond

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