

LICENSING (HEARING) SUB COMMITTEE

Date: TUESDAY, 16 JUNE 2020

Time: 10.30 am

Venue: VIRTUAL PUBLIC MEETING - ACCESSIBLE REMOTELY:

Members of the public can observe this virtual public meeting on the link https://youtu.be/jaFIYMdE4K0

Applicant: Thomas Jeffrey Paget

Premises: George & Vulture, 3 Castle Court, London, EC3V 9DL

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LICENSING (HEARING) SUB COMMITTEE PROCEDURE FOR PUBLIC HEARINGS

- 1. This procedure shall apply to all public hearings conducted under the provisions of the Licensing Act 2003.
- 2. Public hearings conducted under the provisions of the Licensing Act 2003 shall take the form of a discussion led by the licensing authority. Cross-examination will be permitted when the Sub Committee considers it to be required. The conduct of hearings shall be broadly based, subject to the discretion of the Sub Committee, on the points set out below.
- 3. At the start of the hearing the Chairman of the Sub Committee will introduce him/herself and other Members of the Sub Committee as well as the City Corporation officers present. Anyone making representations will then be asked to introduce themselves and anyone accompanying them. The applicant will then do likewise.¹
- 4. The Chairman will then explain the purpose of the hearing and the procedure to be followed at the hearing. The Sub Committee will then make any rulings necessary in respect of requests for witnesses to be heard in support of any of the parties making representations or the applicant.
- 5. Those making representations will then be invited to present their case. Repetition will not be permitted. Equal time will be offered to the applicant and those making representations. Where there is more than one party making representations and/or calling witnesses in support, consideration should be given to having one spokesman on behalf of all parties so as to avoid repetition. Although the use of a spokesman will be encouraged by the Sub Committee, the decision rests with those parties making representations.
- 6. In the event of disorder or persistent disregard of the authority of the Chair, the Chairman may suspend or adjourn the hearing, or require that the person(s) causing disorder or showing disregard leave the hearing.
- 7. In the event that the Sub Committee has decided that cross-examination will be permitted, the applicant will be invited to ask questions of the party(s) making representations and their witnesses (if any). The party(s) making representations and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
- 8. The applicant will then be invited to present their case and call any witnesses in support of their application. The applicant will be entitled to the same period of time to present his case as those making representations were afforded.

¹ In hearings where a licence is being reviewed, references in this procedure to 'applicant' should be read as references to the licence holder and references to 'those making representations' should be read as references to those applying for the review.

- 9. In the event that the Sub Committee has decided that cross-examination will be permitted, those making representations will be invited to ask questions of the applicant and their witnesses (if any). The applicant and any witnesses giving evidence in support will then answer any questions put to them by members of the Sub Committee.
- 10. The Chairman will ask all parties if there is anything else they would like to add in support of their respective cases.
- 11. Those making representations will then be invited to make closing submissions followed by the applicant.
- 12. The Sub Committee will then retire to consider their decision. They may call for assistance by the representatives of the Town Clerk and/or the Comptroller & City Solicitor but those persons will play no part in the decision-making process.
- 13. In due course, the Sub Committee will return to announce their decision or to inform those present when the decision will be given.

Agenda Annex

Committee(s):	Hearing Date(s):	Item no.	
Licensing Sub-Commi	16 June 2020	1	
Subject:			
Licensing Act 2003 - P Variation of a Premise	O	spect of an Applicat	ion for the
Name of premises:	The George and Vulture		
Address of premises:	2-3 Castle Court London, EC3V 9D	L	
Report of:		Public / N	on Public
Director of Markets an	nd Consumer Protec	tion	
Ward (if appropriate):	:		
Langbourn			

1 Introduction

- 1.1 To consider and determine, by public hearing, the application to vary a premises license under the Licensing Act 2003, taking into account the representations of 'other persons' detailed in paragraph 4, and the policy considerations detailed in paragraph 6 of this report.
- 1.2 The decision of the Sub-Committee must be made with a view to promoting one or more of the four licensing objectives, namely:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

2 **Summary of Application**

2.1 An application made by:

Thomas Jeffrey Paget (please see paragraph 3.2) c/o Station Street Huddersfield

was received by the City of London Licensing Authority on 25 February 2020 to vary the premises licence in respect of the premises at:

George & Vulture 3 Castle Court London, EC3V 9DL

2.2 The application seeks to remove conditions 2 (a) to 2(d) inclusive and 3(a) to 3(c) inclusive. These refer to children under 14 being on the premises and restrictions on use of credit sales. These conditions were 'grandfathered' across from the Licensing Act 1964.

The application also seeks to remove condition 4 which states, 'The small bar at the rear of the ground floor to be used for the purpose of serving to the waiters only and not for the consumption thereat of intoxicating liquors by the public.' The effect of removing this condition is to permit alcohol to be purchased directly by customers from the small bar at the rear of the premises.

2.3 All permitted hours, licensable activities and opening hours are to remain the same. The sale of alcohol is for both on and off the premises. Full details of the application are contained in the copy of the Application Form at Appendix 1.

<u>Activity</u>	Current Licence	Proposed Licence
Sale of Alcohol	Mon–Sat: 10:00–23:00	No Change
Recorded Music	No restrictions	No Change

2.4 The Operating Schedule submitted by the applicant suggests no further steps necessary in order to promote the licensing objectives.

3 <u>Licensing History of Premises</u>

- 3.1 The premises received a licence on 13 September 2005 trading as The George & Vulture.
- 3.2 The application to vary the licence was made by Mr Paget who was the previous Licence holder. However, the licence had been transferred to Samuel Smith (Southern) on the 11 February. The instructing solicitors were not aware the current licence holders (Samuel Smith (Southern)) had applied to transfer the licence directly and thus the variation application was still in the name of the old licence holder. This was amended by the licensing team on our records and deemed to be a correctly made application.
- 3.3 A copy of the current premises licence can be seen as Appendix 2.

4 Representations From Other Persons

- 4.1 There are five representations from 'other persons'. The representations are against granting the variation primarily on the basis that if granted it will undermine the licensing objective of 'the prevention of public nuisance'.
- 4.2 The representations can be seen in full as Appendix 3(i) to 3(v).

5 Representations from Responsible Authorities

5.1 There have been no representations from any of the Responsible Authorities.

6 Policy Considerations

6.1 In carrying out its licensing functions the Licensing Authority must have regard to its Statement of Licensing policy, and statutory guidance issued under s 182 of the Licensing Act 2003.

6.2 The following sections/paragraphs of the City of London Corporation's Statement of Licensing Policy are particularly applicable to this application.

The boxed comment on page 19 states the need to strike a fair balance between the benefits to a community of a licensed venue, and the risk of disturbance to local residents and workers.

The boxed comment on page 19 also states an overriding policy principle namely, that each application will be decided on its individual merits.

Paragraphs 79 - 81 address the need of care when controlling noise particularly from those persons outside of and leaving premises.

Paragraphs 115-121 state the Corporation's policy on setting conditions which may be applicable dependant on the step(s) taken by members as stated in paragraph nine of this report.

Statutory Guidance

6.3 The following sections/paragraphs of the statutory guidance issued under s182 of the Licensing Act 2003 are particularly applicable to this application (revised April 2017):

Chapter 2 of the guidance covers the four licensing objectives. In particular, paragraph 2.15 states that it is, '...important that in considering the promotion of [the public nuisance licensing objective, licensing authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable.' Also, paragraph 2.16 indicates that the prevention of public nuisance could, in appropriate circumstances include, 'the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.'

Chapter 10 refers to conditions attached to premises licences with paragraph 10.10 stating that, 'Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.' Also, 'Licensing authorities

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should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.'

7 Map and Plans

- 7.1 A map showing the location of the premises together with nearby licensed premises is attached as Appendix 4. A key of those premises is included which indicates the maximum permitted hours for alcohol sales in respect of each premises along with the latest terminal hour for any other licensed activity if greater.
- 7.2 The plan of the premises is attached as Appendix 5.

8 Summary

- 8.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the Licensing Objectives.
- 8.2 Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The Corporation must also fulfil its obligations under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the City.

9 Public Notices

9.1 The statutory blue public notice was duly exhibited at the premises as evidenced by photographs attached as Appendix 6(i) to 6(iv) and were verified to be accurate by a Licensing Officer.

10 Options

- 10.1 The Sub-committee must, having regard to the representations, take such of the following steps as it considers appropriate and necessary for the promotion of the licensing objectives:
 - i) modify the conditions of the licence; or
 - ii) reject the whole or part of the application

Any determination by the licensing sub-committee will not have effect until the end of 21 days following notification of the decision to the applicant by the licensing authority or, in the event of an appeal to the Magistrates' Court against the Sub-Committee's decision, the determination of the appeal.

For the purposes of paragraph 10.1(i) conditions are modified if any of them are altered or omitted or any new condition is added.

11 Recommendation

11.1 It is therefore RECOMMENDED that your Sub-Committee determine this application for a variation of a premises licence in accordance with paragraph 10 of this report.

Prepared by Peter Davenport

Licensing Manager

Peter.davenport@cityoflondon.gov.uk

Background Papers

BACKGROUND PAPERS	<u>DEPT</u>	FILE
Corporation of London Statement of Licensing Policy (revised Jan 2017)	MCP	3rd Floor Guild Hall
Statutory Guidance – 'Revised Guidance Issued Under Section 182 Of The Licensing Act 2003'. April 2017		Statutory Guidance

25/02/70

LAST PAR APPENDING

695,

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

	s Jeffrey Paget ame(s) of applicant)				
eing the pro	emises licence holder et 2003 for the premi				r section 34 of the
Premises lic LN/2005003	cence number 322				
art 1 – Prei	mises Details				
Postal addre George & V 3 Castle Co		one, ord	nance survey map r	reference or de	escription
Post town	London			Postcode	EC3V 9DL
Telephone n	number at premises (if	fany)	020 7626 9710		
Non-domest	ic rateable value of p	remises	£85,500		
art 2 – App	licant details				
Daytime contelephone no					
E-mail addr	ess (optional)				
Current post different fro address		:/o Sta	ation Street		
Post town	Huddersfield			Postcode	HD1 1LY

Please tick as appropriate Do you want the proposed variation to have effect as soon as possible? Yes
If not, from what date do you want the variation to take effect? DD MM YYYY
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No
Please describe briefly the nature of the proposed variation (Please see guidance note 2)
To remove from annex 2 the following conditions:
All of the conditions at No: 2 (to include removing a to d) All of the conditions at No: 3 (to include removing a to c) No: 4 "the small bar at the rear of the ground floor to be used for the purpose of serving to the waiters only and not for the consumption thereat of intoxicating liquors by the public"
This application is only to remove out of date conditions which were grandfathered across from the Licensing Act 1964 and associated legislation and to allow alcohol to be purchased directly by patrons from the small bar at the rear of the premises.
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 3 - Variation

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

	3)	vision of regulated entertainment (Please see guidance note	Please tick all that apply	
	a)	plays (if ticking yes, fill in box A)		
	b)	films (if ticking yes, fill in box B)		
	c)	indoor sporting events (if ticking yes, fill in box C)		
	d)	boxing or wrestling entertainment (if ticking yes, fill in box D)		
	e)	live music (if ticking yes, fill in box E)		
	f)	recorded music (if ticking yes, fill in box F)		
	g)	performances of dance (if ticking yes, fill in box G)		
	h)	anything of a similar description to that falling within (e), (f) or (if ticking yes, fill in box H)	g)	
Ţ	Prov	sion of late night refreshment (if ticking yes, fill in box I)		
8	<u>Зирр</u>	ly of alcohol (if ticking yes, fill in box J)		
In	all c	ases complete boxes K, L and M		

Plays Standard days and timings (please read guidance note 8)		read	Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
		s) 		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	nce note 5)	
Tue					
Wed			State any seasonal variations for performing plays guidance note 6)	(please read	
Thur					
Fri			Non standard timings. Where you intend to use the performance of plays at different times to those list on the left, please list (please read guidance note 7	ted in the colu	the mn
Sat			(bronne vener Britative Hote 1	,	
Sun					

100.04					
timing	Standard days and timings (please read guidance note 8)		Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 4) Indoor		
guidai				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guide	ance note 5)	-
Tue					
Wed			State any seasonal variations for the exhibition of guidance note 6)	films (please	read
Thur					
Fri			Non standard timings. Where you intend to use the exhibition of films at different times to those liste the left, please list (please read guidance note 7)	he premises for d in the colum	r the
Sat			The same same same same same same same sam		
Sun					
					- 1

Indoor sporting events Standard days and timings (please read guidance note 8)		nd read	Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)		-	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
		read	(please read gardance new 1)	Outdoors [
Day	Start	Finish		Both	
Mon			Please give further details here (please read guide	ance note 5)	
Tue					
Wed			State any seasonal variations for boxing or wrest (please read guidance note 6)	ling entertains	nent
Thur					
Fri			Non standard timings. Where you intend to use to boxing or wrestling entertainment at different time in the column on the left, please list (please read	nes to those lis	rted
Sat		<u> </u>			
Sun					

Live music Standard days and timings (please read		read	Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
guidar	ce note 8)		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	nce note 5)	
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the performance of live music at different times to the column on the left, please list (please read guidance)	ose listed in th	
Sat				·	
Sun					

Recorded music Standard days and timings (please read			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 4)	Indoors	
	ice note 8		, , , , , , , , , , , , , , , , , , ,	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guida	nce note 5)	
Tue					
Wed			State any seasonal variations for the playing of re- (please read guidance note 6)	corded music	
Thur					
Fri			Non standard timings. Where you intend to use the playing of recorded music at different times to the column on the left, please list (please read guidant	se listed in the	
Sat					
Sun	_				

Performances of dance Standard days and timings (please read			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
	ice note 8			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gui	dance note 5)	
Tue					
Wed			State any seasonal variations for the performa (please read guidance note 6)	nce of dance	
Thur					
			Non standard timings. Where you intend to use for the performance of dance at different times		
Fri			the column on the left, please list (please read g		
Fri Sat					

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)		that e), (f) or nd read	Please give a description of the type of entertainn providing	nent you will b	e
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read	Indoors	
Mon			guidance note 4)	Outdoors	
				Both	
Tue			Please give further details here (please read gui	dance note 5)	
Wed					
Thur			State any seasonal variations for entertainment description to that falling within (e), (f) or (g) guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to us for the entertainment of a similar description t within (e), (f) or (g) at different times to those is column on the left, please list (please read guidants).	o that falling isted in the	
Sun					

Late night refreshment Standard days and timings (please read			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
	ice note 8			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gu	idance note 5)	
Tue					
Wed			State any seasonal variations for the provision refreshment (please read guidance note 6)	of late night	
Thur					
Fri			Non standard timings. Where you intend to use for the provision of late night refreshment at of those listed in the column on the left, please list	lifferent times	
Şat			guidance note 7)	-	

Supply of alcohol Standard days and timings (please read			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	
	ce note 8		ganualice now yy	Off the premises	
Day	Start	Finish		Both	
Mon			State any seasonal variations for the supply of read guidance note 6)	alcohol (pleas	e
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use for the supply of alcohol at different times to the column on the left, please list (please read guidant)	10se listed in t	
Fri				,	
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).
None.

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	-	-	
Tue	·	-	
Wed		-	Non standard their or Wilson was intend the annular to be
Thur	-		Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Fri	-	-	There are no restrictions on the Operating Hours under this licence (except on Sunday where the Premises is closed – See Licence
Sat	-	-	Condition 5)
Sun	-	-	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

To remove from annex 2 the following conditions:

All of the conditions at No: 2 (to include removing a to d) All of the conditions at No: 3 (to include removing a to c)

No: 4 "the small bar at the rear of the ground floor to be used for the purpose of serving to the waiters only and not for the consumption thereat of intoxicating liquors by the public"

This application is only to remove out of date conditions which were grandfathered across from the Licensing Act 1964 and associated legislation and to allow alcohol to be purchased directly by patrons from the small bar at the rear of the premises.

Please tick as appro	priate
 I have enclosed the premises licence 	x
I have enclosed the relevant part of the premises licence	
If you have not ticked one of these boxes, please fill in reasons for not including the licence of it below	or part
Reasons why I have not enclosed the premises licence or relevant part of premises licence	

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 11) All existing conditions (save for the conditions we are seeking to remove) and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate. b) The prevention of crime and disorder All existing conditions (save for the conditions we are seeking to remove) and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate. c) Public safety A All existing conditions (save for the conditions we are seeking to remove) and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate. d) The prevention of public nuisance All existing conditions (save for the conditions we are seeking to remove) and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate. e) The protection of children from harm

M Describe any additional steps you intend to take to promote the four licensing objectives as a

result of the proposed variation:

All existing conditions (save for the conditions we are seeking to remove) and restrictions attached to the current Premises Licence in relation to the promotion of the licensing objectives

will continue to be in effect and will apply to the provision of licensable activities as

appropriate.

Checklist:	Places tiels to indicate agrees					
a Thomas	Please tick to indicate agreer	ment X				
I have not	I have made or enclosed payment of the fee; or I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.					
	I have sent copies of this application and the plan to responsible authorities and others where applicable. ONLINE APPLICATION LA TO SERVE					
I understa	nd that I must now advertise my application.	X				
I have enc	losed the premises licence or relevant part of it or explanation.	X				
I understat be rejected	nd that if I do not comply with the above requirements my application will	x				
A FALSE STAT WHO MAKE A	NCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO M EMENT IN OR IN CONNECTION WITH THIS APPLICATION. TH FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICT ANY AMOUNT.	OSE				
Part 5 – Signatu	res (please read guidance note 12)					
	olicant (the current premises licence holder) or applicant's solicitor or or agent (please read guidance note 13). If signing on behalf of the applican hat capacity.					
Signature						
Date	25 February 2020					
Capacity	Joelson JD LLP Solicitors for and on behalf of the applicant					
licence holder) o	ises licence is jointly held, signature of 2nd applicant (the current premired applicant's solicitor or other authorised agent (please read guidancing on behalf of the applicant, please state in what capacity.					
Signature						
Date						
Capacity	Capacity					
	where not previously given) and address for correspondence associated ation (please read guidance note 15)					

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Post code

W1B 1LZ

30 Portland Place

Post town London

Telephone number (if any)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

- 1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
- 2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
- 3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in
 community premises between 08.00 and 23.00 on any day provided that the
 audience does not exceed 500 and the organiser (a) gets consent to the screening
 from a person who is responsible for the premises; and (b) ensures that each such
 screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community

- premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
- 4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
- 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
- 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
- 11. Please list here steps you will take to promote all four licensing objectives together.
- 12. The application form must be signed.
- 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
- 15. This is the address which we shall use to correspond with you about this application.

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Licensing Act 2003 Section 24 Premises licence

Trading Standards (Licensing Section), City of London PO Box 270 Guildhall, London EC2P 2EJ

Premises licence number

LN/200500322

Part 1 - Premises details

Postal address of premises, or	if none, ordnance survey map reference or description George & Vulture, 3 Castle Court		
Post town London	Post code EC3V 9DL		
Telephone number			

Where the licence is time limited - the dates

Licensable activities authorised by the licence

Alcohol Sales Recorded Music

The times the licence authorises the carrying out of licensable activities

Alcohol Sales

 Sunday

 Monday
 10:00 - 23:00

 Tuesday
 10:00 - 23:00

 Wednesday
 10:00 - 23:00

 Thursday
 10:00 - 23:00

 Friday
 10:00 - 23:00

 Saturday
 10:00 - 23:00

There are no restrictions on the times permitted for Recorded Music

The opening hours of the premises

Opening Hours

Sunday - Monday - Tuesday - Wednesday - Thursday - Friday - Saturday - -

There are no restrictions on the Opening Hours under this licence (except on Sunday where Premises closed - See Licence Condition 5).

Where the licence authorises supplies of alcohol - whether these are on and/or off supplies

On & Off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Samuel Smith (Southern)

Tadcaster

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Samuel Smith

Tadcaster

North Yorkshire

Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol

LN/000006925 - Selby District Council

Date granted 13th September 2005

Latest amendment 11th February 2020



Annex 1 - Mandatory conditions

Alcohol

- 1. No supply of alcohol may be made under the Premises Licence
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
- 2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
- **3.** (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b)provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d)selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

- 5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.
- 6. The responsible person shall ensure that
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula –

$$P = D + (DxV)$$

Where -

- (i)P is the permitted price
- (ii)D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence
 - (i) The holder of the premises licence

- (ii) The designated premises supervisor (if any) in respect of such a licence, or
- (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

NO: 1

SOURCE: s.59, 60, 63, 67A, 68, 70, 74, 76, LA 1964

TYPES OF PREMISES: On-licences

TYPE OF RESTRICTION: Permitted hours

WORDING OF CONDITION:

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) Consumption of alcohol on the premises or the taking or sale or supply of alcohol to any person residing in the licensed premises;
- (b) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied.

NO: 2

SOURCE: S.168, 171, 201 LA 1964

TYPES OF PREMISES: On-licence, no children's certificate

TYPE OF RESTRICTION: Children in bars.

WORDING OF CONDITION:

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.

- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

NO: 3

SOURCE: S.166 LA 1964

TYPES OF PREMISES: On-licence.

TYPE OF RESTRICTION: Credit Sales.

WORDING OF CONDITION:

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal.
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation.
- (c) to a canteen or a mess.
- 4) The small bar at the rear of the ground floor to be used for the purpose of serving to the waiters only and not for the consumption thereat of intoxicating liquors by the public.
- 5) The premises in respect of which this licence is granted shall be closed during the whole of Sunday.
- 6) The premises may be used for the provision of private entertainment as previously permitted under the Private Places of Entertainment (Licensing) Act 1967.

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex 4 - Plans

Basement, Ground, First, Second & Third Floors

Reference: G50/2005/LIC

Date: 2005

Appendix 3i)

Murphy, Leanne

 From:
 Hewitt, Andre

 Sent:
 11 March 2020 10:21

 To:
 M&CP - Licensing

 Subject:
 FW: George & Vulture

From: Simon Larkin

Sent: 10 March 2020 16:28

To: Hewitt, Andre <Andre.Hewitt@cityoflondon.gov.uk>

Cc: Aidan Treacy

Subject: George & Vulture

Dear Mr Hewitt,

It has been brought to our attention, as a business based in an office in Castle Court EC3V, that a neighbouring restaurant, the management of The George & Vulture Restaurant are seeking a change in licensing to become a pub.

I understand that they wish to remove conditions to the license, which would enable them to sell alcohol directly to patrons from the small bar at the rear of their premises. The door to this bar is directly in front of our front door, a mere ten feet away - it isn't unreasonable to assume that patrons will overspill into the street. Given that Castle Court is a very narrow alley and that the area is already served by two busy and sizeable pubs, whose guests drink outside in either George's Yard, Castle Court and St. Michael's alley, I would be very concerned about any addition to the crowds that already gather. At peak times, it can be overcrowded and incredibly noisy in the narrow space provided, not to mention the fact that we regularly come into the office to find litter and glasses left around our entrance door, and on the odd occasion, vomit or odours that suggest someone has urinated by the door. If we leave the office on a Thursday or Friday night, there are often groups drinking right outside our door, a situation that would surely be exacerbated by another pub opening up. For a business such as ours that receives clients and suppliers in our office, the current situation is less than ideal. I know that Jamaica Wine Inn tries to control crowds from drinking in the street too far away from their premises, but frankly it is an impossible task – they have no hope of controlling where people stand as is evidenced on any evening when it isn't raining. To anyone who has witnessed a peak Thursday or Friday, even outside of December, this is already a very boisterous area and I am opposed to any change that are almost certain to add to issues that we already witness in the vicinity. The area simply cannot accommodate more people drinking in the street.

I would be grateful if you could acknowledge receipt of this email as I am aware that the deadline for representations is the 24th March 2020.

Kind regards,

Simon Larkin MW, Managing Director

Atlas Fine Wines Ltd | 4-5 Castle Court | London EC3V 9DL

Profiled in Spear's 500 (2020 Edition)

Appendix 3ii)

Murphy, Leanne

From: Hewitt, Andre

Sent: 17 March 2020 14:52

To: M&CP - Licensing

Subject: FW: George & Vulture

From: John E Nadler

Sent: 17 March 2020 14:47

To: Hewitt, Andre <Andre.Hewitt@cityoflondon.gov.uk>

Subject: George & Vulture

Dear Sirs/Madam

I write to object to the application by the George & Vulture to remove condition 4 of Annex 2 from its licence.

The George & Vulture, though an inn in the 18th century, has been a restaurant for decades now (at a guess, since the 1950s), and there can only be one reason why they are seeking to remove this condition after so many years. This must be an attempt to have both a restaurant and pub at the same time, with drinkers being served at the back bar, and then encouraged to move into the alleys to add to the huge numbers who already drink in the alleys.

I have been coming to St Michael's Alley for years, and in particular to Castle Court, and though there have always been drinkers in the alley, in recent years, the numbers seem to have tripled. The alleys have become so obstructed at times that I am unable to walk from George Yard towards Cornhill. I think the City has been far too lax, allowing pubs to operate more and more outside their licensed premises, with little consideration given to non-drinking members of the public like me. No other business is allowed to operate like this. Outside drinking in the City is becoming "big" business and elsewhere, my understanding is that some local authorities have instituted bylaws by banning the consumption of alcohol in specific public places. I think the City should seriously consider this.

So, on the basis of the potential for increased public nuisance, caused by the likely increase in drinkers from the George & Vulture, I strongly object to removal of condition 4 of Annex 2.

Regards

John E Nadler

Appendix 3iii)

Murphy, Leanne

From: Douglas Rose

 Sent:
 24 March 2020 12:13

 To:
 M&CP - Licensing

 Cc:
 Hewitt, Andre

Subject: George & Vulture Restaurant

Hello,

I am objecting to the removal of condition 4 in Annex 2 on the licence of the George & Vulture. I live locally and am directly affected by the many drinkers already in St Michael's Alley and George Yard - literally hundreds. The noise and obstruction is a year round occurrence, but is unbelievably bad on sunny days/evenings. The current lockdown is a joy, but it should not take a virus to give the residents peace. Why pubs are allowed to operate beyond their licensed premises and cause disturbance to other businesses and residents has always baffled me. It is a kind of discrimination in favour of bars and pubs.

George & Vulture is a successful restaurant with a rich history. Though the current managers might say they do not intend to change the existing trade (open for lunch mainly), it does rather beg the question as to why they would apply to remove this particular condition. They might suggest that it is a simple tidying up operation to remove "out of date conditions", but the removal of condition 4 has huge implications.

Currently, Castle Court, into which the back bar opens, is already noisy and at times filled with drinkers. Removing the condition and allowing sale and consumption from the back bar will mean yet more drinkers in Castle Court, more noise, more obstruction, more public nuisance.

If the G&V applicants genuinely do not intend to become a restaurant & vertical bar, selling alcohol to customers from the back bar who would then fill Castle Court and adjoining alleys, then they should be happy to agree to a better worded condition such as:

The sale of alcohol must be ancillary to a meal (i.e. alongside a meal which was substantial, served at a dining table, and where the primary purpose of persons entering the licensed premises was to obtain a substantial sit-down meal).

I urge you to put the interests of residents ahead of the commercial interests of this successful restaurant. The condition was placed there for a reason and that reason still applies today.

Regards,

Douglas Rose

Appendix 3iv)

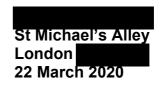
Murphy, Leanne

From: Jude Goffe

Sent:24 March 2020 12:44To:M&CP - LicensingSubject:George & VultureAttachments:Objection G&V.docx

I attach a letter of objection.

Jude Goffe



Dear Sir/Madam,

Representation re George & Vulture

I am a local resident in St Michael's Alley whose front door is less than 100 feet from that of the G&V and even closer to Castle Court. I have lived here for 20 years and during that time the G&V has been a restaurant only, opening at lunch (closing at 4pm) & occasionally opening in the evenings for private events. I write to object to the removal of condition 4 of Annex 2.

I understand that the G&V could, in theory, operate as a pub now, but with condition 4 of Annex 2 in place (which restricts the use of the ground floor bar to waiter/waitress service only and forbids the consumption of alcohol by the public in that bar), they would have to set up a separate bar on the ground floor, which might be difficult for several reasons.

The license conditions were imposed by the Magistrates Court at least 20-30 years ago and it is reasonable to assume that they were deemed necessary to restrict vertical drinking and overcrowding both inside and outside in the narrow alleys. There were already drinkers in the alley from the Jamaica Wine House, and the probable intention then would have been to avoid adding to the numbers.

The reason for having this condition has not changed, so requiring the condition to remain is entirely reasonable and proportionate. Indeed now that the numbers of outside drinkers has increased substantially (at least doubling over 10 years)), I would argue that to remove the condition would be unreasonable, knowingly adding to the public nuisance already suffered. The fact that the City of London does not have a "cumulative impact policy" (very surprising) should not affect this decision. It is the likelihood for increased public nuisance that is relevant.

You will know that the Alley is narrow and high-sided and already contains 2 licensed pubs whose customers completely fill the alleyways and George Yard in the mild afternoons and evenings, especially from April through December. On peak days, numbers can exceed 400 in George Yard alone, with another 250+ in St Michael's Alley. George Yard has now become a "venue" attracting buskers, beggars & the alcoholic homeless who steal drinks. These numbers are very difficult to manage.

The records within Licensing might not show many complaints. Residents & businesses no longer complain either to the Police or to Licensing because

frankly, we believe that very little will be done to reduce the numbers of outside drinkers, which is the real source of all the problems.

Regards

Jude Goffe (Miss)

Appendix 3v)

Murphy, Leanne

From: Elaine MASON

Sent: 22 March 2020 17:29

To: Hewitt, Andre; M&CP - Licensing

Subject: George and Vulture - Licensing amendment

Dear Sirs,

I have recently become aware of the changes to Licensing that has been applied for by Thomas Paget in respect of the above premises.

The George and Vulture, a historical place with a huge history has primarily been a restaurant and whilst it problem needs to lose its stuffiness, I am concerned about the request to remove condition 4 which will in effect turn the restaurant into a pub.

That in itself I am not necessarily opposed to but as the owner and resident at Cornhill, I am opposed to the outside drinking that now seems to becoming the norm in this area - St Michael's Alley, Castle Court and George Yard, not to mention patrons drinking and smoking in Cornhill near the front entrance of The Counting House and directly underneath my 1st floor window.

Our first experience of the licensing team not appreciating that there are residents in the Area came last year when Live music events were allowed in The Counting House without thought to the fact that the speakers were directly on the party wall to my flat!

The alleyways around this already suffer from obstruction, anti-social behaviour and noise and the ability of the George and Vulture to sell alcohol directly to the public, whom as there will be no room in the premises will no doubt be drinking outside will only add to the problems.

I strongly object to any amendment in licensing that would increase noise levels experienced outside.

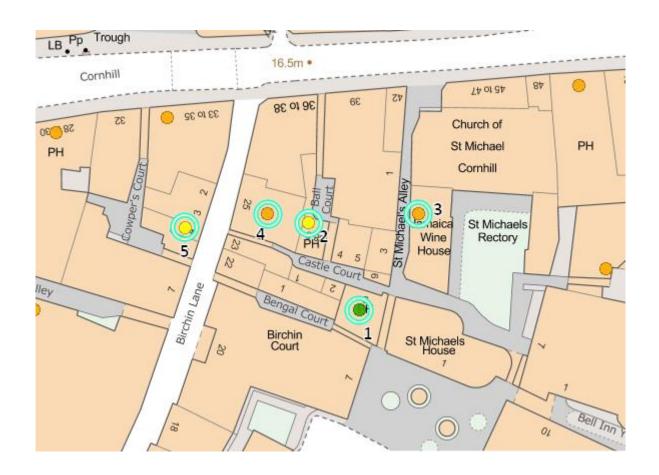
Yours

Elaine Mason
Resident at Cornhill

ELAINE MASON MANAGING DIRECTOR

Appendix 4

Premises Location Map



		Alcohol Closing	Late Night Refreshment
	Trade Name	Time	Closing Time
1	The George & Vulture	23:00	Unlicensed
2	Simpsons Tavern	23:00	Unlicensed
3	Jamaica Wine House	Midnight	00:30
4	Number 25	02:00	02:00
5	Brand Finance PLC	Midnight	Midnight

Extinguisher-Powder

Extinguisher-Water

Extinguisher-Vapouring Liquid

Extinguisher-Fire Blanket

Extinguisher-Foam

Emergency luminaire

Illuminated exit sign

Break glass alarm

Fire indicator panel

Alarm sounder

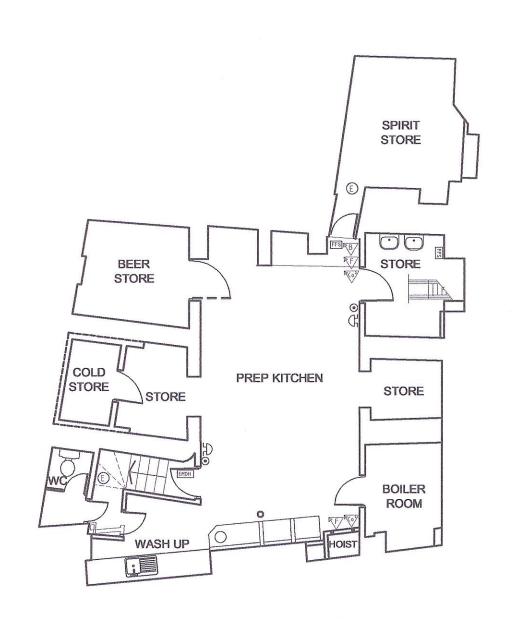
Automatic fire detection

EMDH Electro magnetic door holder

Fixed fire sign

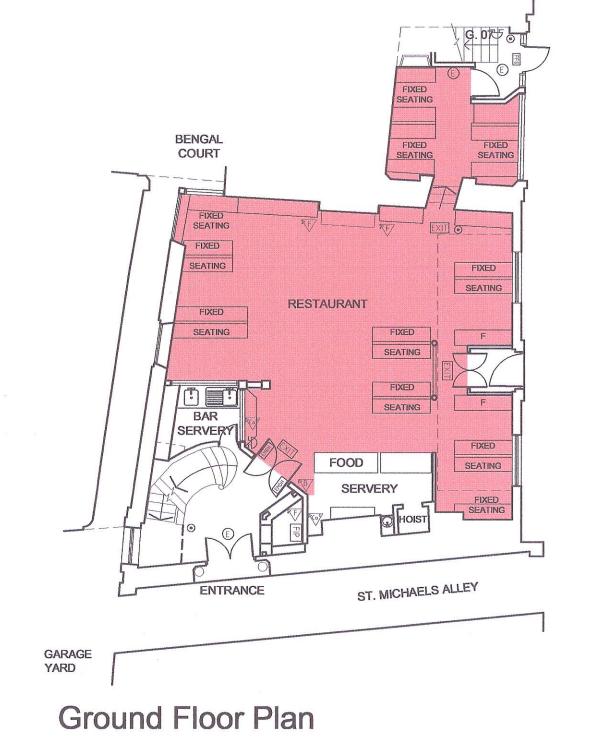
Extinguisher-Co²

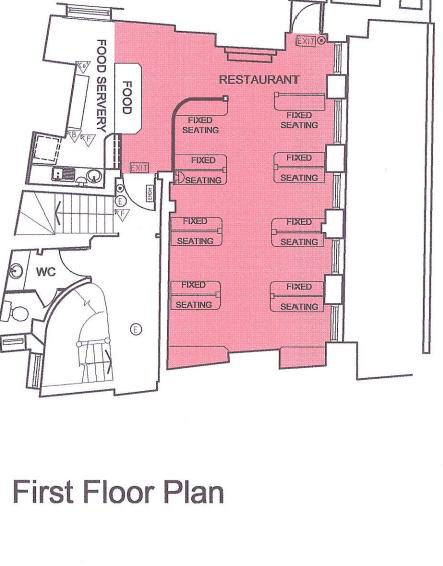
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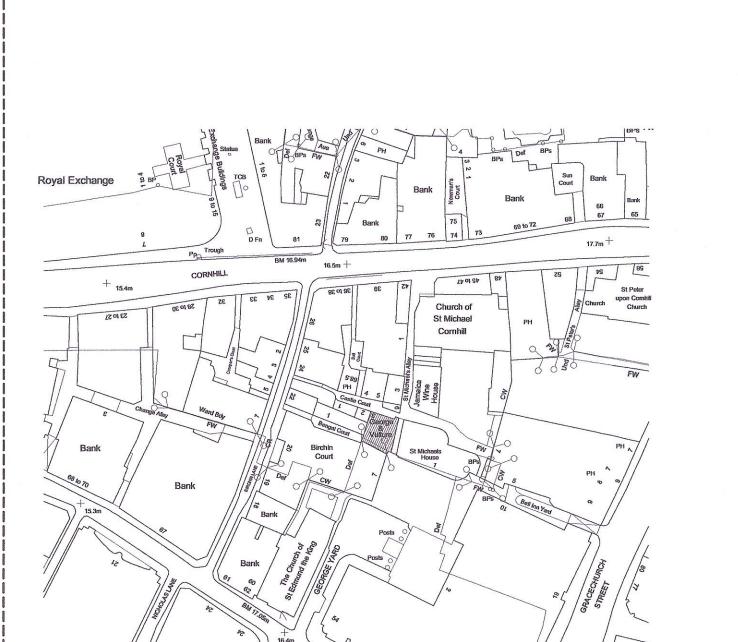


Licensed Areas

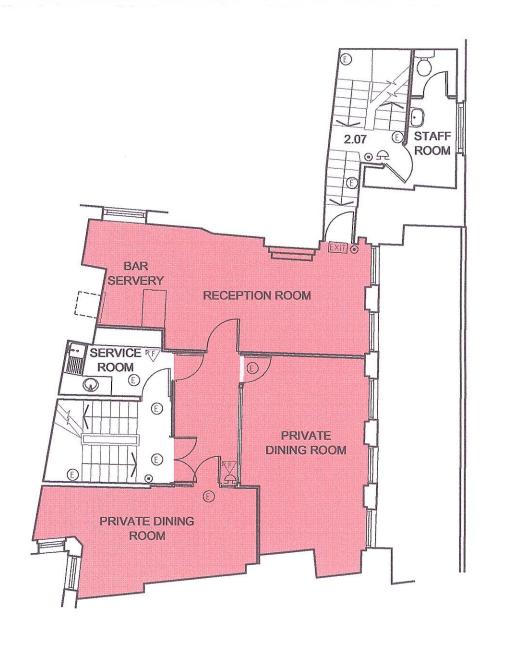
Basement Plan



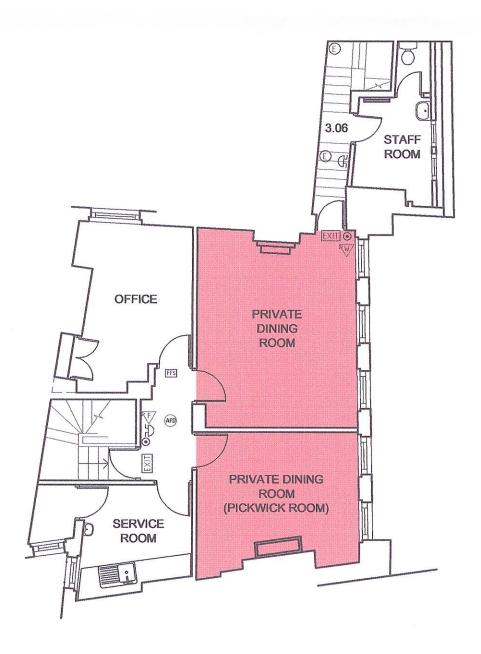




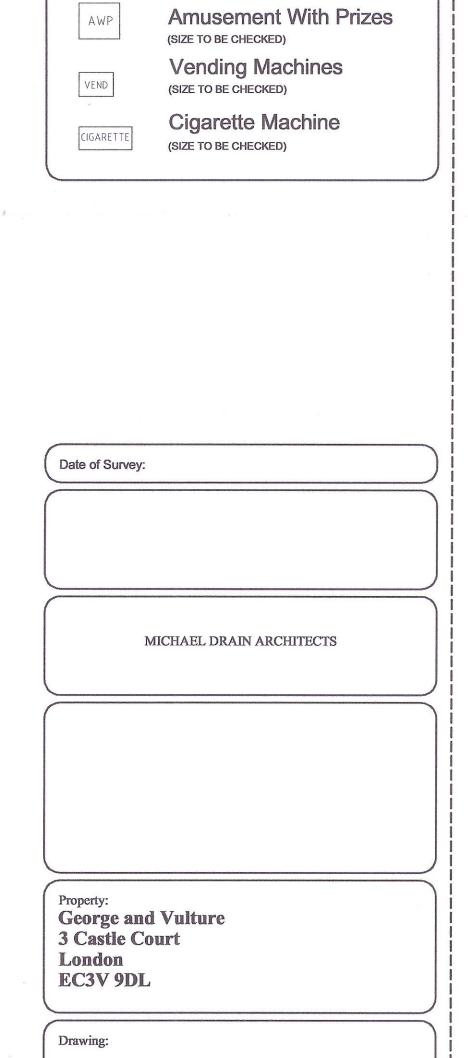
Location Plan (1:1250)



Second Floor Plan



Third Floor Plan



LICENSING PLAN



Appendix 6

