



**Application for the review of a premises licence or club premises certificate 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.

City of London Licensing Authority

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the
premises described in Part 1 below (delete as applicable)**

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description 27b Throgmorton Street	
Post town London	Post code (if known) EC2N 2AN

Name of premises licence holder or club holding club premises certificate (if known) Blank Gallery Ltd
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Number of premises licence or club premises certificate (if known) LN/200507563

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)



(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

City of London Licensing Authority
Guildhall
PO Box 270
London
EC2P 2EJ

Telephone number (if any)

020 7332 3406

E-mail address (optional)

licensing@cityoflondon.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder ✓
- 2) public safety ✓
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

City of London Licensing Authority considers that Blank Gallery Ltd - the holder of the Premises Licence for 27b Throgmorton Street - is not a fit and proper company to hold that licence. For a period of nearly two years there have been a number of breaches of the Licensing Act 2003, Highways Act 1980 and further evidence of criminality. Some of the above has still not been corrected. The licence was suspended between 13th February 2020 and 18th June 2021 for non-payment of annual continuation fees. This was only corrected after recent advisory visits to the premises and contact with the licence holder's solicitor. A payment plan to pay by instalments was agreed with Chamberlains on this latter date above.

During this time the licence holder has repeatedly failed to engage with the licensing authority and furthermore has not followed direct advice from both the Corporation and the City of London Police. They have demonstrated a worrying lack of knowledge of the legislation and their conduct falls far below the standard expected of proprietors in this jurisdiction.

This has led to Crime and Disorder on the premises. Not only crimes relating to Licensing Offences but also a criminal investigation by the Police on a separate matter. Such disregard for the relevant laws leads this authority to believe that there is a serious risk that other public safety matters will be neglected. Some examples of this are described in the section below.

City of London does not believe that any defence of due diligence has been met under s139 Licensing Act 2003. There is no evidence to show that all reasonable precautions were taken to avoid committing the offences. Consideration has also been given to the City of London Enforcement Policy in determining what course of enforcement action is appropriate.

Further to this, City of London acknowledges that it should be doing all it can to work with and support businesses during the uncertain times created by the Covid-19 outbreak. However, it is noted that one of the offences (s33 LA2003, see below) and the failure to respond to this department pre-date the pandemic. Subsequent offences are too numerous and serious to be ignored. This section must still take account of its statutory responsibilities and a review of the licence is deemed to be proportionate and consistent with the enforcement policy.

It is the opinion of the Licensing Authority that the licence holder is not capable of carrying out their legislative duties. No additional restrictions on the licence will change this. The Licensing Sub-Committee should therefore consider the revocation of the licence.

Please provide as much information as possible to support the application (please read guidance note 3)

On 22 January 2019 Premises Licence LN/200507563 was granted to Blank Gallery Ltd. Mr Saeed Azimi, a director of the company, was appointed as Designated Premises Supervisor (DPS).

On 27 July 2019 Mr Saeed Azimi was removed as a director of Blank Gallery Ltd. Companies House states that his appointment was terminated on this date. Mr Azimi was not replaced as DPS until a variation was submitted on 4 August 2020.

On two separate occasions (November 2019 & September 2020) the registered office of Blank Gallery Ltd has been changed and the Licensing Authority has not been notified on either occasion. These are offences under s33 Licensing Act 2003.

On 13 February 2020 the licence was suspended for the non-payment of the annual continuation fee. The original invoice was posted to an out of date registered address. However, notwithstanding the duty under s33 Licensing Act described above, this does not provide due diligence for the licence holder to avoid payment.

s55 Licensing Act 2003 provides that it is the responsibility of the licence holder to ensure the fee is paid. There is no obligation on the licensing authority to send a bill, albeit the City of London does this, as a courtesy, to assist all applicants. Furthermore, a reminder letter was posted directly to the bar and a suspension notice served through the front door. At this time the premises were closed and on 20 March the government imposed a nationwide closure on licensed trade.

On 4 August 2020 – following the DPS Variation – the licence holders' solicitors were also advised that the licence remains suspended. This information will have certainly been passed on by the law firm, but no payment of the fee was forthcoming. This email is attached to the application as a supporting document.

The premises re-opened for licensable activity in the Autumn of 2020 following the easing of covid lockdown restrictions on the hospitality sector. The City of London Police conducted a criminal investigation at the bar on a separate matter and upon advice the premises closed. The evidence presented in this application demonstrates licensable activity took place on 10 October 2020. With the licence suspended this is an offence under s136 Licensing Act 2003.

As a result of the Police investigation the DPS at the time, Mr Theodoros Bintas, resigned. No further action has been taken against Mr Bintas following consultation between the Corporation and Police. He does not form part of this review application as he is considered a witness to the licensing issues and the separate criminal matter. This will be described in additional representations from City of London Police.

A second annual continuation fee became due in January 2021. No contact from the licence holder was made to the City of London at this time and the debt accumulated to a total of £3108.

The premises are then believed to have re-opened on May 18th 2021. The licence remained suspended and no DPS was in place. Licensable activity was witnessed by the Corporation on 9th, 11th & 14th June 2021. Further offences have thus been committed under s136 Licensing Act 2003.

Furniture was placed outside the bar without the benefit of a pavement licence. This gives rise to matters of Public Safety as a consultation was not carried out as to their suitability on this road. Public nuisance issues may arise when no regulatory times and conditions are imposed on the use of external tables and chairs. It is also an offence under s137 Highways Act 1980. An application for a pavement licence was submitted on 24 June 2021 but received a number of objections from statutory authorities and was subsequently rejected.

Witness statements from City of London Officers and the relevant supporting documents are presented in support of this application. A full timeline of events showing the chronology of offences is also attached.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

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Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

.....1 JULY 2021.....

Capacity

.....ASSISTANT DIRECTOR PUBLIC PROTECTION.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.