

Committee(s):	Hearing Date(s):	Item no.
Licensing Sub-Committee	20 June 2022	
<b>Subject:</b> <b>Licensing Act 2003 - Public Hearing in Respect of an Application for the Grant of a Premises Licence</b>		
<b>Name of Premises: Unknown</b> <b>Address of Premises: 12 St Martin's-le-Grand</b> <b>EC2V 6ET</b>		
Report of:	Public / <del>Non-Public</del>	
<b>Juliemma McLoughlin – Executive Director Environment</b>		
<b>Ward (if appropriate): Cheap</b>		

## **1 Introduction and Purpose**

- 1.1 The purpose of this Sub-Committee is to consider and determine, by public hearing, an application for the grant of a premises licence under the provisions of the Licensing Act 2003, taking into consideration the representation of one *responsible authority* as detailed in paragraph 5, together with 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:

**Amazon EU S.a.r.l.**  
**38 Avenue John F Kennedy**  
**L1855**  
**Luxembourg**

was received by the City of London licensing authority on 21 April 2022 for the grant of a premises licence in respect of the premises:

**12 St Martin's-le-Grand**  
**EC2V 6ET**

2.2 Full details of the application can be seen as Appendix 1.

2.3 The application seeks permission for the sale of alcohol for consumption off the premises as shown in the following table:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of alcohol for consumption <b>off</b> the premises	N/A	Mon–Sun 07:00-23:00
Opening Hours	N/A	Mon – Sun 07:00-23:00

2.4 The operating schedule submitted with the application suggests steps intended to be taken in order to promote one or more of the four licensing objectives. Conditions consistent with this schedule which could be included as conditions on the premises licence are attached as Appendix 2.

## **3 Licensing History of Premises**

3.1 This is a new application for a premises licence with no previous licensing history. That being the case there are no complaints recorded against the premises.

#### **4 Representations From Other Persons**

4.1 There are no representations from ‘other persons’.

#### **5 Representations from Responsible Authorities**

5.1 There has been one representation from a Responsible Authority namely, the City of London police. The representation is against granting the licence on the basis that if granted, it would undermine one or more of the licensing objectives namely, the prevention of crime and disorder.

5.2 The representation is made on the basis of the wording of the ‘CCTV’ condition and that recorded images can not be made available immediately.

5.3 The representation can be seen in full as appendix 3.

#### **6 Policy Considerations**

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

##### ***City of London Corporation’s Statement of Licensing Policy***

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

6.3 Pages 15-17 address the licensing objective ‘The prevention of crime and disorder’.

Paragraph 92 states an overriding policy principle namely, that each application will be decided on its individual merits.

Paragraph 104 considers various factors that should be taken into account when considering whether any licensable activity should be permitted.

Paragraphs 138-144 state the City of London 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***

The following sections/paragraphs of the statutory guidance issued under S182 of the Licensing Act 2003 are particularly applicable to this application (revised April 2018):

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.*' To which is added; '*Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.*'

## **7 Plans**

- 7.1 A plan of the premises can be seen as Appendix 4.
- 7.2 A Map showing the location of the premises can be seen as Appendix 5.

## **8 Summary**

- 8.1 The Licensing Authority has a duty under the Licensing Act 2003 to promote the licensing objectives. 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 City of London 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 Options**

- 9.1 The Sub-committee must, having regard to the representations, take such of the following steps as it considers appropriate for the promotion of the licensing objectives:



## **Background Papers**

<u>BACKGROUND PAPER</u>	<u>DEPT</u>	<u>FILE</u>
Corporation of London Statement of Licensing Policy (revised Jan 2022)	MCP	3rd Floor Guild Hall
Statutory Guidance – ‘Revised Guidance Issued Under Section 182 Of The Licensing Act 2003’. (April 2018)		<a href="#">Statutory Guidance</a>