

Committee(s):	Date(s):
Licensing Committee	6 May 2015
Subject: Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	Public
Report of: Director of Markets and Consumer Protection	For Information
<p>Summary:</p> <p>This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 January 2015 to 31 March 2015. It does not include any premises where Members have been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.</p> <p>The report gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 January 2015 and 31 March 2015. This report also presents data from the ‘traffic light’ risk scheme introduced within the City of London on 1 April 2013. The data covers the period 1 August 2014 to 31 January 2015.</p>	

Main Report

Premises Licence Applications

1. Pursuant to the instructions from your committee, I attach for your information a list detailing ‘premises licence’ applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 January 2015 and 31 March 2015.
2. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix II.
3. Any questions of detail concerning premises licences can be obtained from the Corporation’s public register which can be found on <http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Search-the-public-register.aspx>. or by contacting Peter Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at licensing@cityoflondon.gov.uk.
4. Appendix IV details the conditions attached to the premises licences listed in Appendices I and II.

Routine Enforcement

5. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix III). The table in Appendix III shows the number of visits undertaken, number of complaints received and the number of enforcement actions taken. Enforcement actions include warning letters, notices, simple cautions, legal proceedings etc.
6. Appendix III provides data from 1 January 2015 to 31 March 2015.
7. Licensing Officers undertake routine enforcement visits checking on premises licence conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and also in response to complaints. The Departmental Policy Statement on Enforcement is followed prior to escalating action and taking legal proceedings.
8. The Departmental Policy Statement on Enforcement conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
9. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to add to the top level premises list that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
10. This report details data produced from the 'traffic light' risk scheme for the period of 1 August 2014 to 31 January 2015. 6 premises have accrued a sufficient number of points to be classified as 'Red' and 6 premises a sufficient number to be classified as 'Amber'. Further details can be seen in Appendix V.
11. There is a very good working relationship between the Port Health & Public Protection (PH&PP) Licensing Team, The City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at Walbrook Wharf.

12. The Memorandum of Understanding (MoU) between the City of London Police and the Markets and Consumer Protection Department agreed in November 2011 outlines specific arrangements for cooperation between the Licensing Teams.
13. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE). Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do, officers from this Department seek authorisation to take enforcement action under the Town and Country Planning Act 1990.

Response to complaints

14. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
15. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

Implications

16. There are no financial, legal or strategic implications that arise from this report

Background Papers:

None

Contact:

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New Licence Applications Issued by way of Delegated Authority (Jan-Mar 2015)

Name	Address	Ward	Details	
JLT Management Ltd	138 Houndsditch	Aldgate	A	23:00
Sodexo, Brit Insurance	55 Bishopsgate	Cornhill	A	23:00
K10 Modern Japanese	2 Minster Court	Billingsgate	A, L	23:30
Franco Manca	Broadgate Circle	Bishopsgate	A, L, (f)	01:00
Beany Green	1 Broadgate	Bishopsgate	A, L, (f)	01:00
Q	69 Old Broad Street	Bishopsgate	A, L, (e), (f)	00:30
The Alchemist	6 Bevis Marks	Aldgate	A,	23:00
Whistlestop	49-50 Lower Concourse	Bishopsgate	A, L, (f)	01:00
Smith & Williamson	25 Moorgate	Coleman Street	A	23:00
Crab Tavern	Broadgate Circle	Bishopsgate	A, L, (f)	01:00
Birleys	20 Fenchurch Street	Bridge & Bridge W/Out	A	23:00
Jose Pizarro	Broadgate Circle	Bishopsgate	A, L	01:00
RGF Holborn	3-4 Holborn Circus	Castle Baynard	A	23:00
Natural Kitchen	26 Tudor Street	Castle Baynard	A, (f)	23:00
Comptoir Libanais	Broadgate Circle	Bishopsgate	A, L, (f)	01:00
Mas Q Menos	3 London Street	Tower	A, L	00:00
St Swithins Wine Shop	11-12 St Swithins Lane	Walbrook	A	23:00
Scarpetta	110 Cannon Street	Candlewick	A	22:30
Standard Life	30 St Mary Axe	Aldgate	A, L, (f)	01:00

Total Licences Issued = 19

Key to Details:

- | | |
|----------------------------|---------------------------|
| A Sale of Alcohol | (e) Live Music |
| L Late Night Refreshment | (f) Recorded Music |
| (a) Plays | (g) Performances of Dance |
| (b) Films | (h) Making Music |
| (c) Indoor Sporting Events | |
| (d) Boxing or Wrestling | |

Times stated are the latest terminal hour for at least one of the licensable activities.

Number of Licences by Ward

WARD	No.		
Aldgate	3	Coleman Street	1
Billingsgate	1	Cornhill	1
Bishopsgate	7	Tower	1
Bridge/Bridge Without	1	Walbrook	1
Candlewick	1		
Castle Baynard	2		

Appendix II

Licence Variations Issued by way of Delegated Authority (Jan-Mar 2015).

Name	Address	Ward	Details
Wahaca	112 Middlesex Street	Bishopsgate	• Area extended for licensable activities
Club Gascon	57 West Smithfield	Farringdon Within	• Changes to layout of premises
Cellar Gascon	59 West Smithfield	Farringdon Within	• Changes to layout of premises

Total Variations = 3

Number of Licences by Ward

WARD	No.
Bishopsgate	1
Farringdon Within	2

Personal Licences Issued by way of Delegated Authority

01 Jan 2015 – 31 Mar 2015 2

**Enforcement Action Carried out Under the Licensing Act 2003
1 January 2015 - 31 March 2015**

Total Number of Inspections	28
Number of Warning Letters	7
Number of Premises advised	8
Number of simple cautions	0
Number of suspension notices	11
Paid prior to suspension	9
Licence lapsed*	0
‘Dead’ Suspensions**	1
‘Live’ Suspensions***	1
Still to be determined	0

*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

**A ‘dead’ suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

***A ‘Live’ suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

Number of Complaints received between 1 January 2015 and 31 March 2015

Outcome Code

No action required - Complaint unjustified.

Informally Resolved - Complaint justified but not statutorily actionable - informal action taken results in satisfactory outcome.

Resolved / Compliance - Complaint justified and statutorily actionable; formal or informal action taken results in satisfactory outcome.

Unresolved - Noise not reduced or controlled, nor have preventive measures to prevent recurrence been implemented.

Number of complaints received between 01/01/2015 and 31/03/2015

Total number of complaints: 14

<u>Details</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
Abbey, St Clare House, 30-33 Minories, London, EC3N 1DD			
People noise outside Abbey Bar and music from new Hotel, Hotel1One.	05/02/2015	Resolved informally	Tower
ABC Bar/Restaurant, 7-9 Norwich Street, London, EC4A 1EJ			
Police advice there was a complaint from a resident at 04:30 on 29/3 of noise from patrons outside	30/03/2015	Resolved informally	Farringdon Without
Bad Egg, Retail Unit 1b, 1 Ropemaker Street, London, EC2Y 9AW			
Loud Music And People noise On going	19/01/2015	Resolved informally	Coleman Street
Camino Resturant Bar, 33 Black Friars Lane, London, EC4V 6EP			
Loud music possibly from licenced premises below	01/03/2015	Resolved informally	Farringdon Within
The Anthologist, 58 Gresham Street, London, EC2V 7BB			
Noise complaint: Bottle collections	09/02/2015	Resolved informally	Walbrook
Patch, 58-62 Carter Lane, London, EC4V 5EA.			
Alleged people noise from patrons leaving Patch Bar. Complainant only wants this logged.	08/03/2015	Resolved/Compliance	Farringdon Within
Complaint about people noise outside Patch Bar	13/02/2015	No Action Required	Farringdon Within
The Brewery on Chiswell Street, Conference Hall And Function Rooms, The Whitbread Brewery, 52 Chiswell Street,			
Complainant submitted this via the 'Love Clean Streets' App. The Brewery had a late event resulting in customers cars & coaches packed on Silk Rd (where complainant lives) and Milton Street making noise as they exited at 12:30am - 1am.	23/02/2015	Resolved informally	Coleman Street
The Lord Aberconway, Lord Aberconway Public House, 73 Old Broad Street, London, EC2M 1QT			
Complainant called to complain about the pub on the ground floor playing horse-racing on TV. The noise interrupts the officer's work and is played on a regular basis.	13/03/2015	Case still in progress	Bishopsgate
The Rising Sun, Rising Sun Public House, 61 Carter Lane, London, EC4V 5DY			

<u>Details</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
Loud music escaping from pub which had a live band performing at a private party	01/03/2015	Resolved informally	Farringdon Within

The Shakespeare, The Shakespeare Public House, 2 Goswell Road, London, EC1M 7AA

Music and people leaving	13/03/2015	No action possible	Cripplegate
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The White Swan, 108 Fetter Lane, London, EC4A 1ES

Complaint about noise from people leaving licenced premises near complainants address in Fetter Lane	22/02/2015	Ceased not likely to	Farringdon Without
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Kings Stores, 14 Widegate Street, London, E1 7HP.

Music and people noise outside the pub	21/03/2015	Informally resolved	Bishopsgate
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Loose Cannon, 13-16 All Hallows Lane, London, EC4R 3UL.

People and music noise from the club affecting the fire station	20/03/2015	Case still in progress	Dowgate
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Appendix IV

Conditions Applied to Licences Granted by way of Delegated Authority

NEW APPLICATIONS

JLT Management Services

None.

Sodexo

None

K10 Japanese Cuisine

None

Franco Manca

1. 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 and the street environment, will be covered. 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 the Licensing Authority recordings of the preceding two days immediately when requested.

2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

Beany Green

1. The sale of alcohol, recorded music, and late night refreshment are permitted from opening time on New Year's Eve until closing time on New Year's Day.

2. There shall be no sale of alcohol in unsealed containers for consumption off the premises.

3. Sales of alcohol for consumption off the premises shall only be supplied with a meal.

Q

1. The premises shall install and maintain a comprehensive CCTV system. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 28 days.

2. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area as shown on the plan attached to the licence.

3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

4. All doors and windows shall remain closed at all times after 23.00 hours, save for entry or exit, or in the event of an emergency.

The Alchemist

None

Whistlestop

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open. All recordings shall be stored for a minimum of 31 days with date and time stamping.

Smith & Williamson

1. Alcohol shall not be sold or supplied, otherwise than to: Directors, Partners, Agents, Officers and employees of Smith & Williamson (and any successor) and the licensee (and subsidiaries and affiliated companies thereof) and the bona fide guests of any of the same.

Crab Tavern

1. The premises shall install and maintain a comprehensive digital colour CCTV system. 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 the Licensing Authority recordings of the preceding two days immediately when requested.

2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

Birleys

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises.

2. The premises shall install and maintain a CCTV system which shall operate at all times the premises are open to the public. Recordings shall be kept available for a minimum of 31 days and made available to the Police or the Licensing Authority on request.

Jose Pizarro

1. The premises shall install and maintain a comprehensive digital colour CCTV system. 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 the Licensing Authority recordings of the preceding two days immediately when requested.

2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

RGF Holborn

None

Natural Kitchen

None

Comptoir Libanais

1. 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 and the street environment, 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 the Licensing Authority recordings of the preceding two days immediately when requested.

Mas O Menos

1. The premises shall install and maintain a comprehensive CCTV system. 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 the Licensing Authority recordings of the preceding two days immediately when requested.

St Swithins Wine Shop

None

Scarpetta

None

Standard Life

1. Licensable activities named on the licence will only be supplied to employees and officers of the organisation in occupation, and clients, prospective clients, and business contacts of either the organisation or its employees/officers.

VARIATIONS

Wahaca

None

Club Gascon

None

Cellar Gascon

None

Appendix V

Premises obtaining sufficient points on the Risk Scheme to reach Red or Amber. (Aug 2014 – Jan 2015)

RED (20 penalty points or at least 10 from one licensing objective)

1 – Walbrook (Crime and Disorder – 14, Protection of Children – 5, General - 2)	21
2 – Coleman Street (Crime and Disorder – 15)	15
3 – Bridge & bridge Without (Crime and Disorder – 11, General - 2)	13
4 – Coleman Street (Crime and Disorder – 11)	11
5 – Lime Street (Crime and Disorder – 11)	11
6 – Tower (Crime and Disorder – 11)	11

AMBER (11 penalty points or at least 6 from one licensing objective)

1 – Lime Street (Crime and Disorder – 9)	9
2 – Bishopsgate (Crime and Disorder – 6, Public Nuisance - 2)	8
3 – Cornhill (Crime and Disorder – 8)	8
4 – Tower (Crime and Disorder – 8)	8
5 – Castle Baynard (Crime and Disorder – 8)	8
6 – Cordwainer (Crime and Disorder – 8)	8