

<b>Committee(s):</b>	<b>Date(s):</b>	<b>Item no.</b>
Licensing Committee	21 October 2015	
<b>Subject:</b> Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	<b>Public</b>	
<b>Report of:</b> Director of Markets and Consumer Protection	<b>For Information</b>	
<b>Summary:</b>		
<p>This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 July 2015 to 30 September 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 July 2015 and 30 September 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 February 2015 to 31 July 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 July 2015 and 30 September 2015. Each of these appendices contain details of any conditions attached to the premises licences.
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](mailto:licensing@cityoflondon.gov.uk).

## **Routine Enforcement**

4. 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.
5. Appendix III provides data from 1 July 2015 to 30 September 2015.
6. 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.
7. 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.
8. 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.
9. This report details data produced from the 'traffic light' risk scheme for the period of 1 February 2015 to 31 July 2015. For the second consecutive period since the scheme began in April 2013 there are no premises classified as 'Red'. 10 premises have a sufficient number of points to be classified as 'Amber'. Further details can be seen in Appendix IV.
10. 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.

11. 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.
12. 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 so, officers from this Department seek authorisation to take enforcement action under the Town and Country Planning Act 1990.

### **Response to complaints**

13. 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.
14. 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**

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

### **Background Papers:**

None

### **Contact:**

Peter Davenport x3227

[peter.davenport@cityoflondon.gov.uk](mailto:peter.davenport@cityoflondon.gov.uk)

## Appendix I

### New Licence Applications Issued by way of Delegated Authority (Jul-Sep 2015)

Name	Address	Ward	Details	
Etc Venues	8 Fenchurch Place	Aldgate	A, L	23:00
Funderbar!	71 Queen Victoria St	Vintry	A, (f)	23:00
The Dish Kitchen	6 Bevis Marks	Aldgate	A, L, (f)	00:30
Proposed Premises	26A Savage Gardens	Tower	A	23:00
Skills Matter Ltd	15 Finsbury Circus	Coleman St	A	23:00
The Bakery Café	11 South Place	Coleman St	A	19:00
Restaurant	13 South Place	Coleman St	A	01:00
London Exec Offices	85 Gresham Street	Cheap	A	00:00
Secret Frog Coffee Co	28-30 Houndsditch	Aldgate	A	22:00
Bad Egg	1 Ropemaker Street	Coleman St	A	23:00
Xcite Campaign Mng Ltd	122 Leadenhall Street	Lime St	A, L, (b),(e),(f),(g)	01:00
Keevil & Keevil	East poultry	Farringdon w/out	A	01:00 – 09:00
Tavern	1 Devonshire Square	Bishopsgate	A, L, (f)	01:00
The City Litten	1 Seething Lane	Tower	A, L, (e), (f)	01:00
Caffeina	7 Byward Street	Tower	A	21:00
Jamie's Italian	60 Ludgate Hill	Farringdon w/in	A, L, (b)	00:30
The Bath House	7-8 Bishopsgate C'yd	Bishopsgate	A,L,(a),(b),(e),(f),(g)	01:30
Paul Patisserie	25 Old Broad Street	Cornhill	A, L, (f)	00:00

Total Licences Issued = 18

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	Farringdon w/in	1
Bishopsgate	2	Farringdon w/out	1
Cheap	1	Lime Street	1
Coleman Street	4	Tower	3
Cornhill	1	Vintry	1

## Conditions Applied to Licences Granted by way of Delegated Authority

### Etc Venues

None

### Funderbar!

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.

### The Dish Kitchen

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.

2. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public.

### Proposed Premises (26A Savage Gardens)

None

### Skills Matter Ltd

None

### The Bakery Cafe

None

### Restaurant (South Place)

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.

2. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public.

### **London Exec Offices**

None

### **Secret Frog Coffee Co**

None

### **Bad Egg**

None

### **Xcite Campaign Management Ltd**

1. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public.

### **Keevil & Keevil**

1. All sales of alcohol will be online only.

### **Tavern**

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.

2. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of customers
- (c) any incidents of disorder (disturbance caused either by one person or a group of people)
- (d) seizures of drugs or offensive weapons
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it.

3. Promoted events will not be held at the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.

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

### **The City Litten**

1. All named licensable activities are available 24 hours a day to residents and bona fide guests only.

2. Permission is given for the premises to open to the general public for all named licensable activities from the commencement of trading on New Year's Eve until the end of trading on New Year's Day.

### **Caffeina**

None

### **Jamie's Italian**

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.

### **The Bath House**

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.

2. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and/or the event is (independent of the licensee) promoted to the general public.

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

### **Paul Patisserie**

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.

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

3. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time between 23.00 and 07.00 by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public.

## Appendix II

### Licence Variations Issued by way of Delegated Authority (Jul-Sep 2015).

Name	Address	Ward	Details
The Hydrant	1 Monument Street	Candlewick	• Change of layout
The Hydrant	1 Monument Street	Candlewick	• Increase terminal hours to 02:00 (Sun-Wed) and 03:00 (Thu-Sat) from 00:00
Enoteca	21 Watling Street	Cordwainer	• Change of layout

Total Number of Variations = 3

#### Number of Licences by Ward

WARD	No.
Candlewick	2
Cordwainer	1

#### Conditions Applied to Licences Granted by way of Delegated Authority

##### The Hydrant (1st application)

None

##### The Hydrant (2<sup>nd</sup> application)

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 subject to Data Protection Act requirements.

2) Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public by an external promoter who is not an employee of the premises licence holder.

##### Enoteca

None

#### **Personal Licences Issued by way of Delegated Authority**

01 July 2015 – 30 September 2015      5



### Enforcement Action Carried out Under the Licensing Act 2003 1 July 2015 - 30 September 2015

Total Number of Inspections	38
Number of Warning Letters	2
Number of Premises advised	14
Number of simple cautions	1
Number of suspension notices	14
Paid prior to suspension	10
Licence lapsed*	1
‘Dead’ Suspensions**	2
‘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 July 2015 and 30 September 2015

#### Outcome Code

**No action possible** - Complaint unjustified or unsubstantiated

**Resolved Informally** - 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.

Total number of complaints = 30

Details	Date	Outcome	Ward
<b>ABC Bar/Restaurant, 7-9 Norwich Street, London, EC4A 1EJ</b>			
Noise from customers voices	29/08/2015	Resolved informally	Farringdon Without
<b>Barbican Arts Centre, Conference Centre, Barbican Arts And Conference Centre, Silk Street, London, EC2Y 8DS</b>			
Noise from screaming women when Benedict Cumberbatch leaves	25/08/2015	Referred to other	Cripplegate
<b>Bengal Tiger, Retail Unit, 66 Carter Lane, London, EC4V 5EA</b>			
Air con sounds like a jet engine.	30/07/2015	Resolved informally	Farringdon Within
Noise complaint lodged against the Bengal Tiger.	22/08/2015	Resolved informally	Farringdon Within
<b>Camino Restaurant Bar, 33 Black Friars Lane, London, EC4V 6EP</b>			
Complaint of loud music via Licensing	16/09/2015	Resolved informally	Farringdon Within
Noise from music and crowd	22/08/2015	Resolved informally	Farringdon Within
<b>Caravaggio, Retail Unit 1, Bankside House, 107-112 Leadenhall Street, London, EC3A 4AF</b>			
Noise from people leaving and shouting and screaming.	01/09/2015	Case still in progress	Aldgate
Noise from people leaving and music break out.	03/09/2015	Case still in progress	Aldgate
<b>Corney &amp; Barrow, Level 1, Unit 2, City Point, 1 Ropemaker Street, London, EC2Y 9AW</b>			
Complaint of noisy drilling, sawing, banging and radio noise from refurbishment work.	24/08/2015	Ceased not likely to reoccur	Langbourn
<b>Dilchad, 24 Widgate Street, London, E1 7HP</b>			
Complaint of loud people noise and music	23/08/2015	Resolved informally	Bishopsgate
Complaint of loud people noise and music	23/08/2015	Resolved informally	Bishopsgate
Complaint of loud people noise and music	22/08/2015	Resolved informally	Bishopsgate

Grand Union, Grand Union Public House, Rolls Passage, London, EC4A 1HL			
Noise from patrons outside	17/07/2015	Resolved informally	Farringdon Without
Noise from patrons outside	21/08/2015	Resolved informally	Farringdon Without
High Timber Restaurant, Riverside Retail Unit, Sir John Lyon House, 8 High Timber Street, London, EC4V 3PA			
Another refuse collection by Amey before 7.00 am	20/07/2015	Resolved informally	Queenhithe
La Piazzetta, 5 White Kennett Street, London, E1 7BS			
Customer calling to complain about the constant noise from La Piazzetta	22/07/2015	No action possible	Portsoken
Mumbai Square, 7 Middlesex Street, London, E1 7AA			
Loud Music	22/09/2015	Case still in progress	Portsoken
Claim of loud bass type music from Mumbai Square restaurant, Middlesex St	14/09/2015	Case still in progress	Portsoken
Complaint about music noise from the Mumbai Square restaurant	19/09/2015	Case still in progress	Portsoken
Natural Kitchen, 7 Pepys Street, London, EC3N 4AF			
Patrons in outside seating area	30/07/2015	No action possible	Tower
Patch, 58-62 Carter Lane, London, EC4V 5EA			
Video received re noise from patrons outside on Friday 18th September at 23.47	20/09/2015	Resolved informally	Farringdon Within
Taberna Etrusca, 9 Bow Churchyard, London, EC4M 9DQ			
Noise from a party at the Taberna Etrusca	16/07/2015	Resolved informally	Cordwainer
The Butcher's Hook and Cleaver, The Butcher's Hook And Cleaver Public House, 61 West Smithfield, London, EC1A 9DY			
Loud noise	13/07/2015	No action possible	Farringdon Within
The Minories Public House, Minories Public House, 64-73 Minories, London, EC3N 1JL			
Shouting and loud music from patrons.	28/09/2015	Case still in progress	Tower

The Pepys, Samuel Pepys Public House, Stew Lane, London, EC4V 3PT			
Noise in Stew lane likely from party goers leaving the Pepys bar, although no noise witnessed on visit.	09/08/2015	No action possible	Queenhithe
The Shakespeare, The Shakespeare Public House, 2 Goswell Road, London, EC1M 7AA			
Noise from people drinking outside	06/07/2015	No action possible	Cripplegate
The St Barts Brewery, 66 West Smithfield, London, EC1A 9DY			
Loud Music	14/09/2015	Case still in progress	Farringdon Within
Loud Music	17/08/2015	Resolved informally	Farringdon Within
Loud bass music from St Barts Brewery	26/09/2015	Case still in progress	Farringdon Within
Ye Olde Cheshire Cheese, Ye Olde Cheshire Cheese Public House, 145 Fleet Street, London, EC4A 2BU			
Claim of loud people noise relating to Ye Old Cheshire Cheese Pub at Fleet Street	25/09/2015	Case still in progress	Castle Baynard