



LICENSING ACT 2003 NOTICE OF MEETING GIVEN BY THE LICENSING AUTHORITY FOR THE CITY COUNCIL OF BRISTOL PURSUANT TO RULE 6 OF THE COUNCIL'S LICENSING PROCEDURE RULES

LICENSING (HEARINGS) SUB-COMMITTEE

Councillors **Stone**
Wollacott
Morris

You are requested to attend a meeting of a Licensing (Hearings) Sub-Committee, which is to be held on: Thursday 13 March 2014 at 10.00am at the City Hall, College Green, Bristol.

A G E N D A

1. **ELECTION OF CHAIR**
2. **DECLARATIONS OF INTEREST**
3. **PUBLIC FORUM**
4. **HOUSEKEEPING, INTRODUCTIONS AND PROCEDURE TO BE FOLLOWED AT A HEARING.**
5. **10.00**
CONDUCT OF A HEARING into an application made by **Subway Sore Development** in respect of **Subway, 68 Queens Road, Clifton, Bristol BS8 1QU** for the grant of a premises licence, in respect of which representations have been received by the Licensing Authority.
6. **11.30**

CONDUCT OF A HEARING into an application made by **Muhammad Tanzeem** in respect of **Benny's Chicken, 15 Gloucester Road, Bishopston, Bristol BS7 8AA** for the grant of a premises licence, in respect of which representations have been received by the Licensing Authority.

7. **13.00**

CONDUCT OF A HEARING into an application made by **Thomas Patrick Paine** in respect of **Love Saves The Day, Castle Park, Bristol, BS1 3XD** for the grant of a premises licence, in respect of which representations have been received by the Licensing Authority.

8. **14.00**

CONDUCT OF A HEARING into an application made by **Phoenix Bristol Ltd** in respect of **Phoenix, Phoenix Public House, Wellington Buildings, 1 Champion Square, St Pauls, Bristol** for the grant of a premises licence, in respect of which representations have been received by the Licensing Authority.

INSPECTION OF DOCUMENTS

The applications and Notices of Hearing may be viewed at the Licensing Office, Princess House, Princess Street, Bedminster.

PUBLIC INFORMATION SHEET

The attention of the public is drawn to the sheet at the back of the agenda giving information on the emergency evacuation procedures, attending meetings and inspecting reports and background papers.

If you have any questions about this agenda, please contact the officer shown below:

**Democratic Services
Officer:
Contact tel no:
E-mail**

**Allison Taylor
Democratic Services
0117 922 2237
allison.taylor@bristol.gov.uk**

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25th February 2014

Allison Taylor

Allison Taylor
DEMOCRATIC SERVICES OFFICER
For Head of Legal Services

Public Information Sheet – Licensing Committee

Emergency Evacuation Procedure

- (i) In the event of a fire you will hear a continuous alarm.
- (ii) Do not panic - members, officers and the public should leave the building promptly and in a quiet and orderly fashion using the nearest available escape routes and assemble behind the Central Library beyond the Norman Archway.
Lifts must not be used under any circumstances.

Please note: both alarms are tested every Monday at 9.30am (for approx. 30 seconds). These arrangements apply to meetings held in the City Hall, College Green. Where the meeting is held elsewhere, local arrangements will apply.

Public Access Information

Please contact the Democratic Services Officer named on the agenda if you require further information regarding the following:

Attendance at Meetings

Committee meetings are open to the public and a limited amount of seating is available in each meeting room. You may however be asked to leave the meeting if any “exempt” (confidential) business is considered. This will normally be shown on the agenda.

Inspection of Papers

If you wish to inspect the minutes or reports (other than those which are exempt) relating to any item on this agenda please contact either the Democratic Services Officer (phone number at the top of the agenda sheet) or the Modern Records Office (tel: 0117 9222376). The background papers listed in a report may also be inspected. Please notify the Democratic Services Officer if you wish to see these. He/she will arrange with the report author for papers to be made available to you at a mutually convenient time.

We can also arrange for copies of individual reports or minutes to be supplied to you or for an annual subscription to the papers for any meeting. A charge will be made for this service. Alternatively, all

meeting information may be inspected on the council's Internet website at: www.bristol.gov.uk

Other formats and languages and assistance for those with hearing impairment

Committee papers can be provided in other formats (e.g. large print, audio tape, Braille etc) or in community languages, upon request. Please contact the Democratic Services Officer if you would like such papers giving as much notice as possible. It should be noted that re-formatting or translation of papers before the date of a particular meeting cannot be guaranteed.

Committee rooms in the City Hall are fitted with infrared induction loops to assist people with hearing impairment. These can be used with either a neck loop (for hearing aid users) or with a handset. The Democratic Services Officer will be able to provide you with these. Hearing aid users need to switch the hearing aid to the "T" position.

Public Forum

Residents who are affected by the business of the Committee and Councillors, may present a petition or submit a statement at ordinary meetings of the Licensing Committee and at Licensing Sub-Committee meetings. Petitions and statements presented to the Licensing Sub-Committees can be received only in respect of hearings already decided and licence applications not subject to a hearing. Petitions and statements in respect of licence applications are subject to restrictions as to who may make representations and the timescale within which they must be made and further information on such representations is available from the Licensing Office (tel: 0117 9142500).

Such petitions and statements will be accepted provided notice is given in writing or by electronic mail to the Head of Legal Services.

The notice must include:

Their name;

Their full address;

(in the case of a petition) the wording of the petition; or

(in the case of a statement) a copy of the submission.

The notice must be received no later than **noon on the working day prior** to a meeting. The petition or statement must relate to the terms of reference and role and responsibilities of the Committee or Sub-Committee concerned.

Where the statement or petition concerns business to be considered by hearings of the Licensing Sub-Committees, the Head of Legal Services will return the statement or petition concerned and will inform the resident or Councillor of procedures governing the making of such representations including the restrictions upon who may make representations and the times within which they must be made.

Individuals presenting petitions may be required to read out the objectives of the petitions.

Statements, provided they are of reasonable length, will be copied and circulated to all relevant Councillors and will be made available to the public attending the meeting by not later than 1 hour before it is due to begin.

You may also ask a **question** of the Chair at a committee meeting. This must be submitted to us, together with your name and address, in writing not less than 3 clear working days before the date of the meeting. A written response will be available 1 hour before the meeting, which will be circulated to all who are present.

Statements, petitions and questions, which relate to specific Items on the agenda will be taken into account by the meeting when it considers the item concerned. The committee meeting will decide how these should be dealt with (e.g. by correspondence or by a future report etc).

Please note that by participating in public forum business, it will be assumed that your consent is given to the recording of your name and the details of your submission in the documentation that is circulated to committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (and is available for inspection upon request with the other documents for the meeting concerned).

Where appropriate, we will endeavour to remove other personal details such as contact details. However, because of time constraints we cannot guarantee this and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the Council's website.

Other committee papers may be placed on the Council's website and information contained within them may be searchable on the internet. Please note that for copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements as supporting paperwork.

The Chair of the meeting has discretion to allow statements petitions and questions from members of the public who are not residents of Bristol if they have a business address in the city or can demonstrate some other genuine interest in an agenda item. He/she also has discretion to take statements, petitions and questions in an appropriate order (i.e. not necessarily in order of receipt). The meeting may enter a dialogue with members of the public **during the public forum** if appropriate. The public forum session may last for up to 30 minutes, although the Chair, with the consent of the meeting, can extend this timescale.

Please contact the Democratic Services Officer named on the agenda if you require any further information regarding the above.

Register of Interests

To ensure an accountable, open and transparent local democracy, a Register of Interests for Councillors, Co-optees and Advisers is available for public inspection. Please contact the Democratic Services Officer named on the agenda if you wish to view the Register.

LICENSING COMMITTEE TERMS OF REFERENCE.

Functions relating to licensing and gambling as set out below.

Licensing Act 2003 (“the 2003 Act”)

1. All those matters relating to the discharge of licensing functions that are referred to that committee by virtue of section 7(1) of the 2003 Act;
2. Functions which, in exercise of its powers under section 7(3) of the 2003 Act, full Council has arranged for the Licensing Committee to discharge, namely:
 - a) Power to grant permission for provision etc of services, amenities, recreation & refreshment facilities on highway & related powers (sections 115E, 115F & 115K of the Highways Act 1980);
 - b) Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption (section 13(2) of the Criminal Justice and Police Act 2001 (c.16));
 - c) Power to make or revoke an order designating a locality as an alcohol disorder zone (Section 16 Violent Crime Reduction Act 2006);
 - d) The Council’s functions under the third schedule to the Local Government (Miscellaneous Provisions) Act 1982 (as amended); and
 - e) Powers to make and cancel closure notices; make applications for closure orders; issue certificates of termination of closure orders; defend applications for the discharge of closure orders; appeal against the refusal to make closure orders; enforce closure orders; and prosecute for obstruction of authorised officers or for offences in connection with closure orders (sections 19 to 28) of the Criminal Justice and Police Act 2001);

Gambling Act 2005 (“the 2005 Act”)

3. All of those functions under Part 8 of the 2005 Act that are delegated to the Committee by virtue of section 154 of the 2005 Act;
4. Functions which, in exercise of its powers under section 101 of the Local Government Act 1972, the full Council has arranged for the Licensing Committee to discharge, namely:
 - a) Duty to comply with requirements to provide information to the Gambling Commission (s.29 of the 2005 Act);
 - b) Functions relating to exchange of information (s.30 of the 2005 Act);
 - c) Functions relating to occasional use notices (s.39 of the 2005 Act);
 - d) Power to designate officer of a licensing authority as an Authorised Person for a purpose relating to premises (section 304 of the 2005 Act);
 - e) Power to make order disapplying section 279 or 282(1) of the Act in relation to specified premises (s. 284 of the 2005 Act);
 - f) Power to exchange information (section 350 of the 2005 Act);
 - g) Power to institute criminal proceedings (section 346 of the 2005 Act);
 - (h) Functions relating to the determination of fees for premises licences (the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479));
 - (i) Functions relating to the registration and regulation of small society lotteries (Part 5 of Sch 11 to the 2005 Act).