

# Licensing (Hearings) Sub-Committee - Supplementary Agenda



**Date:** Thursday, 8 December 2022

**Time:** 12.30 pm

**Venue:** Bordeaux Room, City Hall, College Green, Bristol, BS1 5TR

## **Distribution:**

**Councillors:** Sarah Classick, Paul Goggin and Emma Edwards

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**Date:** Friday 25<sup>th</sup> November 2022



# Agenda

- 7. Application for Variation of a Premises Licence In Respect of Marquee Formerly Elbow Room, 64 Park Street, City Centre, Bristol BS1 5JN**

**2.30 pm**

**(Pages 3 - 38)**



**BRISTOL CITY COUNCIL**

**LICENSING COMMITTEE**

## **Report of the Service Manager – Regulatory Services**

**Title:** Licensing Act 2003  
Application for the variation of a premises licence in respect of Marquee  
Formerly Elbow Room, 64 Park Street, City Centre, Bristol BS1 5JN

**Ward:** Central

**Officer Presenting Report:** Sarah Flower

**Contact Telephone Number:** 0117 3574900

Purpose of the report

To hold a hearing to consider relevant representations made on the application for a premises licence for Marquee Formerly Elbow Room made by CMG SEF Trading Limited and received on 6th October 2022

Members have a pack containing the following documents:

- (a) Copy of the application
- (b) Copy of all relevant representations
- (c) Points of clarification raised with the parties and their responses
- (d) The Council's statement of licensing policy
- (e) The Secretary of state's guidance
- (f) The Council's Licensing procedure rules
- (g) Regulations governing the conduct of hearings

### **Context**

The detail of the variation is as follows:

Variation Application submitted to amend hours of licensable activities:

Opening hours: Sunday to Thursday (excluding Sunday prior to a Bank Holiday Monday) 11:00 to 05:30 and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:30.

Sale of alcohol: Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:00.

Films: Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday

Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:00.

Indoor sporting events: Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:00.

Live music: Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:00.

Recorded music: Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00h to 06:00.

Performances of dance: Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:00.

Anything of a similar description - Sunday to Thursday 11:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 11:00 to 06:00.

Late night refreshment: Sunday to Thursday 23:00 to 05:00 (excluding Sunday prior to a Bank Holiday Monday and Friday and Saturday (and Sunday preceding a Bank Holiday Monday) 23:00 to 05:00.

Request for Annex 2 Condition 2 to be removed as part of the application:

"The maximum occupancy shall not exceed the following number of persons whilst regulated entertainment is taking place:

First floor\_ 75 persons;

Ground floor \_ 75 persons."

The application was accompanied by an operating schedule setting out the steps the applicant proposes to take to promote the four licensing objectives. If there had been no relevant representations (or if all relevant representations are withdrawn) the council would be bound to grant the application subject only to such conditions as are consistent with the operating schedule accompanying the application. The draft of a licence that could have been issued, having regard to guidance and policy and acting with a view to promoting the four licensing objectives, is appended to this report as Appendix A.

## **Policy**

### **City Centre CIA**

### **Reason for Policy**

Avon and Somerset Constabulary produced evidence to support their request that the central area of Bristol be designated a CIA. It remains at saturation point and the area, which has a significant concentration of alcohol led late night venues, witnesses a high number of assaults and other related crime and disorder including public nuisance and risk to public safety. The CIA will apply to further applications for the grant of new licences or significant variations of existing licences in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets. The main focus of the assessment is likely to be on alcohol led establishments and premises that keep customers in the area at times when the promotion of the licensing objectives is most challenging (for example late night refreshment from “fast food” outlets)

## **Representations**

1. Relevant representations have been received from the following parties, all of whom have been notified of this hearing and their rights:
  - Sarah Bellamy
  - Mark Curtis

## **Recommendations**

IT IS RECOMMENDED THAT THE SUB COMMITTEE hold a hearing to consider the relevant representations (unless the subcommittee, the applicant and each person who has made such representations agree that a hearing is unnecessary) and, having regard to the representations, take such of the steps mentioned in paragraph 6 below, if any, as it considers appropriate for the promotion of the licensing objectives. In making this (and all licensing decisions) the subcommittee must have regard to the guidance and policy included in the subcommittee’s pack

2. The steps are –

- (a) To grant the licence subject to conditions that are consistent with the operating schedule
- (b) To exclude from the scope of the licence any of the licensable activities to which the application relates
- (c) [To refuse to specify a person in the licence as the premises supervisor] delete where not applicable
- (d) To reject the application

3. If a licence is granted any relevant mandatory conditions must be imposed in addition to any conditions the subcommittee decides to impose after the hearing. Mandatory conditions are standard conditions imposed by way of legislation and in respect of which there is no power to vary.

4. If the subcommittee decides to grant the application Notice in line with the statutory requirements must be given forthwith to that effect to the applicant, all of the people who

made relevant representations and the Chief Constable for Avon and Somerset and must state the reasons for taking any of the steps set out in paragraph 6 of this report; the applicant must also be issued with the licence and a summary of it.

5. If the subcommittee decides to reject the application notice must be given forthwith to that effect to the applicant, all of the people who made relevant representations and the Chief Constable for Avon and Somerset and must state the reasons for the decision.

## **APPENDICES**

### **Appendix A Current premises licence issued under the Licensing Act 2003**

#### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

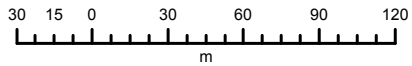
**Background papers: Application and supporting documents.**

**Contact Officer: Abigail Holman, Licensing Team Leader, Licensing,  
Neighbourhoods and City Development  
Telephone: 0117 3574900**

# Location Map Marquee



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