

Licensing (Hearings) Sub-Committee

Agenda



Date: Thursday, 14 July 2016

Time: 10.00 am

Venue: City Hall, College Green, BRISTOL, BS1 5TR

Distribution:

Councillors: Mike Langley, Brenda Massey and Chris Windows

Copies to: Sarah Flower (Senior Licensing Officer), Abigail Holman, Carl Knights, Pauline Powell and Allison Taylor

Issued by: Allison Taylor, Democratic Services
Floor 4, Brunel House (Clifton Wing), Bristol BS1 5UY
Tel: 0117 35 23758

E-mail: democratic.services@bristol.gov.uk

Date: Wednesday, 6 July 2016



Agenda

1. Welcome, Introductions and Safety Information

(Pages 3 - 4)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

4. Public Forum

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on **8 July**.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on **13 July**.

5. Procedure to be followed at a Hearing

(Pages 5 - 16)

6. Review of Premises Licence - Jolly Roger, 199 Easton Road, Bristol, BS5 0HQ

10.00 am

To hold a hearing to consider a summary review and relevant representations received on an application for the review of a premises licence for Jolly Roger made by Avon and Somerset Constabulary on 22 June 2016.

(Pages 17 - 48)



Licensing Public Information Sheet

Inspection of Papers - Local Government
(Access to Information) Act 1985

You can find papers for all our meetings on our website at www.bristol.gov.uk.

You can also inspect papers at the Brunel House Reception, St.George's Road, Bristol, BS1 5UY.

Other formats and languages and assistance
For those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

Public Forum

Residents who are affected by the business of the Committee, may present a petition or submit a statement at ordinary meetings of the Licensing Committee and at Licensing Sub-Committee meetings. Petitions, questions and statements presented to the Licensing Sub-Committee can be received only in respect of hearings already decided and licence applications not subject to a hearing.

The petition or statement must relate to the terms of reference and role and responsibilities of the Committee or Sub-Committee concerned.

Further information on representations is available from the Licensing Office (tel: 0117 9142500) or from Democratic Services.

Your submission will be sent to the Committee and statements, questions and answers will be available in the meeting room one hour before the meeting. Please submit it to democratic.services@bristol.gov.uk or Democratic Services Section, Brunel House St Georges Road Bristol BS1 5UY. The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **three clear working days before the meeting**.

Please see www.bristol.gov.uk and the 'How to Have Your Say' pdf for the parameters of each individual Committee and what will happen to your submission.



Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated. 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 (available from Democratic Services).

We will try to remove personal information 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 in them may be searchable on the internet.

Process during the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions.
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.



PROCEDURE TO BE FOLLOWED AT HEARING

The procedure to be followed at hearing (information provided in accordance with regulation 7 (1))

In accordance with regulation 21 the following procedure has been determined for this hearing, subject to the provisions of the regulations and of the council's Licensing Procedure Rules:

General

The hearing will take place in public. The sub committee may exclude the public from all or part of the hearing but may only do so where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. Any party considering that the greater public interest is served by the public (which can include another party or parties) being excluded from all or any part of the hearing should make this view known to the Licensing Authority (in writing to the Licensing Manager) as soon as possible and in any event not less than two working days before the hearing is due to commence. The party asserting this should provide in writing full reasons supporting the request.

The Authority will make a record of the hearing. The form of that record is a matter of choice for the Authority and may include the hearings being subject to digital or tape recording.

The hearing will take the form of a discussion led by the Authority. The Authority has taken steps to ensure it is well placed to lead the discussion, for example by seeking clarification on certain points and requesting that this clarification be provided in writing and in advance of the hearing. All parties are asked to give full co-operation in ensuring the hearing can proceed smoothly and as anticipated in the regulations and under the Council's procedure rules.

All parties are reminded that, whilst this hearing will be conducted fairly and the decision will be made by Councillors who are committed to acting judicially, these are not court proceedings and should not be treated as such. This is a meeting of the local authority; the sub committee will conduct the hearing in accordance with the governing legislation. Parties must bear in mind that the hearing is not intended to be adversarial and this is reinforced in the regulations, for example the general prohibition on cross-examination contained in regulation 23. The Authority can only permit cross-examination where that would be required for it to "consider the representations,

application or notice as the case may be". If at any stage of the hearing the Authority considers cross-examination to be necessary on this ground the Chair will so rule, give directions for the conduct of that part of the meeting and the procedure set out below will be varied accordingly. The Authority expects all parties and their representatives to fully co-operate in ensuring the discussion it is bound to lead proceeds in an appropriate manner; it is expected that the parties will deal with the sub committee and each other with mutual respect. The parties and their representatives are informed that any disruptive behaviour may result on the person responsible being required to leave the meeting.

Appointment of Chair

The sub committee will appoint one of its number to Chair the meeting;

Outlining the procedure

The chair will explain the procedure the sub committee proposes to follow at the hearing (as set out in detail in the following paragraphs).

Administrative announcements

The Chair will make necessary announcements (e.g. reference to the evacuation procedure, requiring all present to switch off any mobile telephones or other equipment which may disturb the meeting).

Identification of persons participating in the hearing

The chair will ensure that all members of the sub committee, the parties and their representatives identify themselves for the record and for the benefit of those present.

Withdrawal of Representations [Regulation 10.]

The Licensing Manager will inform the sub committee if any Party has given Notice under regulation 10 withdrawing the representations they have made (Regulation 10 permits a party to withdraw their representations by giving notice to the authority no later than 24 hours before the day the hearing is due to commence).

The Chair will then ascertain if any Party wishes to exercise their rights under regulation 10 (b) to withdraw any representations they have made and, if so, will permit the Party to do so at this stage of the hearing.

Non appearance of parties

If any party fails to attend or to be represented at the hearing the Licensing Manager will inform the sub committee whether or not the party had informed the authority in accordance with regulation 8 of his/her non-attendance. The sub committee will consider how to proceed in consequence of that non-attendance in accordance with the rules indicated above.

Appearance of other persons at the hearing

The Licensing Manager (or his representative) will advise the sub committee if any request has been made by any Party, in accordance with and within the time provided for in regulation 8, seeking permission for any other person (other than a person the party intends to represent him/her) to appear at the hearing. Where such a request has been made it will be considered in accordance with regulation 22.

Additional material

The Licensing Manager (or his representative) will inform the sub committee if any documentary or other information has been produced by a party prior to the hearing in support of their application, representations or notice (applicable); if so, the sub committee will decide (in accordance with regulations 18 and 19) whether or not to take the material into account. Where such material has been provided at the hearing (rather than prior to it) the Chair will ascertain if all parties consent to the material being taken into account.

Identifying who will be addressing the sub committee

The Chair will ascertain which parties seek to exercise their right to address the sub- committee during the hearing and whether those party will personally exercise that right or will appear by their representative. Where a large number of interested parties are involved in a hearing, the Chair will inform all parties of their rights under regulation 24 and will ascertain if the interested parties are agreeable to the appointment of a spokesperson/spokespersons so as to avoid duplication and prevent the hearing becoming unnecessarily prolonged.

Exercise of other rights/other preliminary business

If there is a preliminary issue remaining to be determined (e.g. if the Authority considers a decision remains to be made concerning the relevance of any representations from interested parties) then the Chair will ensure the sub committee deals with the issue at this stage of the hearing.

The Chair will then ascertain if any party has any procedural point to raise before the hearing gets underway. It is anticipated the parties will have notified this in advance so that the sub committee can review the procedure if necessary prior to the beginning of the main part of the meeting. Parties are therefore discouraged from raising procedural points at this late stage and should only do so where they consider that they would otherwise not be likely to receive a fair hearing if the sub committee proceeded in the manner indicated here. When raising any point at this stage Parties will be asked to explain why they have not given prior notice to the sub committee.

Maximum time for parties to exercise their rights under section 16

The Chair will indicate the maximum time allowed for each party to exercise their rights under section 16 (set out in detail above in this Notice – in summary: provide clarification on points notified by the Authority, if permitted, question any other party and address the authority. See the Notice of hearing for the time provisionally directed by the sub committee).

Points of clarification

The Licensing manager (or his representative) will inform the meeting of any written responses received in response to any requests for clarification made by the Licensing Authority prior to the hearing. The Chair will indicate whether or not those written responses have been read by the members of the sub-committee. The Chair may adjourn the meeting for a sufficient period so as to enable those responses to be read where appropriate. The chair, assisted by the licensing manager (or his representative), will ensure that any responses which ought to have been provided to any other party have in fact been received by them. Where appropriate the Chair will ask the Licensing Manager (or his representative) to summarise the responses received for the benefit of the public hearing.

The Licensing Manager (or his representative) will inform the sub committee if any parties have not responded in writing to the points of clarification sought from them.

Where points of clarification remain outstanding the parties will be asked to give the further information at this stage of the hearing. The time taken to do so will be deducted from the maximum time allowed for that party to exercise its regulation 16 rights (and as this rule is binding on the sub committee parties are strongly urged to take the opportunity afforded to them to provide any points of clarification (as set out in the next section of this document) in writing prior to the meeting)

Opening address

The Chair will ascertain if the applicant (either in person or through a representative) wishes to utilise any of his/her maximum allocated time to make an opening address and if so how much of it is to be used in this manner. If the Applicant decides to make an opening speech the same facility will be afforded to the other parties should they wish to avail themselves of it, but otherwise the meeting will move directly to a discussion of the relevant issues.

Questions

Once any opening speeches are completed are completed the Chair will begin the discussion by posing any relevant questions which have been

brought forward by any of the Parties in response to the Authority's request for clarification.

The Chair will then ask any questions s/he wishes to pose to any of the parties. When questions concern matters of fact the sub committee requires the party (and not their representative, if any) to provide the response in person. Where the question focuses upon issues concerning law, statutory guidance or local policy, a party may either respond directly or through his/her representative but, particularly where some other parties are unrepresented, not both.

The other members of the sub committee will then each have an opportunity to put any further questions they may have to any of the parties present.

The Chair will then ask the Licensing Manager (or his representative) and the Committee's legal advisor if there are any further questions they consider the sub committee may need answers to in order to make their decision.

The Chair will ascertain if the parties agree that all areas which can be explored questioning of the parties have been dealt with; if the Chair is satisfied that some relevant questions have not been put then this will be done at this stage.

Closing speeches

The chair will then ask each of the parties in turn if they wish to make a closing speech to the sub committee. Any party making a closing speech must not exceed the maximum allocated time remaining to them. The order in which the closing speeches may be made shall be a matter for the chair to determine but where there are a large number of parties present s/he will indicate if asked why the particular order has been chosen (e.g. order of the date of receipt of the representations, or by reference to the particular points or licensing objectives they principally relate to). In any event the Chair will ensure that the Applicant, if using some or all of his/her maximum allocated time to make a closing speech, is the last party to make such an address and therefore has the final word.

Once any closing addresses are completed the Chair will bring the hearing to a conclusion. The committee will then proceed to deliberate in accordance with Rule 20.3 of the Council's licensing procedure rules

APPENDIX A - RIGHTS OF PARTIES AT HEARING

Rights of a party at the hearing. [Regulation 15]

1. A party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified, subject to points 2. and 3. below.
2. The licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing take place in public.
3. For the purposes of point 2 above a party and any person assisting or representing a party may be treated as a member of the public.
4. A party shall be entitled to:
 - (a) In response to a point upon which the authority has given notice to a party that it will want clarification, give further information in support of their application, representations or notice.
 - (b) If given permission by the authority, question any other party; and
 - (c) Address the authority.

Representations and supporting information. [Regulation 16]

1. At the hearing a party shall be entitled to-
 - (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(d), give further information in support of their application, representations or notice,
 - (b) if given permission by the Authority, question any other party; and
 - (c) address the Authority.

Consequences of not attending or not being represented. [Regulation 20]

1. If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence
2. If a party who has not so indicated fails to attend or be represented at a hearing the authority may:
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the parties absence.
3. Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
4. Where the authority adjourns the hearing to a specified date it must notify the parties of the date, time and place to which the hearing has been adjourned.

Withdrawal of Representations [Regulation 10.]

A party may withdraw representations they have made either by giving notice

to the authority no later than 24 hours before the day on which the hearing is to be held or orally at the hearing

Behaviour during Hearing [Regulation 25]

The Authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may-

- a) refuse to permit that person to return, or
- b) permit him to return only on such conditions as the Authority may specify,

but such a person may, before the end of the hearing, submit to the Authority in writing any information which they would have been entitled to give orally had they not been required to leave.

APPENDIX B

POINTS FOR CLARIFICATION

Please note: All parties are asked to provide clarification on these points in advance of the hearing. Ideally the sub committee would wish to receive the response at the same time as you serve the Notice required under regulation 8, or as soon as possible thereafter. You are reminded that if you do not provide the response in writing and in advance then the time you take to exercise your regulation 16 rights will be reduced by the time you take to provide the clarification sought at the meeting. The sub committee is keen to narrow the issues as much as possible in advance of the hearing, in the interest of ensuring a properly focussed discussion and to ensure that the hearing itself is not unduly prolonged. Your co-operation is appreciated.

1. Points of clarification sought from all Parties

1(a) Guidance issued by the secretary of state

- (i) Are there any parts of the Secretary of States Guidance that you consider to be relevant to your application/representations/notice as appropriate?
- (ii) If so please specify the paragraph(s) of that Guidance and the relevance to the point(s) you are making.
- (iii) If you are asking the Licensing Authority to depart from (that, is, not to apply) any of the guidance that you consider to be relevant, please clarify the reasons why you think it should do as you wish

1(b) Statement of Licensing Policy for the City of Bristol

- (i) Are there any parts of the Council's policy that you consider to be relevant to your application/representations/notice as appropriate?
- (ii) If so please specify the paragraph(s) of that policy and the relevance to the point(s) you are making. If you are asking the Licensing Authority to depart from (that, is, not to apply) any of the policy please clarify the reasons why you think it should do as you wish

1(c) Questions of other parties

- (i) Having considered the application/representations/Notice of each of the other parties, are there any questions you consider should be answered by any one or more of them at the hearing? If so, please provide a list of such questions and identify the party you consider should answer them

1(d) Exclusion of the public

- (i) Having first considered the procedure set out in Appendix B and the relevant regulation, do you consider the meeting or any part of it should be conducted in private? If so, please set out what part of the hearing should be held in private and why you consider that should be permitted under the

regulations (please note the sub committee cannot promise that any request for all or part of the hearing will be held in private will be conducted in private as each such request will have to be considered on its merits and in accordance with the regulations. The usual rule is that the hearing will be conducted in public)

2. Points of clarification sought from the applicant

2(a) Agreed/disputed matters of fact

In respect of each and every allegation made in the representations/notice as appropriate of the other Parties, please state

- whether you agree or disagree with the details contained in the representation
- whether you consider it affects your application
- whether there are any conditions you have offered, or would be willing to offer, in support of your application and which you consider should address any of the concerns raised by the other Parties.

Points of clarification sought from the Chief Officer of Police (where representations have been made)

- In respect of each part of your representations please provide particulars / evidence in support;
- State in each case your assessment of the impact on any / all of the licensing objectives (identifying those objectives you consider to be relevant) in each case state whether the matter(s) are such that you consider it necessary for the Licensing Authority to refuse the application for that reason, or whether you consider the particular matter could be addressed through an appropriate condition.
- Where you consider conditions may be appropriate and you have not already done so, please indicate the conditions you would suggest.

Points of clarification sought from the Local Planning Authority (where representations have been made)

- In respect of the representation that the application is contrary to the provisions of the local plan, please provide details of the section it is said the application contravenes.
- State your assessment of the impact on any/all of the licensing objectives (identifying those objectives you consider to be relevant).
- Provide any specific evidence supporting that assessment and/or a general summary of the reasoning behind the planning policy insofar as it relates to the licensing objective(s) you have identified;
- State whether a planning consent would be required to enable the licence to be lawfully implemented;
if so, state:
(a) whether such an application has been made or indicated;

(b) if appropriate, whether a failure to secure consent could ultimately result in the commission of any criminal offences should the licence be granted and implemented in the terms sought in the application; and

(c) identify the offences, if any, referred to in your response to (b) above.

Points of clarification sought from the Child Protection Authority (where representations have been made)

- In respect of each part of your representations please provide particulars / evidence in support;
- State in each case your assessment of the impact on any / all of the licensing objectives (identifying those objectives you consider to be relevant) in each case state whether the matter(s) are such that you consider it necessary for the Licensing Authority to refuse the application for that reason, or whether you consider the particular matter could be addressed through an appropriate condition.
- Where you consider conditions may be appropriate and you have not already done so, please indicate the conditions you would suggest.

Points of clarification sought from the Pollution Control Authority (where representations have been made)

- In respect of each part of your representations please provide particulars / evidence in support;
- State in each case your assessment of the impact on any / all of the licensing objectives (identifying those objectives you consider to be relevant) in each case state whether the matter(s) are such that you consider it necessary for the Licensing Authority to refuse the application for that reason, or whether you consider the particular matter could be addressed through an appropriate condition.
- Where you consider conditions may be appropriate and you have not already done so, please indicate the conditions you would suggest.

Points of clarification sought from the Health and Safety Authority (where representations have been made)

- In respect of each part of your representations please provide particulars / evidence in support;
- State in each case your assessment of the impact on any / all of the licensing objectives (identifying those objectives you consider to be relevant) in each case state whether the matter(s) are such that you consider it necessary for the Licensing Authority to refuse the application for that reason, or whether you consider the particular matter could be addressed through an appropriate condition.

- Where you consider conditions may be appropriate and you have not already done so, please indicate the conditions you would suggest.

Points of clarification sought from the Trading Standards Authority (where representations have been made)

- In respect of each part of your representations please provide particulars / evidence in support;
- State in each case your assessment of the impact on any / all of the licensing objectives (identifying those objectives you consider to be relevant) in each case state whether the matter(s) are such that you consider it necessary for the Licensing Authority to refuse the application for that reason, or whether you consider the particular matter could be addressed through an appropriate condition.
- Where you consider conditions may be appropriate and you have not already done so, please indicate the conditions you would suggest.

Points of clarification sought from the Fire Authority (where representations have been made)

- In respect of each part of your representations please provide particulars / evidence in support;
- State in each case your assessment of the impact on any / all of the licensing objectives (identifying those objectives you consider to be relevant) in each case state whether the matter(s) are such that you consider it necessary for the Licensing Authority to refuse the application for that reason, or whether you consider the particular matter could be addressed through an appropriate condition.
- Where you consider conditions may be appropriate and you have not already done so, please indicate the conditions you would suggest.

BRISTOL CITY COUNCIL

LICENSING (HEARINGS) SUB-COMMITTEE

14 July 2016

Report of the Service Manager – Regulatory Services

Title: Licensing Act 2003
Application for the review of the premises licence in respect of Jolly Roger,
199 Easton Road, Bristol, BS5 0HQ

Ward: Lawrence Hill

Officer Presenting Report: Carl Knights

Contact Telephone Number: 0117 93574900

Purpose of the report

To hold a hearing to consider a summary review and relevant representations received on an application for the review of a premises licence for Jolly Roger made by Avon and Somerset Constabulary on 22 June 2016.

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

Context

The detail of the application is as follows:

The grounds for review are that, in the opinion of the Chief Officer of Police, the operation of the premises does not promote the licensing objectives of the prevention of crime and disorder.

Background

The premises licence holder is Mr Roger Reid

The current Designated Premises Supervisor is Mr Roger Reid

On 23 June 2016 a licensing sub-committee, including Councillor S Pearce (Chair), Councillor M Langley and Councillor C Windows, was convened to consider under section

53B of the Act whether it is necessary to take interim steps pending the determination of the review.

The sub committee decided it was necessary to take the interim step of suspending the licence. A copy of the notice given to the Premises Licence Holder and Avon and Somerset Constabulary is attached as **Appendix B**.

Representations

Relevant representations have been received from the following parties, all of who have been notified of this hearing and their rights:

- Mr Dylan Davies – Bristol City Council – Pollution Control
- Relevant Person

Advertising

The application has been advertised in accordance with regulation 38 of the Licensing Act 2003. The notice has been displayed at the premises and notices have been displayed at Council Offices of 100 Temple Street, Brunel House, St Georges Road and City Hall, College Green, Bristol.

APPENDICES

Appendix A **Current premises licence**
Appendix B **Interim Steps Notice**

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background papers: Application and supporting documents.

Contact Officer: **Emma Lake, Licensing Team Leader, Licensing,**
 Neighbourhoods and City Development
 Telephone: 0117 3574900



LICENSING ACT 2003
Schedule 132 Part A
Premises Licence

Regulation 33, 34

Bristol City Council
Princess House, Princess Street, Bedminster, Bristol. BS3 4AG

| | |
|-------------------------|---------------|
| Premises Licence Number | 06/02484/PREM |
|-------------------------|---------------|

Part 1 Premises Details

| |
|---|
| <p>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code:</p> <p>Jolly Roger 199 Easton Road Bristol BS5 0HQ</p> |
| <p>Telephone number: 0117413725</p> |

| |
|---|
| <p>Where the licence is time limited the dates Not applicable</p> |
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| | |
|--|-----------------------------------|
| <p>Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities.</p> | |
| Sale of Alcohol | Sunday to Thursday 10:00 - 02:00 |
| Sale of Alcohol | Friday and Saturday 10:00 - 04:00 |
| Films | Sunday to Thursday 10:00 - 02:00 |
| Films | Friday and Saturday 10:00 - 04:00 |
| Indoor sporting events | Sunday to Thursday 10:00 - 02:00 |
| Indoor sporting events | Friday and Saturday 10:00 - 04:00 |
| Live Music | Sunday to Thursday 10:00 - 01:00 |

| | |
|--|-----------------------------------|
| Live Music | Friday and Saturday 10:00 - 02:00 |
| Recorded Music | Sunday to Thursday 10:00 - 02:00 |
| Recorded Music | Friday and Saturday 10:00 - 03:00 |
| Similar - live/recorded music or dance | Sunday to Thursday 10:00 - 01:00 |
| Similar - live/recorded music or dance | Friday and Saturday 10:00 - 03:00 |
| Provision of facilities for making music | Sunday to Thursday 10:00 - 02:00 |
| Provision of facilities for making music | Friday and Saturday 10:00 - 03:00 |
| Provision of facilities for dancing | Sunday to Thursday 10:00 - 02:00 |
| Provision of facilities for dancing | Friday and Saturday 10:00 - 03:00 |
| Late night refreshment | Monday to Sunday 23:00 - 00:00 |

Non Standard Timings

Supply of Alcohol, Exhibition of Films,
Bank Holiday Mondays, Christmas Eve and Boxing Day the permitted hours shall be 10.00 hours until 04.00 hours the following morning.

Indoor Sporting Events,
Christmas Eve, Boxing Day, New Years Eve, Bank Holiday Mondays shall be 10.00 hours until 04.00 hours the following morning.

Live Music,
Christmas Eve, Boxing Day, New Years Eve, Bank Holiday Mondays shall be 10.00 hours until 02.00 hours the following morning.

Recorded Music, Anything of a similar description to live, recorded music or performance of dance, Provision of facilities for making music, Provision of facilities for dancing
Christmas Eve, Boxing Day, New Years Eve, Bank Holiday Mondays shall be 10.00 hours until 03.00 hours the following morning.

Opening Hours
Bank Holiday Mondays, Christmas Eve and Boxing Day shall be 10.00 hours until 04.30 hours the following morning.

| The opening hours of the premises | |
|--|---------------|
| Sunday to Thursday | 10:00 - 02:30 |
| Friday and Saturday | 10:00 - 04:30 |

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Supply of alcohol authorised for On and Off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Roger Reid
199 Easton Road
Easton
Bristol
BS5 0HQ
0117 9412725

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Roger Reid
The Jolly Roger
199 Easton Road
Easton
Bristol
BS5 0HQ
01179412725

Personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number:
05/01469/LAPER

Issuing Authority:
Bristol City Council

is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Conditions numbered 4 and 5 shall be in force as of the 1 October 2010

4.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Mandatory condition Licensing Act 2003 - Door Supervision

Where this licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of that Act.

(As required by s21 Licensing Act 2003 as amended by the Violent Crime Reduction Act)

Mandatory condition Licensing Act 2003 - Exhibition of Films

In this section - "Children" means persons aged under 18."

The admission of persons to the exhibition of any film shall be restricted in accordance with any recommendations made by the Licensing Authority, Bristol City Council as the relevant film classification body, save that in those circumstances where the Licensing Authority has made no recommendation which applies to the particular film, the admission of persons shall be restricted in accordance with any recommendation made by the British Board of Film Classification. Children shall not be admitted to any exhibition of films at times where access to the premises by children has been restricted by the conditions of this licence.

In accordance with section 20 (3) (b) The Licensing Authority for Bristol hereby notifies the premises licence holder that this licence does not authorise the exhibition of any film categorised by the Licensing Authority or the Film Classification Body as R18. This restriction shall not apply to those premises

licensed as a sex cinema in accordance with the Local Government
(Miscellaneous Provisions) Act 1982 Schedule 3 Section 2 Control of Sex
Establishments.

Annex 2 – Conditions consistent with the Operating Schedule

1 Embedded condition - Licensing Act 1964 [sec 168,171,201- No children's certificate in place].

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and Intoxicating Liquor is only sold or supplied to persons as an ancillary to their table meals. No person shall cause or procure, or attempt to cause or procure any person under 14 to be in the bar of the licensed premises during the permitted hours.

2 Embedded condition - Licensing Act 1964 [section 59, 60, 63, 67A, 68, 70, 74, 76]

Intoxicating Liquor shall not be sold or supplied except during permitted hours. In this condition, permitted hours means those as listed on page one of this licence, except that:

On Good Friday, 12 noon to 10.30 p.m., and
On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Conditions consistent with those submitted on application operating schedule:

3 (a) Existing CCTV equipment shall be maintained to the satisfaction of the Police and the Licensing Authority.

(b) The CCTV equipment shall be maintained in working order and continually record when licensable activity takes place.

(c) The correct time and date shall be generated onto the recording.

(d) If the CCTV equipment breaks down the premises licence holder shall verbally inform the Licensing Authority or the Police as soon as is reasonably practicable.

(e) Where a CCTV system is to be installed or replaced, it shall be to an appropriate standard as agreed with the Police and the Licensing Authority.

4 The premises licence holder shall support the Police in any applicable crime reduction or drug prevention initiative.

5 The premises licence holder shall ensure that plastic or toughened glasses only shall be used at the premises.

6 Empty glasses shall be removed from the trade area as soon as is reasonably practicable.

7 The premises licence holder and management of the premises shall constantly carry out risk assessments in respect of health and safety and all other relevant matters.

8 Fire appliances, suitable to the risks in the premises, shall be provided to the satisfaction of the Licensing Authority and such equipment shall be maintained in proper working order and kept available for instant use. Such equipment shall be conspicuously placed and unobstructed at all times.

9 Fire Equipment Testing and Maintenance - All fire equipment shall be maintained in efficient working order as outlined in British Standard 5306 or any Standard or Regulation amending and replacing the same.

10 There shall be a lobby at the entrance to the premises with two separate self closing doors to prevent noise breakout when customers enter and leave the premises.

11 The premises licence holder shall ensure that customers are encouraged to leave the premises and vicinity quietly.

12 The premises licence holder and the staff shall meet with residents living in the vicinity of the premises should any issues arise.

13 The premises licence holder shall ensure that regular checks are conducted to ensure that there is no significant noise break-out from the premises.

14 All staff employed at the premises shall be trained regarding the law on sales or consumption by persons under eighteen years of age. Photographic identification shall be required of young persons using the premises.

15 **Entry Re-entry**
There shall be no entry, re-entry to the premises after 01.00 hours on the days the premises close to the public at 02.30 hours and no entry, re-entry to the premises after 02.00 hours on the days the premises close to the public at 04.30 hours. Excepting that any person may enter the premises at any time during the permitted hours provided such persons have entered as a result of an express invitation of the licence holder.

16 **Further Details**
The exhibition of films at the premises shall be limited to video entertainment on TV screens and amusement machines.

Indoor sporting events shall be limited to pub games that attract an audience, whether by way of advertisement or spontaneously.

Recorded music shall be limited to juke box and karaoke, with or without a DJ (to stated hours) and includes audience participation.

Anything of a similar description to live or recorded music and performance of dance shall be limited to comperes for games, events, quizzes, etc. comedians and similar performances in any case using voice amplification throughout opening hours.

Provision of facilities for making music shall be limited to a stage area and a DJ console.

Provision of facilities for dancing shall be limited to such areas in the bar as may be set aside for dancing from time to time.

Provision of late night refreshment shall be limited to parties as requested.

17 Recorded music shall be significantly reduced in volume for the final hour prior to the terminal hour.

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Plans

Plans as submitted on the 13 June 2005 dated June 98, drawing number JOLLY by Kingswood Design Associates.

LICENSING ACT 2003 (THE ACT)

TO:

Mr Roger Reid
Jolly Roger
199 Easton Road
Bristol BS5 0HQ

BEING THE HOLDER OF THE PREMISES LICENCE IN RESPECT OF THE Jolly Roger, 199 Easton Road, Easton, Bristol, 06/02484/PREM (THE LICENCE)

and

TO: The Chief Officer of Police for Avon and Somerset Constabulary,
c/o Inspector Martin Rowland
The Bridewell
1-2 Bridewell Street
BRISTOL
BS1 2AA

DATE OF MEETING OF SUB COMMITTEE: 23 June 2016

DECISION, FOLLOWING CONSIDERATION UNDER SECTION 53B OF THE ACT, OF THE NECESSITY TO TAKE INTERIM STEPS PENDING DETERMINATION OF A REVIEW OF THE PREMISES LICENCE

TAKE NOTICE THAT

1. On 23 June 2016 The Chief Officer of Police of Avon and Somerset Constabulary submitted an application under section 53A of the Act for a review of the Licence. A certificate was given by a Senior Officer of Avon and Somerset Constabulary, that it is in their opinion that the premises are associated with serious crime or disorder or both.
2. On 23 June 2016 a licensing sub-committee, including Councillor S Pearce (Chair), Councillor M Langley and Councillor C Windows, was convened to consider under section 53B of the Act whether it is necessary to take interim steps pending the determination of the review.
3. The sub committee considered taking the following steps:
 - (a) the modification of the conditions of the premises licence;
 - (b) the exclusion of the sale of alcohol by retail from the scope of the licence;
 - (c) the removal of the designated premises supervisor from the licence;
 - (d) the suspension of the licence
4. The sub committee decided it was necessary to take the following interim step with immediate effect:
 - (i) the suspension of the Licence

5. The reasons for the Sub-Committee's decision are:

The information provided in support of the certificate and application of review demonstrates why the premises was certified as being associated with serious crime and serious disorder that puts the public at real risk of further harm. The certificate was given in the light of a recent and very serious incident involving a shotgun on 19th June 2016. A man was very seriously injured when he was shot in the stomach.

Members were mindful of their obligation to promote the four licensing objectives. To do nothing was not an option. The sub-committee found that nothing short of cessation of all licensable activities would properly protect the public and promote the licensing objective of prevention and detection of crime.

Modification of conditions on the licence would clearly not address the situation; the only proportionate response on the basis of the information that had been put before the authority was the immediate suspension of the premises licence.

6. The premises licence holder has the right to make representations against the interim steps. Any such representations should be made to the Licensing Department at Bristol City Council (Licensing 100TS) PO Box 3176 Bristol BS3 9FS
7. If the licence holder makes, and does not withdraw, such representations the Licensing Authority must within 48 hours (disregarding time that is not on a working day) hold a hearing to consider them, advance notice of which would be given to the holder of the premises licence and the Chief Officer of Police for Avon and Somerset Constabulary.

Signed:
Duly authorised for and on behalf of Bristol City Council,
the licensing authority for Bristol

Date: 23 June 2016

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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of the Local Government Act 1972.

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