

Licensing (Hearings) Sub-Committee

Agenda



Date: Thursday, 21 July 2016

Time: 10.00 am

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

Distribution:

Councillors: Harriet Clough, Mike Langley and Chris Windows

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

Issued by: Allison Taylor, Democratic Services
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Date: Wednesday, 13 July 2016



Agenda

- 1. Application for grant of a premises licence in respect of Paco Tapas, The General, Lower Guinea Street, Bristol BS1 6SY 2.30 pm**

To hold a hearing to consider relevant representations made on the application for a premises licence for Paco Tapas made by Paco Tapas Ltd. **(Pages 3 - 45)**

- 2. Notice for Temporary Event - Caffe Exchange, 174 Corn Street, St Nicholas Market, Bristol BS1 1LJ 4.00 pm**

To consider a Notice for a Temporary Event at Caffe Exchange, 174, Corn Street for which an objection has been received by the Licensing Authority. **(Pages 46 - 57)**



BRISTOL CITY COUNCIL
LICENSING SUB-COMMITTEE
21 July 2016

Report of the Service Manager – Regulatory Services

Title: Licensing Act 2003
Application for grant of a premises licence in respect of Paco Tapas, The General, Lower Guinea Street, Bristol BS1 6SY

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 Paco Tapas made by Paco Tapas Ltd and received on 1st June 2016

Members have a pack containing the following documents:

- (a) Copy of the application
- (b) Copy of all relevant representations

Context

The detail of the application is as follows:

Licensable activities and times applied for:

Sale of Alcohol	Sunday to Wednesday 12:00 - 00:00
Sale of Alcohol	Thursday to Saturday 12:00 - 01:00
Recorded Music	Sunday to Wednesday 12:00 - 00:00
Recorded Music	Thursday to Saturday 12:00 - 01:00
Late Night Refreshment	Sunday to Wednesday 23:00 - 00:00
Late Night Refreshment	Thursday to Saturday 23:00 - 01:00

Hours the premises will be open to the public:

Sunday to Wednesday	12:00 - 00:00
Thursday to Saturday	12:00 - 01:00

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

The Avon and Somerset Police produced evidence to support their request that the central area of Bristol be designated a cumulative impact area . It remains at saturation point and the Police produced evidence for extending the area to which the special policy should apply so as to include Stokes Croft and Cabot Circus. In particular 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 policy will apply to further applications for the grant of new licenses or significant variations of existing licenses 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 policy 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)

Gloucester Road CIA

Reason for Policy

This stretch of Gloucester Road, which is a major transport route in and out of the city, features a mix of retail and leisure uses with primarily residential areas behind the frontages. The request for a CIA to be introduced was made by the Police and supported by local residential amenity groups. The potential for increased public nuisance and crime and disorder arising from further licenses being granted is a major concern for local residents in this area and the Police. In particular 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 ability to prevent further encroachment into the normal sleeping times of local residents is also a key aspect of this policy. The policy will apply to further applications for the grant of new licenses or significant variations of existing licenses 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 policy 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)

Whiteladies Road CIA

Reason for Policy

This stretch of Whiteladies Road is predominantly characterised by properties with A3 leisure uses behind which are sited residential areas. The request for the CIA to be implemented was made by local amenity groups and supported by the Redland Sector of Avon and Somerset Police. This area differs from the city centre in that there is a greater emphasis on the need to promote the prevention of public nuisance objective. The ability to prevent further encroachment into the normal sleeping times of local residents is a key aspect of this policy. The policy will apply to the consideration of applications for the grant of new authorisations or for significant variations of existing authorisations in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets.

Clifton CIA

Reason for Policy

Clifton Village and the surrounding area has seen a rapid growth in restaurants, bars and cafes. These A3 uses are mixed with residential areas and have led to an increase in public nuisance. The request for the CIA was made by the Clifton and Hotwells Improvement Society and is supported by local residents and Avon and Somerset Constabulary. Clifton Village is a popular destination with a vibrant day and night time economy. The CIA policy will help to protect the residential amenity and ensure that further expansion with licensed premises is not to the detriment of this important and iconic part of Bristol. The policy, when triggered, will apply to applications for the grant of new licenses or significant variations of existing licenses in respect of premises that primarily provide alcohol for supply on the premises, restaurants and takeaway outlets. Applicants for licenses in the CIA area will need to be able to demonstrate that they can offer something different from what is currently available without adding to the impact already being experienced.

Bedminster and Southville CIA

North Street (From the junction with Ashton Road to the junction with Greville Street)

Reason for Policy

This stretch of North Street is characterised by a varied range of food, drink and entertainment offers leading to a busy area, which has resulted in anti-social behaviour and loss of amenity for local residents. The policy will help to protect residential amenity from being harmed by public nuisance and will, when triggered by the receipt of relevant representations, give rise to a presumption of refusal of applications for the grant of new premises licences or for significant variation of existing licenses particularly where such proposals could increase anti-social behaviour. The policy is not designed to preclude high-quality food-led developments that are commensurate with the community's longer term ambitions for the area.

Cannon Street Area (Cannon Street, North Street (from junction of Grenville Street to junction with Cannon Street), East Street (from junction with Little Paradise to junction with West Street/Sheene Road and West Street (from junction with East Street to junction with Victor Road)

The Cannon Street locality comprises of a close concentration of late night „destination“ bars, take away food outlets and premises supplying alcohol for consumption away from the premises (off-licences) that has resulted in a cumulative adverse impact on the promotion of the licensing objectives, in particular those concerning the prevention of crime and disorder and the prevention of public nuisance. The policy, when triggered by the receipt of relevant representations, will apply to applications for the grant of new premises licences or for significant variation of existing licenses and is intended to prevent the further proliferation of the type of premises on offer in this locality. In order to rebut the presumption of refusal applicants for licences will be expected to demonstrate through the operating schedule accompanying the application that what they propose is a significantly different type of operation than that which is currently on offer; a proposal that will result in a greater variety of range of venues and that it is demonstrated will not add to the problems currently being experienced which this policy aims to address. The policy is intended to be strictly applied, i.e. to refuse applications with operating schedules that could enable a venue to operate as an additional late night alcohol led venue, or as a late night food take away outlet, or as an “off-licence”.

Representations

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

- Sharon Sawyers
- Mark Curtis
- Peter Hogarth
- Steven Maggs
- Caroline Morgan

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 **Draft premises licence with proposed conditions (if applicable) which would be issued under Licensing Act 2003, if granted.**

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
Licensing Team (Temple Street) PO BOX 3176 Bristol BS3 9FS**

Premises Licence Number	16/01313/PREM
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Part 1 Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code:

Paco Tapas
The General
Lower Guinea Street
Bristol
BS1 6SY

Telephone number:

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities.

Sale of Alcohol	Sunday to Wednesday 12:00 - 00:00
Sale of Alcohol	Thursday to Saturday 12:00 - 01:00
Recorded Music	Sunday to Wednesday 12:00 - 00:00
Recorded Music	Thursday to Saturday 12:00 - 01:00
Late Night Refreshment	Sunday to Wednesday 23:00 - 00:00
Late Night Refreshment	Thursday to Saturday 23:00 - 01:00

Non Standard Timings

Non standard timings not applicable.

The opening hours of the premises

Sunday to Wednesday	12:00 - 00:00
Thursday to Saturday	12:00 - 01:00

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

Supply of alcohol is authorised for ON premises only.

Part 2

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

Paco Tapas Ltd
The General
Lower Guinea Street
Bristol
BS1 6SY

ELLIE@SANCHEZ-BROTHERS.CO.UK

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

Registered Business Number - 09158407

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

Peter Sanchez-Iglesias
615 Newfoundland Way
Portishead
Bristol
BS20 7QG

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

Personal licence number:
05/03583/LAPER

Issuing Authority:
Bristol City Council

Annex 1 – Mandatory conditions

Mandatory condition Licensing Act 2003 - Supply of Alcohol

1.No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Licensing Conditions - Additional conditions imposed by Policing and Crime Act 2009

Conditions numbered 1 - 4 shall be in force as of the 01 October 2014.

Conditions 1, 2 and 4 shall not apply where the premises licence authorises sale by retail or supply of alcohol only for consumption off the premises.

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either -

(a) a holographic mark, or

(b) an ultraviolet feature.

- 4, The responsible person must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Additional conditions imposed by Licensing Act 2003 (Mandatory Conditions) Order 2014
Conditions numbered 1 - 4 shall be in force as of 28 May 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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)

Annex 2 – Conditions consistent with the Operating Schedule

1 NP02 Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

2 WM10 Odour from any flue used for the dispersal of cooking smells serving the building shall not cause nuisance to the occupants of any properties in the vicinity.

Recommendation: It is recommended that any flues for the dispersal of cooking smells shall either:

(i) Terminates at least 1 metre above the ridge height of any building in the vicinity, with no obstruction of upward movement of air or:

(ii) Have a method of odour control such as activated carbon filters, electrostatic precipitation or inline oxidation.

Guidance on the above can be gained at 'Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust System' Published electronically by Department for Environment, Food and Rural Affairs. Product Code PB10527.

<http://www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenreport.pdf>

3 PS01 Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.

CV11 The premises shall not be permitted to be used for any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children, which prohibited uses include, among other things, nudity or semi-nudity, films for restricted age groups or any relevant entertainment (with the meaning of the third schedule to

the Local Government (Miscellaneous Provisions) Act 1982 except where that is expressly permitted under a licence or waiver granted or given under that legislation.

CV04 Children must be accompanied by an adult.

1 SA01 All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable.

2 Door supervisors who have been approved by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, shall be used to vet customers and maintain public order. The vetting process must include implementation of the premises' proof of age policy. All door supervisors must ensure that identification bearing the customers photograph, date of birth and integral holographic mark or security measure is produced before allowing entry and where it is not, entry shall be refused. Suitable means of identification would include PASS approved proof of age card, photo-card driving licences and passports.

3 CCTV shall be in use at the premises.

(i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate

standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational by the commencement of the licence. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by the commencement of the licence and the system be fully operational on that date.

(ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

(iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority

(iv) The correct time and date will be generated onto both the recording and the real time image screen.

(v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

(vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all opening hours

4 DA01 Where there is reasonable suspicion that drugs, defined as Class A,B or C controlled substances under the Misuse of Drugs Act, or weapons are being carried, the premises licence holder shall ensure that the outer clothing, pockets and bags of those entering the premises are searched by door security personnel. In any event where controlled substances or weapons are found, the premises licence holder shall ensure that the designated premises supervisor or nominated person shall immediately inform the Police.

5 DA02 The premises licence holder shall put up a clearly visible notice advising those attending that the Police will be informed if anyone is found in possession of controlled substances or weapons.

6 The premises holder shall ensure that the premises are a member of any locally operating Pub Watch scheme.

7 Adequate medical facilities shall be available on site from the time when it is first occupied by the public to the time when it is vacated. The level of provision shall be as advised by the Ambulance Service and the time at which the provision ceases shall be subject to the agreement of the Licensing Authority.

8 The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.

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

Trading Standards

SA01 All staff to be trained in the prevention of under age sales to a level commensurate with their duties. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a constable

SA02 (a) An approved proof of age scheme shall be adopted, implemented and advertised within the premises such as "Challenge 25" whereby an accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport

(b) Publicity Materials notifying customers of the operation of the Challenge 25 scheme shall be displayed on the website and any other sales medium (such as mobile app etc).

SA03 The premises licence holder shall require the designated premises supervisor or in his/her absence other responsible person, to keep an incidents/refusals logbook in a bound book in which full details of all incidents are recorded. This shall include details of any refused sales and shall give details of the persons involved, incident description, time and date, actions taken and the final outcome of the situation.

Pollution Control

Recorded music

1. Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
2. No speakers for amplification of music or speech shall be placed on the outside the premises or in any outside area.
3. Except for access and egress all external doors and windows shall be kept closed during periods of live music, karaoke or DJ's playing recorded music.

Noise limiter

4. A noise limiting devices shall be used in relation to all sound amplification equipment used in conjunction with the Premises Licence.
 - (a) Noise limiting devices shall be installed and set at levels approved by the Council through its authorised environmental health officer prior to the opening of the premises in conjunction with the Premises Licence.
 - (b) The noise limiting devices shall be properly secured so that they can not be tampered with.
 - (c) The noise limiting devices shall only be reset with the authority of the Council through an authorised officer of the Pollution Control Team.
 - (d) If deemed necessary, the noise limiting devices shall be reset to a level approved by the Council through an authorised officer of the Pollution Control Team within 14 days of notification.

Monitoring

5. (i) The Designated Premises Supervisor or other competent person shall carry out observations in the vicinity of the residential accommodation in the area. on at least hourly intervals whilst regulated entertainment is taking place in order to establish whether there is a noise breakout from the premises.

(j) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance.

(k) A record of such observations shall be kept in a book for that purpose, such a book to be completed immediately after the observation detailing the time of the observation, the location of the observation, the duration of the observation, the level of noise breakout and any action taken to reduce noise breakout.

(l) Such a book shall be made available at all times upon request to a police officer or authorised officer of this Council upon request.

Customer noise

6. The outdoor drinking/eating area at the rear of the premises shall not be used by customers after 20.00 hours.

Licensing Authority

CC01

CCTV shall be in use at the premises.

(i) Where a CCTV system is to be installed, extended or replaced, it shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. Where a CCTV system is to be installed it shall be fully operational by (insert date). Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by (insert date) and the system be fully operational on that date.

(ii) The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

(iii) The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority

(iv) The correct time and date will be generated onto both the recording and the real time image screen.

(v) If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

(vi) The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

(vii) There shall be clear signage indicating that CCTV equipment is in use and recording at the

premises during all (Insert hours) hours

CV05 Intoxicating liquor will only be sold and supplied to customers who are engaging in a sit down table meal, as an ancillary to that meal.

GB04 The premises licence holder shall ensure that all drinking glasses used within the premises are of toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.

NP02: Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.

EX02: All outside areas must be closed and cleared of customers by 22.00 hours. Adequate notices shall be displayed to inform patrons of this requirement.

NP03: Except for access and egress all doors and windows shall be kept closed after 22:00 hours.

NP04: No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises

PS01 Outdoor lighting shall be positioned, so far as is reasonably practicable, so as to limit its intrusion into residential accommodation in the vicinity of the licensed premises whilst maintaining an adequate level of lighting for the safe access and egress of customers and persons employed at the premises.

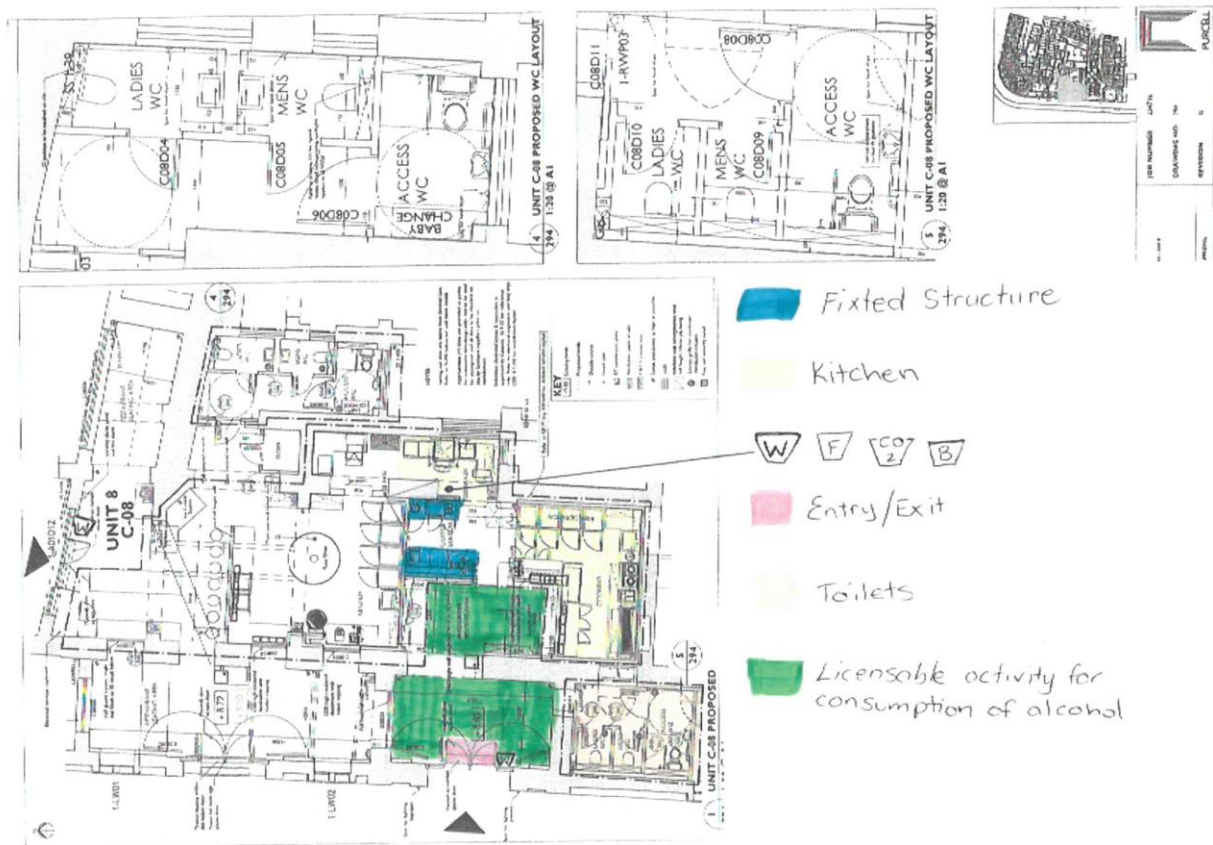
WM7 Activities relating to the on site disposal (including placing into external receptacles) and collection of refuse, bottles and recyclable materials shall only take place between 0800hrs and 2000hrs.

WM8 The collection of refuse, bottles and recyclable materials shall only take place between 0800hrs and 2000hrs.

WM9 Activities relating to deliveries shall only take place between 0800hrs and 2000hrs.

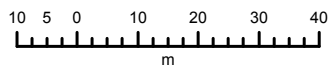
Annex 4 – Plans

Plans as submitted to the Licensing Authority on 1 June 2016.





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LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005
NOTICE OF HEARING GIVEN BY THE LICENSING AUTHORITY FOR THE CITY
COUNCIL OF BRISTOL PURSUANT TO REGULATION 6 OF THE REGULATIONS AND
RULE 6 OF THE COUNCIL'S LICENSING PROCEDURE RULES

TEMPORARY EVENT NOTICE

To: Mr Shaun Calway (Premises User)

Take Notice That:

A hearing is to be held in respect of the temporary event notice at:

Caffe Exchange, 174 Corn Street, St Nicholas Market, Bristol BS1 1LJ

The hearing will be held on the: 21 July 2016 at 16:00 in City Hall, College Green, Bristol, BS1 5TR [Equal maximum period of time is allowed for each party to exercise section 16 rights.]

The hearing will be conducted by a sub-committee of the Licensing Committee convened in accordance with that Committee's procedure rules. The attention of all parties to the hearing is drawn to the information and documents accompanying this Notice. Particular points upon which the Licensing Authority may consider that it will want clarification on at the hearing are attached at Appendix B.

Date: 18 July 2016

Documents attached to this notice

Representations are attached to the premises users notice only. Representations from:

Appendix A: Rights of parties at a hearing

Appendix B: Points for Clarification

Procedure to be followed at a hearing

NOTICE TO BE RETURNED TO LICENSING AUTHORITY

All Parties are required to give a Notice to the authority in accordance with regulation 8. Parties may draw up their own Notice in accordance with that provision, or the following Notice may be used for this purpose. Parties may also wish to append to this notice any written response they are making to the points of clarification (Appendix B) and any points they wish to raise of a procedural nature - see the procedure rules in Appendix A below. This Notice should be returned to the Licensing Manager, Princess House, Princess Street, Bedminster, Bristol. BS3 4AG.

LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

PLEASE NOTE THAT THIS NOTICE (OR A SIMILAR NOTICE) MUST BE RETURNED TO THE LICENSING AUTHORITY NO LATER THAN ONE WORKING DAYS BEFORE THE HEARING DATE.

Hearing to be held on : 21 July 2016 at 16:00

To the Licensing Authority: * Delete as appropriate

*I / We :

[Insert name]

being the *Premises User / Responsible Authority

in respect of the temporary event notice at

Caffe Exchange 174 Corn Street St Nicholas Market Bristol BS1 1LJ

Give Notice That:

***I / We *Do / Do Not** intend to attend the hearing

***I / We *Do / Do Not** intend to be represented at the hearing

***I / We *Consider / Do Not Consider** a hearing to be necessary.

*I / We wish the following person(s) to represent me/us at the hearing:

.....
.....

*I / We wish another person (s) (other than the person I intend to represent me at the hearing) to appear at the hearing [e.g. witnesses, technical experts, advisers, etc].

In accordance with regulation 8(2) I therefore request permission for:

Name.

To appear at the hearing. He/she may be able to assist the Authority in the following way: (Provide a brief description of the point or points on which that person(s) may be able to assist the authority in relation to the application, representations or notice.) [Continue on a separate sheet if necessary]

.....
.....
.....

Name:

Signed:

Date:

I append the following documents to this Notice (briefly describe any documents you are sending with this notice and indicate if there is any material to follow):

.....
.....
.....

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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