

Licensing Decision Records

30 May 2019

Councillors:

Mike Langley, Paula O'Rourke and Chris Windows

Officers:

Abigail Holman - Licensing Policy Advisor, Shreena Parmar - Legal Advisor, Allison Taylor – Democratic Services



Licensing Hearing.

Application for variation of a premises licence in respect of Friendship News And Booze, 19 Axbridge Road, Bristol, BS4 2RU

Application for the variation of a premises licence in respect of Friendship News And Booze, 19 Axbridge Road, Bristol, BS4 2RU

1. The premises currently has the benefit of a premises licence which permits:

Sale of Alcohol Sunday 10:00 - 22:00
Sale of Alcohol Monday to Saturday 06:00 - 22:00

2. Hours the premises will be open to the public:

Monday to Sunday 06:00 - 22:00

3. The Applicant applied to the Authority to permit:

**To extend the hours for the sale of alcohol From Monday - Saturday 06:00 - 22:00 and
Sunday 10:00 - 22:00 To Monday - Sunday 00:01 - 00:00 (24 Hours) And Extend opening
hours from Monday- Sunday 06:00 - 22:00 to Monday - Sunday 00:01 - 00:00 (24 hours)**



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

**Avon And Somerset Constabulary
Cllr Christopher Davies
Licensing Authority**

Decision:

The Committee considered the Application after hearing the representations made. They had regard to the Licensing objectives under Licensing Act 2003, the Councils Licensing Policy, the Secretary of States guidance issued under Section 182 of the Licensing Act 2003.

The Committee determined to reject the whole of the application.

Summary of the reasons:

The Committee had due regard to representations made acknowledging the following:-

- 1. The committee took into account the application, the limited offer of conditions on the application, and the three objections from the police licensing authority and local councillor;**
- 2. The committee gave great weight to the objections received and that no substantive conditions had been offered or mediated by the applicant. They also considered the evidence given by the objectors regarding the potential for increased noise nuisance and anti-social behaviour in the area;**
- 3. The Committee noted that the applicant was not in attendance to answer questions, or mitigate any concerns that the committee had, and so they could not be convinced that the application would promote the licensing objectives;**
- 4. They therefore felt there was no option but to reject the application in full.**

CHAIR



Councillor Windows



Licensing Hearing.

Application for variation of a premises licence in respect of Clifton Mini Mart 12, Cotham Hill, BRISTOL, BS6 6LF

Licensing Hearing.

Application for the variation of a premises licence in respect of Clifton Mini Mart, 12 Cotham Hill, Bristol, BS6 6LF

1. The premises currently has the benefit of a premises licence which permits:

Sale of Alcohol Monday to Sunday 08:00 - 22:00

2. Hours the premises will be open to the public:

Sunday to Thursday 08:00 - 00:00

Friday and Saturday 08:00 - 00:30

3. The Applicant applied to the Authority to permit:

1. To change the name of the premises to Clifton Off Licence.

2. To change the layout of the premises in accordance with the plans lodged with the Licensing Authority.

3. To change the opening hours of the premises from Sunday to Thursday 0800 - 0000 and Friday and Saturday 0800 - 0030



to 0800 - 2300 on each day of the week.

4. To vary the sale of alcohol from Monday to Sunday 0800 - 2200 TO 0900 - 2300 each day of the week.

5. To remove condition 5 PS11 Location of alcohol at Annex 3 of the licence which states as follows: "All alcohol shall be located in the area behind the service counter as indicated on the plan as 'alcahol (sic) storage area' (if this is not reasonably practicable because of refrigeration or other limitations, the Licensing Authority shall be consulted regarding other suitable locations in the premises)" and replace it with the following condition: "Spirits shall be located behind the counter and all other alcoholic beverages to be located on display in such a position that it is not obscured from the constant view of the cashier staff by other fixtures"

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

Cllr Carla Denyer

Simon Margetts

Emily Wolfe

Dr Jill White

Decision:

The Committee considered the Application after hearing the representations made. They had regard to the Licensing objectives under Licensing Act 2003, the Councils Licensing Policy, the Secretary of States guidance issued under Section 182 of the Licensing Act 2003.

The committee only imposed conditions which it regarded as appropriate and proportionate to the promotion of the Licensing Objectives.

The Committee determined to grant the application in part and reject in part and subject to conditions set out in the application. The hours agreed are as follows:-

Opening Hours – 09:00 – 23:00 Monday to Sunday;



Sale of alcohol - 09:00 – 23:00 Monday to Sunday.

Summary of the reasons:

The Committee had due regard to representations made acknowledging the following:-

- 1. The Committee found that the extension till 23:00 hours would not encroach into the normal sleeping times of residents and if the application had been later it might have triggered the CIA but in this instance it did not;**
- 2. It noted that the hours for sale of alcohol would not be increased simply moved forward by one hour and that the applicant looked to significantly reduce the opening hours in line with the hours for the sale of alcohol. It was felt this had the potential as a positive impact on the prevention of public nuisance objective;**
- 3. They also had regard to the fact that there were no representations from Responsible Authorities except for the Licensing Authority who had stated that they did not believe the CIA was triggered and did not object to the application. They also gave due regard to the representations from the Relevant Persons but were satisfied that granting the application for variation would not undermine the licensing objectives.**

CHAIR

Councillor Windows



