

BRISTOL CITY COUNCIL
LICENSING SUB-COMMITTEE

21 September 2017

Report of the Service Manager – Regulatory Services

Title: Licensing Act 2003
Application for variation of a premises licence in respect of John Harvey Arms, John Harvey Arms, Court Farm Road, Bristol BS14 0ED

Ward: Hengrove & Whitchurch Park

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 variation to a premises licence for John Harvey Arms made by Susan Diaper and received on 24th July 2017

Members have a pack containing the following documents:

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

Context

The detail of the application is as follows:

The application seek to vary the licence to permit customers to drink within a restricted external seating area of the premises (as indicated on the submitted plans) by the removal of condition 36 Annex 3 "Alcohol shall not be taken into any external area of the licensed premises (for the avoidance of doubt alcohol shall only be consumed within the building as identified on the plans attached to the licence)" and the addition of new conditions to mitigate the potential for possible nuisance.

Licensable activities and times currently licensed for:

Sale of Alcohol	Monday to Sunday 10:00 - 00:00
Indoor sporting events	Monday to Sunday 10:00 - 00:00
Live Music	Friday 20:00 - 23:30
Live Music	Saturday 10:00 - 23:30
Live Music	Sunday 10:00 - 23:00
Live Music	Monday to Thursday 20:00 - 23:00
Recorded Music	Monday to Sunday 10:00 - 00:00
Performances of Dance	Saturday and Sunday 10:00 - 00:00
Performances of Dance	Monday to Friday 20:00 - 00:00
Similar - live/recorded music or dance	Monday to Sunday 10:00 - 00:00

Hours the premises are open to the public:

Monday to Sunday 08:00 - 00:30

Policy

Representations

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

- Isobella Dean
- Mr And Mrs Baker
- Claire Cree
- Cllr Tim Kent
- Judith Vickery
- Lin Mills
- Mr And Mrs Cross
- Steve Hodgson
- David Stanfield
- D Macfarlane
- Maria Williams
- Naughton Williams
- Julia Hodgson
- Avon And Somerset Police
- Valerie Stanfield
- H.G. Woodburn
- Mrs J Baker
- Dave Markham
- Mr, Mrs And Miss Feltham
- Jacqui Way
- Debbie Barker
- Colin Townsend
- Mr And Mrs W Collis
- Nick Woon
- Pollution Control

- Lisa Eizens
- Claire Slowley
- Mr And Mrs Robert Burnham
- Mr And Mrs David Stone
- Christopher Slowley
- Mr And Mrs J Talbot
- Tracey Shaw

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 modify the conditions of the licence;
- (b) to reject the whole or part of the application; and for this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added.

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

4. If the subcommittee decides to grant the application Notice in line with the statutory requirements must be given forthwith to that effect to the applicant, all of the people who made relevant representations and the Chief Constable for Avon and Somerset and must state the reasons for taking any of the steps set out in paragraph 6 of this report; the applicant must also be issued with the licence and a summary of it.

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

APPENDICES

Appendix A Current premises licence issued under the Licensing Act 2003

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers: Application and supporting documents.

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