

BRISTOL CITY COUNCIL
LICENSING SUB-COMMITTEE

19 October 2017

Report of the Service Manager – Regulatory Services

Title: Licensing Act 2003
Application for variation of a premises licence in respect of Desi (former Duchess Of Totterdown), 198 Wells Road, Totterdown, Bristol BS4 2AX

Ward: Knowle

Officer Presenting Report: Carl Knights

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 Desi (former Duchess Of Totterdown) made by Ms Emma Jones and received on 24th August 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:

Variation Application Summary 24.08.2017

To vary both the Opening Hours and the Hours for the supply of Alcohol for Consumption ON the premises to the following :-

Sunday 09.00am to 10.00pm

Monday to Thursday 09.00am to 11.00pm

Friday and Saturday 09.00am to 12.00midnight

And to add the Licensable Activity of Late Night Refreshment

Friday and Saturday 11.00pm to 12.00midnight

Licensable activities and times currently licensed for:

Sale of Alcohol	Saturday 09:00 - 22:00
Sale of Alcohol	Sunday 10:30 - 16:00
Sale of Alcohol	Monday to Friday 09:00 - 22:00

Hours the premises are open to the public:

Saturday	09:00 - 22:00
Sunday	10:30 - 16:00
Monday to Friday	09:00 - 22:00

Representations

1. Relevant representations have been received from the following parties, all of whom have been notified of this hearing and their rights:
 - BCC Environmental Health
 - Avon & Somerset Constabulary

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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