

**BRISTOL CITY COUNCIL**  
**LICENSING SUB-COMMITTEE**

**12 April 2018**

**Report of the Service Manager – Regulatory Services**

**Title:** Licensing Act 2003  
Application for variation of a premises licence in respect of Revolucion De Cuba (Former Bordeaux Quay), V Shed, Canons Road, Bristol BS1 5UH

**Ward:** Hotwells & Harbourside

**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 Revolucion De Cuba (Former Bordeaux Quay) made by Revolucion De Cuba Limited and received on 16th February 2018

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:

This variation application seeks to:

- 1 Bring the hours for live music in line with the end time for the sale of alcohol;
- 2 Add the performance of dance as a licensable activity;
- 3 Add non-standard timings for New Year and BST;
- 4 Amend the Annex 2 and 3 conditions to remove conditions which are redundant, outdated, duplicated or not appropriate to Revolucion De Cuba's style of operation as per the attached tracked operating schedule.

Amendments to Annex 2:

The following conditions to be removed:

1 Plays - Limited to indoors. Book and/or poetry readings no more than 24 times a year.

2 Live music - Limited to indoors. Groups, bands and entertainers. Live music in the daytime and evening is likely to be jazz or solo pianist but provision for additional entertainers may be supplied.

3 Recorded music - Limited to indoors. Amplified music coterminous with the hours the premises are open to the public.

4 Late night refreshment - Limited to indoors.

5 The premises primary purpose shall not be the sale or supply of alcohol.

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5 The premises primary purpose shall not be the sale or supply of alcohol.

7 The premises shall comply with Health, Safety and Fire Prevention legislation.

13 Exit signs shall be adequately illuminated during the whole time the public are on the premises by a system of lighting, other than that which is used for the general lighting of the premises, unless arrangements are made for such notices to be automatically illuminated when the general system fails. All exit signs to comply with the Health & Safety (Safety Signs and Signals) Regulations 1996 or any regulation amending or replacing the same.

14 Approved emergency lighting of exits, passages and stairways shall be supplied from a source separate to that of the general lighting, and shall be sufficient to enable the public to see the way out. In halls rooms and specified areas accommodating less than 300 persons, if the Licensing Authority permits, the safety lighting may be confined to the illumination of the exit notices.

15 Fire appliances, suitable to the fire 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.

Noise Control:

a. No unaccompanied children shall be permitted on the premises.

b. Children shall be welcome to accompany adults at the premises and a child friendly family atmosphere shall be promoted.

The following conditions to remain the same or amended as follows:

6 Operational staffing levels and training shall be tailored to the hours, nature and level of business.

8 Waiter/waitress service shall be provided throughout the premises.

9 Staff shall monitor customer behaviour.

10 The premises shall have a wide selection of soft drinks and hot beverages available throughout permitted hours.

11 CCTV equipment is installed at the premises providing 24 hour monitoring of the doorways and of all external areas of the premises to the satisfaction of the Licensing Authority and the Police. Recorded CCTV images shall be maintained and stored for a period of thirty-one days and shall be produced to the police of Licensing Authority upon request. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to produce CCTV images to an officer from a responsible authority upon request.

12 A Health and Safety policy shall be in place and shall be reviewed regularly

16 All staff shall be trained in the Health and Safety Policy, the Licensing Act 2003, the licensing objectives and the laws relating to the sale of alcohol to underage persons and to intoxicated persons.. That training shall be documented and repeated at 6 monthly intervals.

17 First aid equipment shall be available throughout the premises.

18 Customers shall be requested to leave the premises in a quiet and orderly fashion.

19 NOISE CONTROL

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

Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

Changes to Annex 3:

Removal of the following conditions:

2 Licensable activities shall only be permitted at the premises after the Fire Authority have conducted a full inspection and concluded that the premises are satisfactory for the purposes of upholding the licensing objectives, and that the Fire Authority have notified the Licensing Authority accordingly.

3 It shall be the responsibility of the premises licence holder to ensure that an appointed person shall be in charge of the premises when regulated entertainment is taking place to ensure the safety of disabled persons on the premises.

4 The Electrical Installation shall comply with the Rules and Regulations for the time being in force, including the Regulations for the Electrical Equipment of Buildings issued by the Institution of Electrical Engineers and the Electricity at Work Regulations 1989 or any regulation applying as at the date this condition was imposed

5 All temporary wiring and distribution systems shall be inspected and certified by a competent person before they are used.

6 The licence holder shall ensure that a Residual Current Device protection, sensitive to tripping currents of not more than 30 milli-amps, is fitted to all socket outlets used by entertainers for plugging in electrical equipment.

7 All gangways, passages, staircases and exit ways shall at all times be kept entirely free from chairs or any other obstructions and from any article or substance which may cause a person to slip, trip or fall.

8 Floor coverings shall be secured so as not to ruck up or cause obstruction. Mats more than 1 cm thick shall be sunk to floor level unless of rubber with wide bevelled edges.

9 A continuous handrail shall be securely fixed on each side of all staircases, steps and landings at a height of not less than 840 mm nor more than 1 metre, measured vertically from the pitch line, except that only one such handrail need be provided to such staircases, flights of steps or landings which are less than 1 m wide.

10 The floors of all gangways, lobbies, corridors, passages and other exit routes and the tread of all steps and stairways shall be non-slippery and flat. The nosings of the treads of steps, changes of level and stairways shall be of a contrasting colour to the remainder of the tread. The nosings shall show up clearly under emergency lighting conditions.

Amendment or addition of the following conditions:

1 Overcrowding shall not be permitted in any part of the premises.

11. At any given time a minimum of 60% of the public trading area shall be given over to tables and chairs.

12. There shall be a full meals menu available at the premises with last orders to be taken no earlier than 22:00 daily.

13. SIA registered door staff shall be employed at the premises at a ratio of 1:100 customers from 21:00 until close on a Friday and Saturday evening. At all other times, SIA registered door staff shall be employed in accordance with a risk assessment to be carried

out by the DPS.

14. When employed, a register of those door staff employed shall be maintained at the premises and shall include:

- (a) the number of door staff on duty;
- (b) the identity of each member of door staff;
- (c) the times the door staff are on duty

15. A refusals book shall be maintained at the premises and made available to an officer of a responsible authority on request.

16. The premises shall maintain an incident log and public liability insurance.

17. A Dispersal and Smoking Policy will be implemented and adhered to.

18. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.

19. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

20. Notices advising what forms of ID are acceptable must be displayed.

21. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

Licensable activities and times currently licensed for:

Sale of Alcohol	Monday to Sunday 07:00 - 02:00
Plays	Monday to Sunday 10:00 - 23:30
Live Music	Monday to Sunday 10:00 - 23:30
Recorded Music	Monday to Sunday 07:00 - 02:30
Late night refreshment	Monday to Sunday 23:00 - 02:30

Hours the premises are open to the public:

Monday to Sunday	07:00 - 02:30
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## **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)

## **Representations**

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

- Environmental Health
- Avon And Somerset Constabulary
- Pollution Control
- Licensing Authority
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## **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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