



DRAT FOR COMMITTEE PURPOSES ONLY

**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	18/02728/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:

Broadmead Christmas Market 2018
Broadmead
Bristol

Telephone number:

Where the licence is time limited the dates 1 November 2018 to 31 December 2018

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

Sale of Alcohol	On And Off the Premises Monday to Sunday 10:00 - 22:00
Live Music	Outdoors Wednesday to Saturday 17:00 - 22:00
Recorded Music	Outdoors Monday to Sunday 10:00 - 22:00

Non Standard Timings

Non standard timings not applicable.

The opening hours of the premises

Monday to Sunday 10:00 - 22:30

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

Supply of alcohol authorised for On and Off the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

German Events Ltd
24 Cecil Avenue
Bournemouth
Dorset
BH8 9EJ

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

Registered Business Number - 06393533

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

Sven Schmidt
12 St Winifreds Road
Bournemouth
BH26 6NZ

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

Personal licence number:

BOP_M0005512

Issuing Authority:

Borough Of Poole

Annex 1 – Mandatory conditions

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)

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.

Annex 2 – Conditions consistent with the Operating Schedule

1. The premises shall primarily be run as a Christmas Market with the sale and supply of alcohol and the performance of live and recorded music.

2. 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.

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 commencement of licensable activities. Where existing CCTV systems are to be replaced or extended the replacement or extension to the system shall be concluded by commencement of licensable activities 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 licensable hours.

4. 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.

5. An approved proof of age scheme shall be adopted, implemented and advertised within the premise 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. Publicity materials notifying customers of the operation of the Challenge 25 scheme shall be displayed at the premises, including a Challenge 25 sign of at least A5 size at the entrance to the premises and where practicable at each point of sale

5. The premises licence holder shall require the designated premises supervisor, or in his/her absence other responsible person, to keep an 'incident/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 final outcome of the situation. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or a constable when required.

6 .All children shall be accompanied by an adult.

7. No customer carrying open or sealed beverage containers shall be admitted to the premises at such times as they are open to the public.

8. Adequate procedures must be implemented to ensure overcrowding (such as that which may cause injury through crushing) does not occur in any part of the premises.

9. Security who have been approved by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, shall be used overnight.

10. [A] The premises licence holder shall ensure that the following details for each member of security, are contemporaneously entered into a bound register kept for that purpose:

- (i) Full name,
- (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation),
- (iii) The time they began their duty
- (iv) The time they completed their duty.

This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door supervisors engaged at the premises during the period of not less than 31 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or a constable upon request.

[B] The premises licence holder shall ensure that the following details for each member of security are entered into a bound register kept for that purpose to include the following details:

- (i) Name
- (ii) Date of birth
- (iii) Address
- (iv) Contact telephone numbers
- (iv) SIA Certificate number, or registration number of any accreditation scheme recognised by the Licensing Authority.
- (v) Commencement date of performing duties at the premises.
- (vi) The full details of any agency through which they have been allocated to work at the premises if appropriate.

These details should be easily accessible to any authorised officer of the Licensing Authority or a constable.

11. The premises licence holder shall ensure that all members of security on duty at the premises wear a current identification badge, issued by the Security Industry Authority or any accreditation scheme recognised by the Licensing Authority, in a conspicuous position to the front of their upper body.
12. All members of security shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.
13. The requirement for door supervisors shall be risk assessed and where it is found that door supervisors are required a minimum of two shall be in place throughout the time identified in the risk assessment. Such risk assessment shall be made available to any authorised officer or constable on request.
14. Off sales shall only be provided in sealed containers and must not be consumed on the premises. These will only be permitted from the 2 units identified on the site drawing.
15. On sales must be consumed in the designated seating area adjacent to the bar where the drink was purchased and the seating area in the food village opposite. Staff, including site, bar and security will monitor the consumption and prevent any patrons from leaving with open containers of alcohol.
16. No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the area of the market except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
17. The event manager shall ensure that measures shall be put in place to remove litter or waste arising from customers and to prevent such litter from accumulating in the immediate vicinity of the premises or neighbouring premises.
- 18 Adequate arrangements must be in place to ensure the safety of other vehicles and segregation of pedestrians by vehicles used for loading or unloading goods for the market.
19. Any activities that are audible at any nearby residential properties such as the set up and dismantling of the market shall only be carried out between 08.00 and 23.00 hours.
20. Noise from any generators used at the event shall not cause unreasonable disturbance to the occupants of any residential properties in the vicinity.
21. Music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
22. The event organiser shall comply with any requests from an officer of the Pollution Control Team regarding the minimising of noise disturbance to local residents during the event.
23. Activities relating to the placing of refuse, bottles and recyclable material into external receptacles shall only take place between 09.00 hours and 20.00 hours.
24. The collection of refuse, bottles and recyclable materials shall only take place between 07.00 hours and 20.00 hours Monday to Saturday and not at all on Sundays or Bank Holidays.
25. Any artificial lighting on the site must not cause nuisance due to glare unless it is considered necessary by the licensing authority.

26. The Door Supervisors shall be responsible for preventing the admission and ensuring the departure from the premises of persons who are drunk and disorderly in such a manner as not to cause further disorder.

27. A documented risk assessment shall be conducted and regularly reviewed to assess the numbers of persons that the outside area can safely accommodate. The premises licence holder shall ensure that there are measures in place to monitor the external area to ensure that a safe occupancy figure is not exceeded.

28. 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.

29. There shall be no consumption of beverages purchased from the premises outside of the premises, with the exception of items covered by off sales.

30. 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 the premises or neighbouring premises. Where necessary the premises licence holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of wastematerials such as food wrappings, drinks containers, smoking related litter ect.

31. Appropriate fire safety measures shall be installed and maintained as shown on the drawings accompanying the application.

32. Adequate procedures must be implemented to ensure overcrowding (such as that may cause injury through crushing) does not occur in any part of the premises.

33. security who have been approved by the security industry authority or any accredited scheme recognised by the Licensing authority shall be used overnight.

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

CA08 The licence holder shall determine the occupant capacity of the premises on the basis of documented risk assessment(s).

(i) The risk assessment(s) must take into account all relevant factors including space, means of access and egress, toilet provision, load-bearing capacity of floors, ventilation, etc and must be reviewed regularly, and if circumstances change.

(ii) Where necessary separate occupancy levels must be set for different parts of the premises.

(iii) The premises licence holder shall ensure that they consult the Public Health Services of Bristol City Council and any other relevant authority (for example the Fire Rescue Service regarding emergency evacuation limitations) as to the occupancy figure. Confirmation of the consultation and any outcomes shall form an integral part of the risk assessment on which the capacity figure is based.

(iv) The capacity figure proposed by the premises licence holder shall be notified to the Licensing Authority in writing prior to the commencement of the licence.

(v) Measures must be put in place to ensure that the capacity is not exceeded at any time.

(vi) All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable.

(vii) The premises licence holder shall regularly review, update and amend any risk assessments particularly following any changes to the layout or operation of the venue. Such reviews etc. shall

be fully documented and form an integral part of the risk assessment.

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.

SX04 Use of premises by third parties. Where the premises, or parts of the premises may be hired out by third parties or be used by events promoters, the premises licence holder must ensure that there are appropriate procedures in place that will ensure that as far as is possible, the third party is aware of the licensing conditions and has in place their own procedures / arrangements which will ensure that the licensing objectives are not compromised.

FA01 For events where it is anticipated that more than 100 persons will be in attendance or where an activity is taking place that is likely to give rise to personal injury (e.g. indoor sporting events/ use of special effects/ etc.), the premises licence holder shall ensure that first aid provision is available at all times that licensable activity is taking place and shall have a suitably qualified first-aider on the premises during that period.

EL06 The premise licence holder shall ensure that a Residual Current Device protection, sensitive to tripping currents of not more than 30 milli-amps, are fitted to all power circuits supplying sockets that may be used by entertainers / members of the public for plugging in electrical equipment. These should be regularly tested to ensure they are still functioning as required.

EL09 Electrical installation in areas used by members of the public shall be subject to the following:

- (i) Any alterations made to electrical installations, including the use of temporary wiring and distribution systems, shall comply with the relevant edition of the Regulations for the Electrical Equipment of Buildings issued by the Institution of Electrical Engineers (BS 7671 or any British Standard replacing or amending the same).
- (ii) All electrical equipment and installations shall be subject to regular visual checks to ensure that they are safe and in good working order, as well as formal routine tests by a competent person as advised in the aforementioned BS 7671 guidance.
- (iii) A Residual Current Device protection sensitive to tripping currents of not more than 30 milli-amps, must be fitted to power circuits supplying outdoor sockets and also indoor sockets that might be expected, with the use of plug-in extension leads, to power outdoor circuits.

WM01 No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

TL01 The premises licence holder shall ensure the designated premises supervisor, or nominated deputy in their absence, provides unhampered use of a telephone on the premises for use in an emergency, while licensable activity entertainment is taking place. In premises that do not have the benefit of a permanent phone installation then a mobile phone must be available.

Annex 4 – Plans

Plans as supplied to the Licensing Authority on 31 August 2018

