

BRISTOL CITY COUNCIL
LICENSING SUB-COMMITTEE

20 January 2022

Report of the Service Manager – Regulatory Services

Title: Licensing Act 2003
Application for grant of a premises licence in respect of Mbargo, 38 - 40
Triangle West, Bristol, BS8 1ER

Ward: Central

Officer Presenting Report: Abigail Holman

Contact Telephone Number: 0117 3574900

Purpose of the report

To hold a hearing to consider relevant representations made on the application for a premises licence for Mbargo made by Matterhorn Investments Ltd and received on 4th November 2021

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:

Licensable activities and times applied for:

Sale of Alcohol	Monday to Sunday 10:00 - 04:00
Films	Monday to Sunday 10:00 - 04:00
Indoor sporting events	Monday to Sunday 10:00 - 04:00
Live Music	Monday to Sunday 10:00 - 04:00
Recorded Music	Monday to Sunday 00:00 - 23:59
Performances of Dance	Monday to Sunday 10:00 - 04:00
Similar - live/recorded music or dance	Monday to Sunday 10:00 - 04:00
Late Night Refreshment	Monday to Sunday 23:00 - 04:00

Hours the premises will be open to the public:

Monday to Sunday 10:00 - 04:30

Non Standard Timings

Late Night Refreshment - On New Year's Eve from 23:00h until 05:00h New Year's Day.

All other activities and opening hours - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

For all licensable activities and opening hours:

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The application was accompanied by an operating schedule setting out the steps the applicant proposes to take to promote the four licensing objectives. If there had been no relevant representations (or if all relevant representations are withdrawn) the council would be bound to grant the application subject only to such conditions as are consistent with the operating schedule accompanying the application. The draft of a licence that could have been issued, having regard to guidance and policy and acting with a view to promoting the four licensing objectives, is appended to this report as Appendix A.

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:

Simon Margetts, Emily Wolfe

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 grant the licence subject to conditions that are consistent with the operating schedule
 - (b) To exclude from the scope of the licence any of the licensable activities to which the application relates
 - (c) [To refuse to specify a person in the licence as the premises supervisor] delete where not applicable
 - (d) To reject the application
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 **Draft premises licence with proposed conditions (if applicable) which would be issued under Licensing Act 2003, if granted.**

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background papers: Application and supporting documents.

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