

BRISTOL CITY COUNCIL

LICENSING COMMITTEE

11 July 2024

Report of the Service Manager – Regulatory Services

Title: Licensing Act 2003
Application for the variation of a premises licence in respect of Brass Pig (Formerly Harveys), Unit 1, Clifton Heights, Triangle West Bristol

Ward: Clifton

Officer Presenting Report: Sarah Flower, Dakota Delahunty, Carl Knights, 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 Brass Pig (Formerly Harveys) made by Triangle Bars Group Ltd and received on 22nd May 2024

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 variation is as follows:

This is an application to extend hours for licensable activities Monday - Saturday to 11:00 - 04:00 (currently 11:00 - 02:00) With a 30-minute drink up time.

Extended opening hours Monday - Saturday 11:00-04:30

Extended Licensable activity hours:

Supply of alcohol on and off the premise Mon - Sat 11:00-04:00

Late night refreshment on and off the premise Mon - Sat 23:00-04:00

Anything of a similar description to live music, recorded music and performances of dance on and off the premise Mon - Sat 11:00-04:00

Performances of dance on and off the premise Mon - Sat 11:00-04:00

Recorded music on and off the premise Mon - Sat 11:00-04:00

Live music on and off the premise Mon - Sat 11:00-04:00

To remove the following conditions:

- Remove condition 2B
- Remove of condition 7.
- Removal conditions 1-7 of Annex 3

To amend condition :

- Condition 4 to be amended to now read - No under 18's to be permitted at the premises after 20:00 hours other than for specific youth events agreed in writing/email with the Police Licensing Officer. Any person under the age of 18 shall be accompanied by an adult when entering the premises before 20:00 hours.

To add the following conditions:

- SIA Registered door staff shall be employed at 22:00 hours on Friday and Saturday at a ratio of 1:100 including 2 door staff on until 30 min after terminal hour to assist with dispersal policy. Door staff employment shall continuously be subject to risk assessment.
- Door staff to wear Body Cameras at a ratio of 50% meaning that if 4 door staff were on duty a minimum of 2 shall wear a body camera.
- Maximum Capacity shall be determined by the Fire Risk Assessment and mandatory operating schedule. A means for ensuring that the safe maximum capacity of the premises is implemented and not exceeded. Such system to be able to provide the amount of customers present at the premises at that time upon request by a Police Officer and the licensing authority.
- A register of door supervisors to be maintained at all times at the premises. Such register to include the name, registration number and agency supplying as well as the date, time and duty and time off duty. Register to be available for inspection on request by a Police Officer and licensing authority.
- The manager, premises licence holder or other competent person shall carry out observations in the vicinity of the properties at Byron Place, on at least on hourly intervals between 23:00 hours and 02:00 hours whilst the regulated entertainment is being taking place in order to establish whether there is a noise breakout from premises.
 - (a) If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of the music shall be reduced to a level that does not cause disturbance.
 - (b) A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout.
 - (c) Such a book to be made available at all times upon request to a police officer or an officer of the local authority.
- There shall be no speakers on the outdoor section of the premises.
- There shall be a managed smoking section between the hours of 02:00 - 04:00 with a maximum capacity of 20 people on the terrace to assist with controlling capacity.

- Last entry to the premises shall be at 03:00 hours with no re-entry after that time.

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

Avon and Somerset Constabulary produced evidence to support their request that the central area of Bristol be designated a CIA. It remains at saturation point and 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 CIA will apply to further applications for the grant of new licences or significant variations of existing licences 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 assessment 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:

- Megan Davis
- Elizabeth Shipp
- Natalie Forster
- Daisy Macleod
- Emma Harvey
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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 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 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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