

Brighton & Hove City Council

For general release

Meeting: Licensing Sub-Committee

Date: 18th July 2005

Report of: Assistant Director – Public Safety

Subject: Application for a variation under transitional arrangements of the Licensing Act 2003 – 'The Bulldog Tavern', St James's Street, Brighton, BN2 1RF

Ward affected: Queen's Park

1. Purpose of the report

- 1.1 To determine an application for a premise licence and, if the decision is to grant the licence, to attach suitable conditions to ensure the licensing objectives are met.

2. Summary of application

- 2.1 The application is for:

A variation for the premises licence already granted under 'grandfather rights'.

The variations proposed:

- Extension of hours for the provision of alcohol
- Extension of the hours of opening (to 30 minutes beyond provision of alcohol)
- Provision of entertainment to include DJ's, Cabaret, and Karaoke

- 2.2 Summary table of existing and proposed activities

	Existing	Proposed
Films shown	none	none
Sale of alcohol	Monday to Saturday 10:00 hrs to 23:00 hrs Sunday and Good Friday 12:00 hrs to 22:30 hrs Christmas Day : 12:00 hrs to 15:00 hrs, and 19:00 hrs to 22:30 hrs	Monday to Wednesday 11:00 hrs to 02:00 hrs Thursday 11:00 hrs to 03:00 Friday and Saturday '24:00 hours' Sunday and Good Friday 12:00 hrs to 02:00 hrs Christmas Day : 12:00 hrs to 15:00 hrs, and 19:00 hrs to 22:30 hrs
Live music	none	none

Recorded music	during normal operating hours as existing	Monday 20:00 hrs to 24:00 or close Tuesday to Thursday none Friday to Saturday 20:00 to close or 01:00 Sunday 15:00 to close or 01:00
Provision of Facilities for the making of music	none	Monday to Saturday 20:00 to 'close or 00:00' Sunday 15:00 to 'close or 00:00'
Activity of a similar description	none	Monday to Saturday 20:00 to 'close or 00:00' Sunday 15:00 to 'close or 00:00'
Late night refreshment	none	Monday to Wednesday 11:00 hrs to 02:00 hrs Thursday 11:00 hrs to 03:00 Friday and Saturday '24:00 hours' Sunday and Good Friday 12:00 hrs to 02:00 hrs Christmas Day : 12:00 hrs to 15:00 hrs, and 19:00 hrs to 22:30 hrs

3. Representations received

3.1 Details of the representations made are on form L57a (Appx.1) and a summary appears below:

a) Police : Crime and disorder and Public safety

4. Commentary on licensing policy

4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

1.2 The licensing objectives are:-

- (a) prevention of crime and disorder;
- (b) public safety;
- (c) prevention of public nuisance;
- (d) protection of children
- (e) from harm.

1.4 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act

- 1.14 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

In respect of the prevention of crime and disorder

- 2.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority recommends that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door staff so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection.
- 2.3 It is expected that the designated premises supervisor (DPS) will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises.

In respect of Public Safety

- 3.1 Club owners and promoters will be expected to have regard to "Safer Clubbing: guidance for licensing authorities, club managers and promoters". The licensing authority will seek to ensure that licensed premises are designed and run in a way which maximises the safety of customers and staff.
- 3.2 Conditions will be imposed in accordance with operating schedules to protect public safety including where justified:-
- (a) provision of close circuit television and panic buttons.

- (b) use of shatterproof drinking vessels, bottles requiring use of toughened glass or plastic (recognised by Community Safety Strategy).
- (c) use of security personnel, such as door supervisors, licensed by the Security Industry Authority (recognised by the Community Safety Strategy).
- (d) requirement of a minimum of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.
- (e) occupant capacity conditions will be applied where appropriate.
- (f) the provision of designated and suitably trained first aiders

In order to minimise disputes and the necessity for hearings, it would be sensible for applicants to consult with all responsible authorities when operating schedules are being prepared.

3.3 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers as recognised by the Community Safety Strategy and Policing Strategy. Applicants may be required to consult local transport operators

3.4 Control of public safety at high profile commercial or sporting events or other large scale events may be supported by police powers of closure of licensed premises

3.5 Prior consent will be required for: performance of stage hypnotism, fireworks and lasers. Applications should contain details prescribed by the licensing authority. Conditions may be applied to any consent

COMMITTEE REPORT APPENDIX

REPRESENTATION NOTIFICATION

ADDRESS OF PREMISES AND TRADE NAME	The Bulldog Tavern, St James's Street, Brighton BN2 1RF
TYPE OF APPLICATION	Variation of a Premises Licence
APPLICANT(S)	Mr D Holmes, Mr D Rickwood, Mr P Oliver
APPLICANT'S ADDRESS	The Bulldog Tavern, St James's Street, Brighton BN2 1RF

DETAILS OF APPLICATION

SUMMARY OF EXISTING CONDITIONS	<p>Sale of alcohol :</p> <p>Monday to Saturday 10:00 hrs to 23:00 hrs</p> <p>Sunday and Good Friday 12:00 hrs to 22:30 hrs</p> <p>Christmas Day : 12:00 hrs to 15:00 hrs, and 19:00 hrs to 22:30 hrs</p>
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DETAILS OF REPRESENTATIONS RECEIVED

NO. OF OBJECTIONS: 1

SUBSTANCE OF OBJECTIONS: Sussex Police : There is no indication as to when the non-standard timings will finish, and so object under the prevention of crime and disorder and public safety, as will be unable to plan police resourcing levels to meet potential crime and disorder.

CONTACT OFFICER: Stuart Harley

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Any representation(s) will automatically be heard by a Licensing sub-committee and all interested parties may be heard. Dates and times of such committees will be notified to you in due course. Should the parties involved resolve the issues and the representation(s) is/are withdrawn there will be no need for a hearing.

L57a