

## **BATH AND NORTH EAST SOMERSET**

### **LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE**

Tuesday, 9th November, 2010

**Present:-** Councillors:- Tim Warren (Chair), Tim Ball and Gabriel Batt

**Also in attendance:** Emma Stoneman (Licensing Officer), Shaine Lewis (Senior Legal Adviser) and Sean O'Neill (Democratic Services Officer)

#### **1 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the procedure.

#### **2 ELECTION OF VICE-CHAIR (IF DESIRED)**

RESOLVED that a Vice-Chair was not required on this occasion.

#### **3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Cllr Carol Paradise, for whom Councillor Tim Ball substituted.

#### **4 DECLARATIONS OF INTEREST**

There were none.

#### **5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

#### **6 MINUTES: 16 SEPTEMBER AND 10 OCTOBER 2010**

Two Members of the Committee that met on 16 September 2010 had emailed the Democratic Services Officer that the Minutes of the meeting were a correct record. They were therefore signed by the Chair.

The Minutes of 10 October 2010 were approved as a correct record and signed by the Chair.

#### **7 LICENSING PROCEDURE**

The Chair drew attention to the licensing procedure, copies of which had been made available to members of the public attending the meeting.

#### **8 APPLICATION FOR A PREMISES LICENCE FOR FUTURE BATH PLUS - MILSOM STREET AREA, MILSOM STREET, GEORGE STREET, NEW BOND STREET, QUIET STREET, GREEN STREET, OLD BOND STREET, BURTON STREET, BATH**

**Applicant:** Future Bath Plus, represented by David Lawrence (CEO, Future Bath Plus Ltd)

**Responsible Authority:** Bath and North East Somerset Environmental Health, represented by Sara Sturrock (Senior Environmental Health Officer)

The parties confirmed that they had received and understood the licensing procedure.

The Licensing Officer explained that the application was for authority to provide regulated entertainment by way of plays, films, live music, recorded music, dance, similar entertainment and facilities for making music, dance and similar entertainment in the designated area for a maximum of 3 days per calendar year between the hours of 09:00 and 21:00. The maximum capacity for the designated area was stated to be 9,999 persons. A representation had been received from a Senior Environmental Health Officer in relation to the licensing objective of public safety requesting that the operating schedule be amended by the deletion of the proposed condition that:

“All of the safety issues relating to the site will be approved and signed off by the Council’s Safety Advisor prior to the event taking place.”

and its replacement by:

“Where necessary, a site visit will be jointly undertaken with relevant officers from any of the responsible authorities or the Safety Advisory Group, in order to determine that satisfactory safety arrangements are in place. This will also include the inspection of any temporary structures. If the visit is satisfactory, then the site will be approved and signed off by the SAG.”

The applicant had confirmed in writing its agreement to this amendment.

Neither party had anything to add to their written representations.

Following an adjournment, it was **RESOLVED** to grant the application, subject to the mandatory condition contained in section 20 of the Licensing Act 2003, and to conditions consistent with the operating schedule as amended by agreement between the applicant and the Senior Environmental Health Officer. Authority was delegated to the Licensing Officer to issue the licence accordingly.

## **REASONS**

Members determined an application for a premises licence at the Milsom Street area of Bath. In doing so they have reminded themselves of the Licensing Act 2003, Statutory Guidance, the Council’s Statement of Licensing Policy and the Human Rights Act 1998.

Members considered the application and the representation from the Responsible Authority and noted that the applicant agreed to the proposed condition. Accordingly, Members grant the licence as applied for with conditions consistent with the operating schedule and attach the condition as agreed between the parties as necessary and proportionate to promote the licensing objective of public safety.

**9 APPLICATION FOR A PREMISES LICENCE FOR FUTURE BATH PLUS - SOUTHGATE EVENTS, SOUTHGATE PLACE, ST LAWRENCE STREET, NEWARK STREET, RAILWAY STREET, PHILIP STREET AND NEW MARCHANTS PASSAGE, BATH**

**Applicant:** Future Bath Plus, represented by David Lawrence (CEO, Future Bath Plus Ltd)

**Responsible Authority:** Bath and North East Somerset Environmental Health, represented by Sara Sturrock (Senior Environmental Health Officer)

The parties confirmed that they had received and understood the licensing procedure.

The Licensing Officer summarised the application. The applicant was seeking authority to provide regulated entertainment by way of plays, films, live music, recorded music, dance and similar entertainment and facilities for making music, dance and similar entertainment in the designated area for a maximum of thirty days per calendar year between the hours of 09:00 to 21:00. The maximum capacity for the designated area was stated to be 4,999 persons. A representation had been made by a Senior Environmental Health Officer requesting that the operating schedule be amended by the deletion of the condition that:

“All of the safety issues relating to the site will be approved and signed off by either Southgate’s or the Council’s Safety Advisor prior to the event taking place.”

and its replacement by:

“All safety issues relating to the site will be approved and signed off by Southgate’s Safety Advisor or, where necessary, a site visit will be jointly undertaken with relevant officers from any of the responsible authorities or the Safety Advisory Group, in order to determine that satisfactory safety arrangements are in place. This will also include the inspection of any temporary structures.”

The applicant had agreed in writing to this amendment.

A Member asked how the capacity limit of 4,999 would be enforced. The Licensing Officer advised that the licence would not be valid if it was exceeded. The CEO for Bath Future Plus Ltd believed that the limit was unlikely to be exceeded and confirmed that measures had been agreed with the Police and put in place to ensure the actual capacity was significantly less.

The parties stated that they had nothing to add to their written evidence.

Following an adjournment, it was **RESOLVED** to grant the application, subject to the mandatory condition in section 20 of the Licensing Act 2003 and to conditions consistent with the operating schedule as amended by agreement between the applicant and the Senior Environmental Health Officer. Authority was delegated to the Licensing Officer to issue the licence accordingly.

## REASONS

Members determined an application for a premises licence at Southgate Events, Bath. In doing so they have reminded themselves of the Licensing Act 2003, Statutory Guidance, the Council's Statement of Licensing Policy and the Human Rights Act 1998.

Members considered the application and the representation from the Responsible Authority and noted that the applicant agreed to the proposed condition. Accordingly Members grant the licence as applied for with conditions consistent with the operating schedule and the condition as agreed between the parties as necessary and proportionate to promote the licensing objective of Public Safety.

The meeting ended at 10.38 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**