



NOTTINGHAM CITY COUNCIL
SPECIAL LICENSING PANEL

Date: Thursday, 30 April 2015

Time: 10.30 am

Place: Dining Room - at the Council House, Old Market Square

Councillors are requested to attend the above meeting to transact the following business

Acting Corporate Director for Resources

Governance Officer: Tanith Davis **Direct Dial:** 0115 876 5036

AGENDA

Pages

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTERESTS

If you need any advice on declaring an interest in any item on the agenda, please contact the Constitutional Services Officer shown above, if possible before the day of the meeting

3 BZR, 41-45 ST MARYS GATE, LACE MARKET, NG1 1PU - REVIEW

3 - 26

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

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REPORT OF CORPORATE DIRECTOR FOR COMMUNITIES**REVIEW OF PREMISES LICENCE UNDER SECTION 53C LICENSING ACT
2003 FOLLOWING SUMMARY REVIEW OF THE LICENCE**

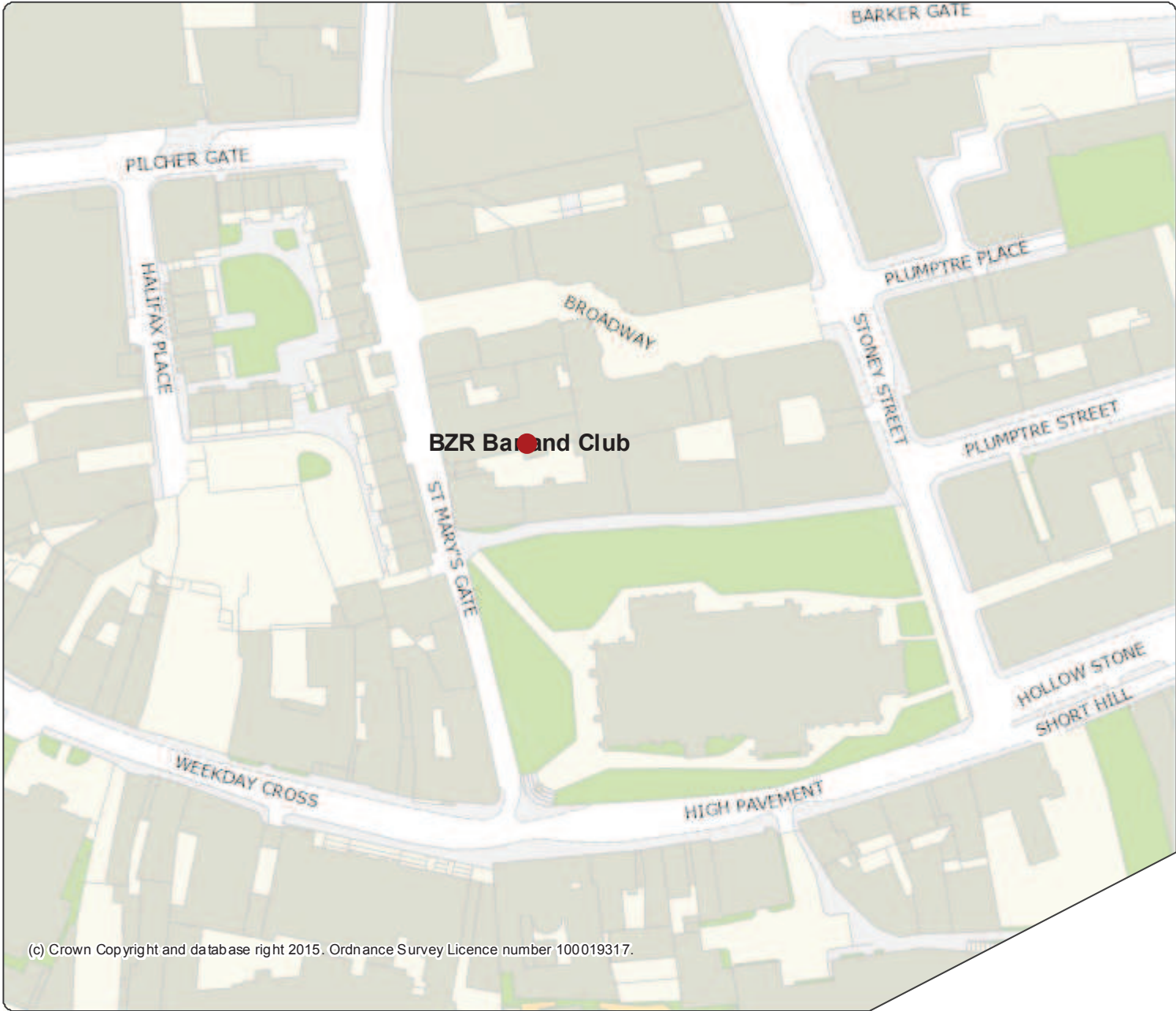
Premises concerned	BZR Bar and Club 41-45 St Mary's Gate The Lace Market Nottingham NG1 1PU Please see attached Premises Licence
Premises licence holder	Angco Limited 145-157 St John Street London EC1V 4PW
Party submitting summary review	Helen Guest (Senior Licensing Enforcement Officer) For and on behalf of the Chief Officer of Police City Division Licensing Team Riverside Rennie Hogg Road Nottingham NG2 1RX Please see attached application
Date application Received:	9 April 2015
Last date for representations:	24 April 2015 The Licensing Officer displayed a public notice of this application in accordance with the Licensing Act 2003 (Premises Licence) Regulations 2005 (as amended) from 10 April 2015 to 24 April inclusive.
Relevant representations received	A representation has been received from Mr Alex Thompson in support of the review on the grounds of prevention of crime and disorder, public safety and the prevention of public nuisance. A representation has been received from Spenbeck Limited. See copies attached
Interim Steps already taken	In accordance with Section 53B of the Act the Authority determined on 10 April 2015 that the licence should be suspended with immediate effect. (copy determination attached).
Matters which the Authority has asked the parties to clarify	1. Identification of all issues (both factual legal) which are in dispute. 2. Identification of all areas of law, Guidance and Policy upon which they intend to rely.
Issues	
Issue 1	Whether it is appropriate to take any one or more of the

	<p><u>steps identified below in order to promote the Licensing Objectives.</u></p> <ol style="list-style-type: none"> 1. To modify the conditions of the licence permanently or for a temporary period of up to 3 months; and/or 2. To exclude a licensable activity from the scope of the licence permanently or for a temporary period of up to 3 months; and/or 3. To remove the designated premises supervisor; and/or 4. To suspend the whole premises licence for a period not exceeding 3 months; or 5. To revoke the licence.
Issue 2	The Panel should determine, (bearing in mind its determination in relation to Issue 1,) that the interim steps already imposed should cease when the determination in relation to Issue 1 takes effect.
Relevant Legislation	Section 53C Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006)
Relevant Policy	Paragraphs 6.55 – 6.57 of the Statement of Licensing Policy
Relevant Guidance	Chapter 11 of the Guidance issued under section 182 of the Licensing Act 2003 and Paragraphs 5.1 to 5.7 of the DCMS non-statutory guidance on expedited/summary licence reviews
Published documents referred to in compiling this report	Licensing Act 2003 (as amended) Guidance issued under Section 182 of the Licensing Act 2003. DCMS non-statutory guidance on expedited/summary licence reviews Statement of Licensing Policy issued by Nottingham City Council.

Andrew Errington
Director of Community Protection
Central Police Station, North Church Street, Nottingham NG1 4BH

Contact Officer: Philip Lawson, Licensing Officer – Telephone: 0115 876 1750

BZR Bar and Club, 41-45 St Mary's Gate, Lace Market, Nottingham, N



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Key



City Boundary

Nomad web map printed by babbat at 10:56, 27/04/2015

1:1250
0 10 20 30 40 50 60 70 80 90 100



Description

No map description



Licensing Act 2003

Communities

Licensing
Tamar Building
Eastcroft Depot
London Road
Nottingham
NG2 3AH
Tel: 0115 915 5555
Fax: 0115 876 1769

Premises Licence

Premises licence number: 035545

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Bar BZR
41-45 St Marys Gate
The Lace Market

Post town	Nottingham	Post code	NG1 1PU
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Telephone number	0115 9523264
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Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films – Indoors;
Live Music - Indoors;
Recorded Music - Indoors;
Performances of Dance - Indoors;
Entertainment Similar to Music/Dance – Indoors;
Late Night Refreshments - Indoors;
Sale by Retail of Alcohol.

Varied: 11 November 2013

The times the licence authorises the carrying out of licensable activities

Films, Live & Recorded Music:

Monday	from 10.00 hrs to 02.30 hrs the following morning
Tuesday	from 10.00 hrs to 02.30 hrs the following morning
Wednesday	from 10.00 hrs to 02.30 hrs the following morning
Thursday	from 10.00 hrs to 02.30 hrs the following morning
Friday	from 10.00 hrs to 03.30 hrs the following morning
Saturday	from 10.00 hrs to 03.30 hrs the following morning
Sunday	from 10.00 hrs to 02.30 hrs the following morning

If applicable a further hour to the standard and non standard times on the day when British Summertime commences.

On New Year's Eve - from the end of permitted hours to the start of permitted hours on New Year's Day.

Varied: 11 November 2013

Performances of Dance and Entertainment Similar to Music/Dance:

Monday	from 10.00 hrs to 02.30 hrs the following morning
Tuesday	from 10.00 hrs to 02.30 hrs the following morning
Wednesday	from 10.00 hrs to 02.30 hrs the following morning
Thursday	from 10.00 hrs to 02.30 hrs the following morning
Friday	from 10.00 hrs to 03.30 hrs the following morning
Saturday	from 10.00 hrs to 03.30 hrs the following morning
Sunday	from 10.00 hrs to 02.30 hrs the following morning

Varied: 11 November 2013

Late Night Refreshment:

Monday	from 23.00 hrs to 02.30 hrs the following morning
Tuesday	from 23.00 hrs to 02.30 hrs the following morning
Wednesday	from 23.00 hrs to 02.30 hrs the following morning
Thursday	from 23.00 hrs to 02.30 hrs the following morning
Friday	from 23.00 hrs to 03.30 hrs the following morning
Saturday	from 23.00 hrs to 03.30 hrs the following morning
Sunday	from 23.00 hrs to 02.30 hrs the following morning

If applicable a further hour to the standard and non standard times on the day when British Summertime commences.

On New Year's Eve - from the end of permitted hours to the start of permitted hours on New Year's Day.

Varied: 11 November 2013

Sale by Retail of Alcohol:

Monday	from 10.00 hrs to 02.30 hrs the following morning
Tuesday	from 10.00 hrs to 02.30 hrs the following morning
Wednesday	from 10.00 hrs to 02.30 hrs the following morning
Thursday	from 10.00 hrs to 02.30 hrs the following morning
Friday	from 10.00 hrs to 03.30 hrs the following morning
Saturday	from 10.00 hrs to 03.30 hrs the following morning
Sunday	from 10.00 hrs to 02.30 hrs the following morning

If applicable a further hour to the standard and non standard times on the day when British Summertime commences.

On New Year's Eve - from the end of permitted hours to the start of permitted hours on New Year's Day.

Varied: 15 February 2006

Varied: 11 November 2013

The opening hours of the premises

Monday from 10.00 hrs to 03.00 hrs the following morning
Tuesday from 10.00 hrs to 03.00 hrs the following morning
Wednesday from 10.00 hrs to 03.00 hrs the following morning
Thursday from 10.00 hrs to 03.00 hrs the following morning
Friday from 10.00 hrs to 04.00 hrs the following morning
Saturday from 10.00 hrs to 04.00 hrs the following morning
Sunday from 10.00 hrs to 03.00 hrs the following morning

An additional 30 minutes after the non-standard times for the provision of licensable activities.

On New Year's Eve - from the end of permitted hours to the start of permitted hours on New Year's Day.

Varied: 15 February 2006

Varied: 11 December 2012

Varied: 11 November 2013

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

Alcohol - On the premises

Alcohol - Off the premises

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Angco Limited, 145-157 St John Street, London, EC1V 4PW

(Transferred: 8 February 2014)

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

08847604

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

Martin William Cammidge

(Varied: 17 August 2012)

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

005/00346/PERS issued by Gedling Borough Council

Signed:.....
Licensing Officer



Date: 19 September 2005
Varied: 3 November 2005
Varied: 15 February 2006
Varied: 11 December 2012
Varied: 11 November 2013

Annex 1 - Mandatory conditions

S. 19 Licensing Act 2003

1. No supply of alcohol may be made under this licence
 - a. At a time when there is no designated premises supervisor in respect of it or,
 - b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
 - (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;
 - (d) provision of free discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.

7. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

S20 Licensing Act 2003

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made

- a. By the British Board of Film Classification (BBFC,) where the film has been classified by that Board, or
- b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20 (3) (b) of the Licensing Act 2003 applies to the film.

Annex 2 – Conditions consistent with the operating schedule

Not applicable.

Annex 3 - Conditions attached after a hearing by the licensing authority (3 November 2005)

- 1. Electrical sockets used by entertainers shall be fitted with residual current device protection (complying with BS 7671 Requirements for Electrical Installations) and labelled accordingly.
- 2. The dance floor shall be clearly delineated and shall be positioned in such a way as to ensure the safety of persons using the dance floor.
- 3. The arrangements for access around the dance floor and for seating in the vicinity of the dance floor shall be such that neither dancers, nor others, seated or otherwise, are put at risk of injury.
- 4. No adult entertainment will be provided.
- 5. A proof of age policy will operate in relation to relevant licensable activities.
- 6. A zero tolerance towards illegal drugs will operate at all times.
- 7. A CCTV system must be installed and maintained to the satisfaction of the Police. All video tapes must be retained for a minimum period of 31 days and made available for inspection by the Police or an authorised Officer of Nottingham City Council.
- 8. Door staff registered with the SIA will be employed at appropriate times during the hours when licensable activities provided.
- 9. Arrangements will be made for the storage and disposal of waste which do not cause a nuisance including the internal storage of receptacles for bottles.
- 10. Any noise from the licensable activities will be monitored in order to prevent nuisance and steps will be taken to prevent its recurrence.
- 11. Waste bins and receptacles shall be removed from the street within a reasonable time from their being emptied.

Annex 4 – Plans

Revised plans received with the variation application on 1 December 2005.

Drawing Nos: 04, 05 & 06

Dated: 10.8.05

19 September 2005

Varied: 3 November 2005

Varied: 15 February 2006

Varied: 11 December 2012

Varied: 11 November 2013

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