



LICENSING AND SAFETY COMMITTEE

29th June 2007

REPORT OF HEAD OF PUBLIC PROTECTION

Application to vary a premises licence under the Licensing Act 2003

**Cinnamon
123 Wolverhampton Road
Pelsall**

1.0 THE APPLICATION

- 1.1 Shake Mohammed Zakaria has made application, under the Licensing Act, 2003 to vary the premises licence in respect of the above premise. A copy of the application with plan of premises is attached as Appendix 1.
- 1.2 A licence has been granted for this premise but not issued since notices of transfer and variation were given prior to issue. The licence granted is in accordance with the original application since it was a conversion of an existing licence. A copy of the original application is attached as Appendix 2. A copy of the transfer application is attached as Appendix 3.
- 1.3 A summary of the application is as follows:

Proposed hours:

Licensable Activities	Days	Start	Finish
Late night refreshment	Friday to Sunday	23:00	00:00
Supply of alcohol	Monday to Thursday	10:00	23:00
	Friday to Sunday	10:00	00:00
Premises open	Monday to Thursday	10:00	23:30
	Friday to Sunday	10:00	00:30

2.0 Background

- 2.1 This matter was brought before the Licensing Sub-Committee on 18th May 2007. The Sub-Committee determined that the hearing should be adjourned to a later date.
- 2.2 The application is to:
- Correct the layout of the premises
 - Extend the hours for the sale of alcohol
 - To permit late night refreshment
- 2.3 The application proposes to correct the layout of the premises which have been wrongly described previously.
- 2.4 The application seeks to extend the terminal hour for the sale of alcohol to 00:00 on Friday to Sunday.
- 2.5 The application seeks to provide late night refreshment till 00:00 on Friday to Sunday.

3.0 Promotion of Licensing Objectives

- 3.1 The additional steps the applicant intends to take in order to promote the four licensing objectives are detailed in Section P on page 19 of the application (Appendix 1).

4.0 Relevant representations

- 4.1 Relevant representations may only be made by a “responsible authority” or by or on behalf of an “interested party” defined as a person living or having a business in the vicinity of the premises to which the application relates.
- 4.2 There has been one relevant representation from a “responsible authority”, West Midlands Fire Service. A copy is attached as Appendix 4.
- 4.3 No relevant individual representations have been received.
- 4.4 A street map of the locality is attached as Appendix 5.

5.0 Policy considerations

- 5.1 Walsall council has stated that ‘at all times the licensing authority will try to strike a fair balance between the benefits to the community of a licensed venue and the risk of disturbance to local residents’.
- 5.2 In considering each application on its own merits, the licensing authority will consider whether or not the proposed licensing hours in the operating schedule will have an adverse effect on the licensing objectives promoted by the authority.

5.3 The Licensing Officer has not been able to mediate in this case.

6.0 Associated papers

- 6 .1 Appendix 1 – the application with premises plan
- Appendix 2 – original application
- Appendix 3 – transfer application
- Appendix 4 – representation from West Midlands Fire Service
- Appendix 5 – street map of the locality