

**BRISTOL CITY COUNCIL**  
**LICENSING SUB-COMMITTEE**

**7 June 2017**

**Report of the Service Manager – Regulatory Services**

**Title:** Licensing Act 2003  
Application for grant of a premises licence in respect of Tops Pizza, 14  
Cotham Hill, Bristol, BS6 6LF

**Ward:** Clifton Down

**Officer Presenting Report:** Sarah Flower

**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 Tops Pizza made by Ali Morad Yazdi and received on 11th April 2017.

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 application is as follows:

Licensable activities and times applied for:

Sale of Alcohol	Sunday 11:00 - 22:30
Sale of Alcohol	Monday to Saturday 11:00 - 23:00
Late Night Refreshment	Sunday 23:00 - 00:00
Late Night Refreshment	Monday to Thursday 23:00 - 01:00
Late Night Refreshment	Friday and Saturday 23:00 - 02:00

Hours the premises will be open to the public:

Sunday	11:00 - 00:00
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Monday to Thursday 11:00 - 01:00

Friday and Saturday 11:00 - 02:00

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 If there had been no relevant representations (or if all relevant representations are withdrawn) the council would be bound to grant the application subject only to such conditions as are consistent with the operating schedule accompanying the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**

### **Whiteladies Road CIA**

#### **Reason for Policy**

This stretch of Whiteladies Road is predominantly characterised by properties with A3 leisure uses behind which are sited residential areas. The request for the CIA to be implemented was made by local amenity groups and supported by the Redland Sector of Avon and Somerset Police. This area differs from the city centre in that there is a greater emphasis on the need to promote the prevention of public nuisance objective. The ability to prevent further encroachment into the normal sleeping times of local residents is a key aspect of this policy. The policy will apply to the consideration of applications for the grant of new authorisations or for significant variations of existing authorisations in respect of premises that primarily sell alcohol for consumption on the premises, other late night uses, restaurants and take away outlets.

#### **Representations**

1. Relevant representations have been received from the following parties, all of whom have been notified of this hearing and their rights:

**Avon And Somerset Constabulary**  
**Bristol City Council Licensing Authority**  
**Bristol City Council Planning**  
**Bristol City Council Pollution Control**  
**Cllr Clive Stevens**  
**Dr Jill Wight**  
**Penny Dobson**  
**Dr James Brennan**  
**Simon Margetts**  
**Emily Wolfe**

## **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            Draft premises licence with proposed conditions (if applicable) which would be issued under Licensing Act 2003, if granted.**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
**Background papers: Application and supporting documents.**

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