

# Licensing Sub-Committee report



Report of: Licensing Officer  
 Application: New Premises Licence  
 Premises: Barbershop Brewhouse, 2 Downham Road, Woburn Sands  
 Applicant: The Barbershop Brewhouse Limited  
 Date of Application: 1 July 2021  
 Application Ref: 159213

Exempt / confidential / not for publication	<b>No</b>
---	-----------

## 1. Application

- 1.1 This is an application for a new premises licence (attached at **Annex A**). The premises are proposed to operate as a café bar and shop with the facility for consumption of alcohol both on and off the premises. The premises are not currently trading but previously the unit was a barber shop to the first floor and a fitness studio to the ground floor. The Committee only has discretion to consider the issue of alcohol supply, the retail / café use is not within its gift.

### Application for Sale of Alcohol

Monday to Sunday

07:00 to 22:00 (on sales from 11:00 am to 21:45 hours)

### Opening Hours

Monday to Sunday

07:00 to 22:00

The licensed area is shown as per the plan at **Annex A**. It encompasses the ground floor only.

- 1.2 The application contains an operating schedule at section 18 that details the steps the applicant would take if the licence was granted. In response to representations received the applicant has sought to reassure concerns and has added to this as detailed in a letter at **Annex B**. Those making representations are aware of the response to their concerns. For assistance, photographs showing the premises and its position is provide at **Annex C**.

1.3 The application was advertised both in the newspaper and via the statutory blue notice erected at the site. A public consultation letter was issued to all residents in the surrounding area within 50 metres of the premises as shown in a plan at the end of **Annex E**.

1.4 Within the 28-day consultation period the Council received eight representations.

## 2. Responsible Authorities

2.1 The Licensing Authority has received one representation from Environmental Health in terms of the potential for noise disturbance (see **Annex D**). There is ongoing dialogue between parties to address the concerns but at the time of publication the representation remains.

## 3. Other Persons

3.1 'Other Persons' is the legal term that encompasses residents, businesses and others who feel that granting of a licence would undermine one or more of the Licensing objectives in some way.

3.2 In this instance the Council has received one representation from a local business, five residents, the Town Council and Councillor Hopkins. These are listed in **Annex E** together with a schematic plan showing the vicinity of those making representation to the application.

3.3 There is a common theme to the representations. People are concerned about parking by customers that may lead to public nuisance and public safety issues; that there will be noise and rubbish implications; that the location is unsuitable for a premise to sell alcohol; that the sanitary facilities on site are inadequate; that its manufacturing element is a concern and that smokers and others outside the premises will cause nuisance. Further that the hours sought are a concern and that there is no need for a further premise selling alcohol.

## 4. Officer Observations

4.1 There are no standard hours for shops or cafés in terms of alcohol supply - each case must be decided on their own merits. In licensing terms this is a modest application however the premises are on the boundary of residential properties as **Annex C** shows. Further, the car park opposite the premises is for Tesco patrons only and so does not provide a facility for the premises to use. There is no other car park in proximity.

4.2 Whilst those making representations are concerned about a lack of parking, it is a commercial unit that has been in place for many years.

4.3 Woburn Sands does not have what is called a Cumulative Impact Policy so there are no policy restrictions on granting further licences or a restriction on the hours that can be granted. It is on a case by case basis.

5. Determination of the Application by the Sub-Committee
- 5.1 The Sub-Committee is required to determine the application in accordance with the Licensing Act and must, having regard to the representations, take such steps that it considers appropriate for the promotion of the Licensing Objectives.
- 5.2 The steps that the Sub-Committee can take are:
- (a) modify the terms of the application in granting a licence;
  - (b) rejecting the application or part of the application; or
  - (c) grant the Licence as applied for.
- 5.3 The four Licensing Objectives are:
- (a) The Prevention of Crime and Disorder.
  - (b) Public Safety.
  - (c) The prevention of Public Nuisance.
  - (d) The Protection of Children from Harm.
- 5.4 When carrying out its functions under the Act, and determining an application, the Licensing Authority must have regard to the Guidance issued by the Home Secretary under section 182 of the Act and its own Statement of Licensing Policy.
- 5.5 Extracts from the Guidance appropriate to this application are attached at **Annex F**. A full copy is available online or from the Licensing Team.
- 5.6 Extracts from the Council's Statement of Licensing Policy relevant to this application are attached at **Annex F**. A full copy is available online or from the Licensing Team.

Contact Officer

For further information on this application please contact Ed Fisher on telephone 01908 252801 or e-mail: [eddie.fisher@milton-keynes.gov.uk](mailto:eddie.fisher@milton-keynes.gov.uk)

### List of Background Papers

Milton Keynes Council Statement of Licensing Policy 2018-2023.

<https://www.milton-keynes.gov.uk/environmental-health-and-trading-standards/licensing/beer-and-entertainment/milton-keynes-council-licensing-policy>

Home Office Revised Guidance issued under section 182 of the Licensing Act 2003 - April 2018.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)