



**LICENSING SUB-COMMITTEE HEARING  
MEMBERS' RECORD OF DETERMINATION**

**FIREAWAY, GARRICK WALK, CENTRAL MILTON KEYNES**

**NEW PREMISES LICENCE**

**25 MARCH 2021**

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**Constitution of the Sub-Committee:** Councillors Brackenbury and Marlow  
**Chair** Councillor Legg

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**Legal Advisor:** Meurig Tiley  
**Committee Manager:** Jane Crighton

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**Licensing Officers:** James Sloan Senior Licensing Officer

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**Applicant/Licence Holder** Mr C Bommidica Fireaway

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**Documentation:** Report of the Senior Licensing Officer and documentation.

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**Apologies:** None

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**Disclosures of interest:** None

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<b>CHAIRMAN</b>	Councillor Legg
<b>SIGNATURE</b>	
<b>DATE</b>	25 March 2021

## 1. Reason for Hearing

The Senior Licensing Officer advised the Sub-Committee that a hearing was necessary to determine an application for a new Premises Licence in respect of Fireaway, Garrick Walk, Central Milton Keynes.

The Senior Licensing Officer informed the Sub-Committee that the premises was designed to operate as a restaurant and takeaway but also provide a food delivery service. The premises was currently trading but only as a takeaway, due to Covid restrictions.

The Sub-Committee was advised that the application had been to seek the sale of alcohol and late night refreshments, as detailed below:

### (a) Sale of Alcohol

#### Monday to Sunday

11:00 to 00:00 for consumption on the premises

11:00 to 00:00 for consumption off the premises by takeaway

11:00 to 03:00 for consumption off the premises by delivery

### (b) Late Night Refreshment

#### Monday to Sunday

23:00 to 00:00 for consumption on the premises

#### Monday to Sunday

23:00 to 03:00 by delivery

#### Sunday to Wednesday

23:00 to 00:30 by takeaway

#### Thursday to Saturday

23:00 to 03:00 by takeaway

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## 2. Considerations

During the consultation process, objections had been received from two Responsible Authorities; Thames Valley Police and the Licensing Authority; and an interested party.

The Senior Licensing Officer informed the Sub-Committee that the applicant had subsequently agreed to conditions put forward by the Responsible Authorities which would form part of the operating schedule.

The Sub-Committee was advised that, following the representation from the interested party, there had been a compromise in the hours of trading being reduced together with a condition, proposed by the applicant, being agreed. However, the representation remained which related to the hours of trading beyond 00:30 on Thursday evenings.

The applicant informed the Sub-Committee that he wished to provide a service to the public; the sale of alcohol would cease at midnight for consumption on the premises and for takeaways; and 3.00 am for consumption off the premises by delivery.

## 3. Decision

The Sub-Committee carefully considered all the evidence before it, including the applicant's comments and the representation from an interested party, and resolved:

That the application for a new Premises Licence be granted for the following licensable activities:

### (a) Sale of Alcohol

#### Monday to Sunday

11:00 to 23:30 for consumption on the premises

11:00 to 00:00 for consumption off the premises by takeaway

11:00 to 03:00 for consumption off the premises by delivery

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(b) **Late Night Refreshment**

Monday to Sunday

23:00 to 23:30 for consumption on the premises

Monday to Sunday

23:00 to 03:00 by delivery

Sunday to Wednesday

23:00 to 00:00 by takeaway

Thursday to Saturday

23:00 to 03:00 by takeaway

**4. Reasons**

The Sub-Committee heard from the applicant and carefully considered the submission from the interested party on this matter.

The Sub-Committee noted that the premises was situated in Upper 12<sup>th</sup> Street, previously known as the Theatre District, and surrounded by other bars, clubs and restaurants together with residential dwellings above some licensed premises.

It noted that the applicant had agreed conditions submitted by both Thames Valley Police and the Licensing Authority and would ensure that adequate training would be provided to all staff on Challenge 25.

**5. Appeal**

An appeal must be commenced by notice of appeal given by the applicant or persons who made a relevant representation to the designated officer for the Magistrates' Court within the period of 21 days beginning with the day on which the applicant was notified by the Sub-Committee of the decision appealed against.

Should they choose to appeal this decision, they are advised to seek independent legal advice prior to doing so.

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