



STROUD DISTRICT COUNCIL

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LICENSING ACT 2003

APPLICATION FOR A NEW PREMISES LICENCE

PREMISES NAME	PERFECTED HAIR AND BEAUTY STUDIO
PREMISES ADDRESS	UNIT 2, 17 CANONBURY STREET, BERKELEY, GL13 9BE
APPLICANT NAME/S	PERFECTED HAIR AND BEAUTY STUDIO LIMITED
APPLICATION TYPE	NEW PREMISES LICENCE
APPLICATION REFERENCE	23/00644/LAPRNW
DATE OF HEARING	14 AUGUST 2023
DATE OF DECISION	14 AUGUST 2023

BACKGROUND

Stroud District Council (“the Council”), being the relevant Licensing Authority, received an application for a new Premises licence under section 17 Licensing Act 2003.

Following a representation from 2 local residents (“Other Persons”), the Council’s licensing sub-committee (“the Panel”) held a hearing on 14 August 2023 to determine the application.

HEARING

The Panel comprised of Councillors Ken Tucker (Chair) John Jones and Julie Job.

Joanne Kershaw, attended on behalf of the Applicant.

The Other Persons that made representation were not present. The written representations submitted them were however considered by the Panel.

No Representations were received from the Responsible Authorities.

The Panel heard from the Licensing Manager, Rachel Andrew.

LEGAL MATTERS

The Panel had due regard to:

1. The provisions of the Licensing Act 2003 which confer the powers of the Licensing Authority to deal with the application;
2. The obligation to promote the four licensing objectives; and

3. The relevant sections of the Council's Statement of Licensing Policy and Statutory Guidance.

The Panel considered that it must carry out its functions with a view to promoting the four licensing objectives, as set out in Section 4(2) of the 2003 Act. The Panel cannot take into account any matters or representations which do not relate to one or more of those licensing objectives and acknowledges that any representations which are received must be relevant and evidenced-based.

APPLICANT'S REPRESENTATION

The Applicant stated that Perfected Hair and Beauty is open 6 days per week (closed on a Sunday). The Applicant confirmed the application is for the sale of alcohol between the hours of 09.00 and 22.00, 7 days per week and that application was for 7 days per week to cover the situation where a wedding was taking place on a Sunday, and someone wanted to take advantage of the service the Applicant was seeking to introduce.

The Applicant also stated that the application was made to enable a luxury service whilst clients were present. The Applicant stated that not all clients would want to have an alcoholic drink, but she wanted the option to have the sale of alcohol as part of the business and to include ad hoc events such as weddings or 'hen pamper' events. The Applicant outlined that she did not envisage this would be a significant part of the business as she is not a bridal stylist but wanted to have this as an option. The Applicant detailed that she would not be offering parties etc. and it only be part of the 'luxury' side to the hair and beauty business, there would be no bar facility.

The Applicant indicated that the business has 3 hair stations and 2 stylists, so a maximum of 2/3 people would only be able to attend as a 'group'.

The Applicant indicated all alcoholic drinks would be stored in the staff room and brought out on request only. The 'drinks menu' at each station would include free hot and cold refreshments and the alcoholic drinks would be prosecco, wine, pink gin and lemonade, corona, baileys hot chocolate and Irish coffee. The Applicant also stated that clients who consumed alcohol would not be permitted to drink outside the building at any time. The Applicant stated that they would ensure that people left the premises quietly and respectfully.

OTHER PERSONS REPRESENTATIONS

One representation was received from Other Persons. The representation was made by two local residents, from the same household. The Other Persons noted the licence sought to permit the sale and consumption of alcohol between 09.00 and 22.00 over 7 days a week i.e. 13 hours every day. The Other Persons stated whilst a glass of something offered during a service is an agreeable and popular idea, this proposal was to sell alcohol across the entire week which was, in their view, a very different proposition.

The Other Persons were concerned for example about clients leaving noisily and late in the evening, possibly every day of the week.

The Other Persons indicated that they had major concerns that 'pamper and hen parties' would be offered across lengthy licensing hours suggest parties on offer any day, any time. The Other Persons stated that Hen parties are notoriously robust and noisy affairs and clients leaving late in the evening across the entire week, into what is a predominantly residential street, was not welcome.

The Other Persons raised further concerns regarding the impact on the very limited parking in Canonbury Street and that parking problems were already being caused by patrons visiting other premises in the vicinity.

DECISION

The Panel decided, as the application met the licensing objectives, to grant the application as requested.

In deciding the application, the Panel considered the comments made by the Applicant that the provision of alcohol would not be the main part of the business. The Panel also noted that the Applicant did not intend to open on a regular basis every day.

The Panel also considered the steps put forward by the Applicant to promote the licensing objectives.

The Panel also considered the representation from the Other Persons.

APPEAL

All parties are reminded that there are rights of appeal against this the Licensing Authority's decision pursuant to Section 181 of and Schedule 5 to the Licensing Act 2003. An appeal must be made to the Magistrates' Court and commenced within 21 days of notification of the Council's decision.

REVIEW

All parties are reminded of the procedures contained within the Licensing Act 2003 relating to the potential review of a premises licence. This provision allows the public, businesses or Responsible Authorities to apply for a review of a premises licence where problems arise, such as: crime and disorder, risks to public safety, public nuisance or failure to protect children from harm.

The Licensing Authority respectfully reminds all parties that for any review to be successful in restricting a licence, evidence would need to be collected of incidents occurring that demonstrated that the licensing objectives were not being adequately

promoted. The Council's Environmental Health Service can be contacted out of hours to report complaints of excessive noise nuisance.