

Extracts of the Milton Keynes Council Statement of Licensing Policy

5. Licensing Hours

5.3.3 The licensing authority is likely to impose stricter conditions regarding noise control for those premises that are situated close to residential areas if relevant representations are received. In these situations the licensing authority will expect the applicant to have scoped the potential for public nuisance including noise and/or vibration nuisance, and to have factored in suitable control measures within their operating schedule.

5.3.4 The licensing authority may set an earlier closing time where after representations having been made, it considers this is appropriate having regard to the nature of the licensable activities and the impact on the licensing objectives.

5.3.11 The consumption of alcohol is not a licensable activity and therefore can take place within the 'opening hours' of the premises whereas the sale or supply of alcohol can take place only during the 'licensed hours' stated on the premises licence, certificate, or temporary event notice..

5.3.12 The Authority expects opening hours stated on a licence to mean patrons will leave a licensed venue no later than the closing time stated for that day.

9.3 Licensing law is not a mechanism for the general control of any anti-social behaviour being displayed by patrons once they have left the curtilage of the licensed premises. Other more specific legislation should be used..

Applications for New Premises

10.2 When considering contested applications the licensing sub-committee must have regard to the licensing objectives. This could include reference to the following information:

- The occupancy figure for the proposed premises
- Whether the proposed premises will act as a replacement for others in the area that no longer have a licence
- The proposed methods of management outlined in the applicants operating schedule
- The proposed hours of operation including opening hours
- The proposed licensable activities
- Compliance history of the applicant.

Licence Conditions

17.1 General and related issues

17.1.1 Licence conditions will not be imposed for any other purpose than meeting the licensing objectives. The licensing authority will not impose blanket standard conditions. Conditions that are applied will be focused on matters which are within the control of licence holders at or within the vicinity of premises and shall take into account guidance under Section 182 of the Licensing Act.

17.5.4 The licensing authority will also consider representations made by relevant persons or responsible authorities on the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application. These could include the steps taken or proposed to be taken by the applicant regarding the following issues:-

- Excessive noise and vibration escaping from the premises, including music, noise from mechanical ventilation equipment and human voices
- Disturbance by customers, staff, delivery vehicles or contractors arriving at or leaving the premises. This will be of greater importance between 11p.m. and 7a.m.
- Queuing either by pedestrian or vehicular traffic on land under the applicant's control.
- Use of gardens and other open-air areas within the curtilage of the premises.
- Siting of external lighting.
- Increase in refuse storage or additional littering in the vicinity of the premises.
- Previous history of nuisance complaints.
- Potential for odour nuisance.
- Confidence in the management to deliver the control measures proposed.