

Representation from Licensing Officer

Licensing Act 2003

Wilton Hall, Wilton Avenue, Bletchley – New Premises Licence Application

Representation from Licensing Officer as Responsible Authority

The application for the above premises seeks to permit the provision of licensable activities at a premises with a proposed capacity of 750 people. The potential issues around crime and disorder and noise will be considered by colleagues in the Police and Environmental Health. I have noted that there is a considerable concern from local residents in respect of the impact 750 people visiting this premises will have on parking and the locality.

Parking is not explicitly mentioned in the Licensing Act 2003 nor the accompanying Section 182 Guidance. However, Public Nuisance is not narrowly defined in the Act and retains its broad common law meaning:

Section 182 Guidance

“It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.” (Sct 182 Guidance 2.16)

Consequently there is scope to consider parking to undermine the public nuisance licensing objective.

The **Milton Keynes Statement of Licensing Policy** states:

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:-

- *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.*
- *Arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents*

The policy also allows for consideration of parking if it may undermine the public nuisance licensing objective.

Considering the widespread public concern that has been expressed by local residents, I believe it is necessary for the applicant to consider the impact of such a number of guests arriving, that this may undermine the licensing objective of public nuisance, and that measures should be taken to resolve this.

The current provision of 40 spaces in the venue carpark does not appear to be a suitable number to accommodate 750 guests. I am aware that historically alternative parking has been arranged with local car park owners. I feel it would be difficult for a Licensing Officer to condition the amount of parking provision required without operating outside the bounds of the Licensing Act 2003.

I do note alongside this, that the Guidance also states:

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right...

Following our discussions in respect of parking I request that the following conditions are included in your operating schedule:

1. The Premises Licence Holder will create and maintain a risk assessment to determine how many car park stewards will be required to aid in the arrival and dispersal of guests to the premises. The risk assessment must be complied with and consider the safety of the stewards.
2. The Premises Licence Holder will ensure up-to-date parking and transport options are included on the website and materials sent to those booking the hall. This will include maps, walking times and car park operational times/prices. The 'hall hirer' must be made aware of the limited parking provisions.
3. Arrangements for use of alternative private car parking solutions in the area must be recorded. If these arrangements are changed, the Licensing Authority must be informed. These arrangements must be made known to 'hall hirers'.
4. If the Premises Licence Holder is organising use of the premises, they must ensure guests are aware of parking/ transport provisions. If the 'hall hirer' is inviting guests, the hirer must be instructed to send out information about these provisions.
(informative: a 'hall hirer' is considered to be an individual or group who will hire the use of the hall for licensable activities provided by the Premises Licence Holder)

Whilst agreement to these conditions may resolve my concerns in relation to parking at this stage, if in practise the operation of the premises undermines the licensing objectives, additional action may be required to reduce the capacity of the premises.

The applicant should also note that without suitable alternative transport and parking arrangements, the current provision of 40 spaces and no advice on parking/ transport is not suitable.

James Sloan

Licensing Officer