

Report of Application:

Bletchley Park Trust Limited for Bletchley Park, Sherwood Drive, Bletchley

Application Reference No: 138939

1. Summary of Application

- 1.1 This is an application for a new premises licence.
- 1.2 There is an existing licence in place dating from 2007 but it does not cover all the buildings the Trust now wish to licence, notably the museum shop and the adjacent café (contained in what is known as C block).
- 1.3 When a licence needs to be changed to increase the licensed area it is open to either 'vary' the existing licence or seek a new licence altogether but when the changes are substantial then there must be a new application.
- 1.4 The application process for new or major variations is the same.
- 1.5 The application being considered is not the same in terms of hours as the existing licence but overall it is similar. A summary is provided at **Annex 1** for comparative purposes. Overall the licensed hours are in fact being reduced but the licensed areas are increased (C block)
- 1.6 A copy of the original application as submitted is provided at **Annex 2** (please note that the application has been amended by the applicant since that time in light of representations received so **Annex 1** provides accurate details on hours now sought. The change has been to remove the 3am extension of hours.
- 1.7 The existing licence is provided at **Annex 3**.

2. Background Information

- 2.1 Bletchley Park is a large premises and an evolving tourist attraction. It is made up of a number of buildings some of which seek to be licensed. The current application seeks to licence all outside areas of the site but with a restriction of time in the lawn area. A plan to show the licensed buildings and extent of the site is provided at **Annex 4**.
- 2.2 Since the existing licence was granted in 2007 areas of the surrounding land have been developed for residential use and the Park is now enveloped much more than it was (see **Annex 5**).
- 2.3 A review of the Council's Environmental Health and Licensing records does not show a history of complaint or issue with this premises but this does not

mean residents are not affected by the carrying out of licensable activities on site and the representations received give an opportunity for concerns and problems with the licensing objectives to be considered

3. **Promotion of Licensing Objectives**

- 3.1 The application includes a large operating schedule that would be converted to conditions if the licence were granted. This is provided at **Annex 6**. Some of these conditions should address some residents' concerns. For example in terms of noise from events, conditions 9, 10, and 26-31 of **Annex 6** provide controls for large outdoor events. It is important to state however that following deregulation of licensing laws in 2012 by the Government noise conditions from entertainment before 11pm in front of an audience of less than 500 people do not have affect unless imposed at a licence review. This refers to both indoor and outdoor entertainment.

4. **Responsible Authorities**

- 4.1 The applicant agreed an additional condition with Thames Valley Police (see **Annex 7**). This would need to form part of any granted licence and in effect is a re-imposition of a condition on the existing licence
- 4.2 The applicant also agreed three conditions with the Local Safeguarding Children's Board (see **Annex 8**). These would also need to form part of any granted licence
- 4.3 The Licensing Officer asked for amended wording on certain conditions being proposed as they referred to 'chief environmental health officer' (a now defunct role at the Council) and these amendments are included in the current **Annex 5**.

5. **Interested Parties**

- 5.1 16 representations from local residents were received. Two were rejected for being out of time; and nine were withdrawn following contact from the applicant concerning the removal of the 3am element of the application. Five representations remain. These are provided at **Annex 9**. In summary the issues appear to be:

- (a) noise from use of external areas notably until 1am;
- (b) crime and disorder from off sales of alcohol;
- (c) use of the premises as an entertainment venue rather than a museum;
- (d) existing noise issues from the Mansion and Hut 4 at night both from inside and outside use from people, music and bottle bins;
- (e) noise from people leaving the venue late at night and also resultant litter issues; and
- (f) existing parking issues in residential areas and congestion preventing access for residents to their homes.

5.2 A plan showing the proximity of those making representations is presented at **Annex 10**.

6. Policy Considerations

Relevant sections of the Guidance issued under Section 182 of the Licensing Act 2003.

2.20

Conditions relating to noise nuisance would normally concern steps appropriate to control the levels of noise emanating from premises such as ensuring that doors and windows are kept closed after a particular time. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises.

2.22

Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping.

9.4

A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

2.3 The Licensing Objectives are:

- The prevention of crime and disorder
- Public safety

- The prevention of public nuisance and;
- The protection of children from harm

Relevant sections of the Council Statement of Policy

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.*
- 17.1.2 *The licensing authority will attach conditions to licences or certificates only to ensure that they will:-*
- *refer to licensable activities as stated in the operating schedule,*
 - *refer to one or more of the licensing objectives, and*
 - *deal with any relevant representations received from a responsible authority or interested party that are considered by officers or the licensing sub committee to be appropriate.*

The Prevention of Public Nuisance

- 17.5.1 *The licensing authority wishes to protect the amenity of residents and businesses in the vicinity of licensed premises and for these purposes 'in the vicinity' is taken to mean the immediate area around licensed premises without any stated distance criteria. Matters of concern will be dealt with on an individual basis*
- 17.5.2 *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.*
 - *Arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents*
 - *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.*

7. **Officers Observations**

- 7.1 It will be useful to determine if the applicant has considered any further measures following the representations to ensure that their customers and regulated entertainment do not disturb or disrupt residents in the locality.
- 7.2 Those making representations have been asked regarding evidence of existing problems from licensed activities as this would be useful as a benchmark
- 7.3 The Sub-Committee can refuse the application; grant the application or grant it with amendments (for example different hours; or additional conditions).

Associated Papers: None

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