

LICENSING PANEL

MONDAY, 1 APRIL 2019

PRESENT:- Councillors Alan Bishop, Vera Tomlinson and Nick Martin

26. Appointment of Chair

Resolved – That Councillor Vera Tomlinson Chair this meeting of the Panel.
(Councillor Tomlinson took the Chair.)

27. Minutes

Resolved – That the minutes of the meetings held on 14th and 19th December 2018 be confirmed and signed.

28. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

29. Application for a Premises Licence for the Bangladeshi Association of Swindon, GWR Park, Faringdon Road, Swindon

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Premises Licence for Bangladeshi Association of Swindon, GWR Park, Faringdon Road, Swindon, (b) written representations from Wiltshire Police in support of their objection to the application for a Premises Licence, (c) oral submissions opposing the application by Mr Hugh Green, local resident in support of his objection, (d) written representations from Wiltshire Police opposing the grant of the application in its current form, (e) oral submissions supporting the application by Councillor Abdul Amin (Applicant) and Councillor Bob Wright (Ward Councillor), (f) answers received in response to questions to the Objectors and applicant, and (g) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

The Council's Licensing Manager introduced the report noting:

- The licensable activities set out within the application comprising the sale of alcohol for consumption on the premises, recorded music, the performance of plays, the showing of films, the performance of live music, the performance of dance and anything of a similar description.
- The hours requested for the activities listed namely the showing of films between 11:00 to 19:00 and all other activities requested between 11:00 and 20:00.
- The options available to the Panel in determining the application.
- That the application was for four events per annum and that each event would be considered by the Event Safety Advisory Group.
- The premises was also in possession of a Premises Licence issued to the Mechanics Institute which operates one event per year.
- That Wiltshire Police had withdrawn their representation and that the

comments set out within their written submission would be addressed through conditions to any licence approved.

- There were two representations for consideration, both submitted by local residents.
- This was the first time the applicant had applied to use this location for an event.
- Each event at the park would be risk assessed on an individual basis.
- That alcohol sales would be made under a Temporary Event Notice at the first event.

Submissions in support of the application can be broadly summarised as:

- The event was to celebrate the Bengali New Year, previous events celebrating this event had been held in in-door venues.
- The event was ticketed and all monies raised would go towards the Mayor's charities.
- Permission to use the park had been given subject to a 56 day notice period to allow the application to progress through the Event Safety Advisory Group.
- The nature of the objections raised had been considered by the Event Safety Advisory Group.
- The Council had designated the Park as a suitable venue for events such as that set out within the application.
- Past behaviours could not be associated with the applicant.
- The sale of alcohol and any adverse behaviour arising from its consumption would be monitored and controlled by experienced staff, stewards and security. No alcohol would be permitted to be taken off-site by attendees.
- Past experience had shown any alcohol related issues tended to be related to people trying to bring alcohol into the park or involving those people who had already been consuming alcohol prior to trying to gain entrance and not from sales at events. Anyone causing issues would be asked to leave the event.
- Parking issues were a matter for the Council's parking enforcement team but visitors were being encourage to use public transport or public car parks if they chose to drive.
- That there was a team on-site responsible for litter collection throughout the day and the applicant indicated his willingness for a condition on litter clear-up off-site to be attached to any licence granted.
- Sound levels were set at 65db and the event organiser had to ensure this level was not exceeded.
- Alcohol related anti-social behaviour was primarily related to licensed premises in the vicinity.
- The majority of issues raised by objectors were addressed in the Risk Assessment prepared for the event; any issues arising on the day would be dealt with by the event controller.
- There would be security at all the gates to the park to control numbers entering the park and to ensure those entering had not been drinking.
- Although the application was for 5,000 people this was due the nature of the application form it was anticipated that at peak times there would be between 500 and 1,000 people present.
- Police concerns had been addressed and so there were no objections from

the Statutory Authorities and only two public objections had been received.

- There was a lot of public support for the family event.

Submissions opposing the application can be broadly summarised as:

- That the premises were not currently in a state to host the event with broken manhole covers and numerous deep indentations in the grassed area which could put public safety at risk.
- The residents of the Railway Village suffered anti-social behaviour in the form of excessive spill-over of noise, drunken behaviour, people urinating in the street and littering (including in gardens and back alleys which were not cleared by the Council) when outdoor events were held at Faringdon Park.
- That the venue was not suitable for holding large events as there was no parking available for those attending which led to indiscriminate and inappropriate parking which severely impacted the residents of the Railway Village.

Resolved - After considering: -

1. The application for a premises licence made by the Licensee; and
2. Representations and material put forward on behalf of the Objectors;

And taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

And having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance
- iii. Public Safety

The Panel has determined the application be granted subject to the following:

1. The permitted hours for the sale of alcohol on the premises be:
Saturdays and Sundays 11:00 until 19:30.
2. The permitted hours for Recorded Music on the premises be:
Saturdays and Sundays 11:00 until 20:00.
3. The permitted hours for the Performance of Plays on the premises be:
Saturdays and Sundays 11:00 until 20:00.
4. The permitted hours for the Exhibition of Films on the premises be: Saturdays
and Sundays 11:00 until 19:00.
5. The permitted hours for the Performance of Live Music on the premises be:
Saturdays and Sundays 11:00 until 20:00.
6. The permitted hours for the Performance of Dance on the premises be:
Saturdays and Sundays 11:00 until 20:00.
7. Anything of a similar description on the premises Saturdays and Sundays
between 11:00 and 20:00.

That in addition to the conditions set out in the application for the premises Licence the following additional condition should be applied to the licence: -

1. That the applicant shall arrange for a litter pick of the streets adjoining the

Premises and the pedestrian route between the Premises and Bristol Street Car Park to be undertaken within 24 hours of the end of the event.

The Chair reminded both parties that you have a right of appeal to the Magistrates' Court against the determination of this panel and that any such appeal, must be commenced within 21 days of this determination.