

Statutory Licensing Sub-Committee

Minutes - 4 July 2023

Attendance

Members of the Statutory Licensing Sub-Committee

Cllr Rashpal Kaur (Chair)

Cllr Gillian Wildman

Premises Licence Applicant:

Neil Johnson

City of Wolverhampton Council

Responsible Authorities:

Faye Pearson

Environmental Health

Emma Caddick

Environmental Health

Emma Waites

Environmental Health

Other Persons:

Several local residents who submitted representations attended the Hearing.

Employees:

Anita Chonk

Senior Licensing and Compliance Officer

Bankole Thomas

Licensing Solicitor

Jacob Stokes

Democratic Services Officer

Item No. *Title*

1 Apologies for absence

Apologies for absence were submitted by Councillor Zee Russell.

Councillor Rashpal Kaur chaired the meeting in Councillor Russell's absence.

2 Declarations of interest

There were no declarations of interest.

3 Licensing Act 2003 - Application for a new Premises Licence in respect of Bantock Park, Finchfield Road, Wolverhampton, WV3 9LQ

An application for a Premises Licence in respect of Bantock Park, Finchfield Road, Wolverhampton, WV3 9LQ was considered following representations received from Environmental Health and Other Persons.

The Chair welcomed all parties to the hearing and invited all those present to introduce themselves. All parties did so. She outlined the procedure to be followed and all parties confirmed that they understood the procedure.

A discussion took place regarding the members of public in attendance, and Bankole Thomas, Licensing Solicitor, provided legal guidance to the Sub-Committee. After discussion, it was confirmed by the Chair that although the meeting was open to the press and public, only those in attendance who had made a relevant representation would be allowed to address the Sub-Committee.

The Sub-Committee's statutory duty was to consider the application and any representations, and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the Licensing Objectives.

Anita Chonk, Senior Licensing and Compliance Officer, provided an outline of the application. She noted a typographical error on Page 4 of the report and stated that the report should read that the Applicant had mediated with Environmental Health.

Neil Johnson, City Events Operations Manager, confirmed that the summary was accurate.

The Chair invited the Applicant to present the application. The City Events Operations Manager did so, as per Appendix 1 of the report. He stated the following:

1. The application was part of the wider ambition for Wolverhampton to become an event city and to increase visitor numbers to the city in a managed, commercially viable and inclusive way.
2. There would be several positive effects of granting a Premises Licence.
3. The maximum number of events that would be held in a calendar year was eight, with no more than two in a calendar month on non-consecutive weekends, and the maximum attendance would be no more than 4,999 people at any one time.

4. The conditions that would be imposed for any future event at the Premises had been fully outlined in the Application. He summarised the conditions for the Sub-Committee.
5. Successful mediation had taken place with Environmental Health, as outlined in Appendix 39 of the report.
6. The Premises Licence was designed to help facilitate events currently running at Bantock Park.
7. The Premises Licence would mainly be used for Council-run events. External events would still need to apply for a Temporary Event Notice to sell alcohol and large concert-style events would not be permitted to operate under the Licence; these events would still need to apply for their own Premises Licence.
8. A traffic management plan would be developed, and all organisers of events would need to follow this.
9. The Premises Licence would not be used to install a permanent bar at Bantock Park.
10. A Stakeholder Engagement Plan would be developed for any major events. As part of this, residents would be notified of any events at Bantock Park and would be given a contact number to discuss any issues and a chance to engage with organisers before and after the event.

The Chair afforded all parties present the opportunity to question the Applicant in relation to his submission.

The Licensing Solicitor stated that questions should be limited to only the Application in question and should not concern previous events held at Bantock Park.

The City Events Operations Manager responded to questions asked and stated the following:

1. He was happy to engage with residents to minimise disruption.
2. The maximum permitted attendance would include staff.
3. The Premises Licence would allow the Council to manage which events could be held at Bantock Park.
4. An Event Management Plan (EMP) would be produced and sent to the Public Events Safety Advisory Group (PESAG) and West Midlands Police for approval before each event.
5. He was happy to agree a condition that only eight total events requiring a Premises Licence could be held in Bantock Park per calendar year.
6. Alcohol provisions would start at 10am.
7. The Application asked for seven days a week to allow flexibility.
8. Large scale concerts would need to apply for their own Premises Licence.
9. Profits from the events could be reinvested back into Bantock Park.
10. All events would take place in a secured site.
11. There were no plans to increase the number of events past eight per calendar year.

Following advice from the Licensing Solicitor, the Chair allowed a resident who had not submitted representations to ask a question to Environmental Health.

Emma Caddick, Service Manager – Environmental Health, advised all parties that vehicle movement onto the park was not a matter for Environmental Health but that

she would take resident feedback on this matter to the relevant department and individual event organisers.

The Chair noted that the meeting was being broadcast live.

The Chair invited Environmental Health to make representations. Faye Pearson, Senior Officer – Food and Health and Safety, did so as per Appendices 3 and 39 of the report. She stated that Environmental Health had mediated with the Applicant and licence conditions had been agreed. She outlined the amended licence conditions for the Sub-Committee.

The Chair afforded all parties present the opportunity to question Environmental Health in relation to its submission. The Service Manager – Environmental Health responded to questions asked.

The Chair invited Other Persons to make representations.

KC stated the following:

1. Bantock Park was in a highly residential area.
2. A Premises Licence would have a significant impact on the quality of life of residents and infringe on their right to relax and enjoy their own properties.
3. Resident concerns had been ignored in favour of revenue.
4. Bantock Park was a community resource.
5. A Premises Licence would be inappropriate for the area and the Sub-Committee should consider refusing the Application.

The Chair afforded all parties present the opportunity to question KC in relation to her submission. There were no questions asked.

JD stated the following:

1. Vulnerable people were living in the area.
2. A Premises Licence would detract from Bantock Park as a community resource.
3. Alderman Bantock, who had gifted the park to the Council, deplored alcohol and wished for the park to be used as a place for workers to enjoy.
4. A Premises Licence would not adhere to Alderman Bantock's wishes.

The Licensing Solicitor advised that the park had been a public, charitable gift and as such, there were no conditions attached.

The Chair afforded all parties present the opportunity to question JD in relation to her submission. JD responded to questions asked.

JP stated the following:

1. Bantock Park was a family park, with one traffic entrance.
2. Local children needed undisturbed sleep.
3. There were problems with parking.

The Chair afforded all parties present the opportunity to question JP in relation to his submission. There were no questions asked.

IC stated the following:

1. Bantock Park was located in a residential neighbourhood and served as a cultural centre.
2. Residents were concerned about noise pollution.
3. There was a residential care home nearby and events would disturb residents living there.
4. Access and parking were inadequate for events.
5. Event vehicles for previous events were not arriving until midnight and had caused damage to fencing.
6. The infrastructure was inadequate for large scale events.
7. There were concerns about crime and disorder.

The Chair afforded all parties present the opportunity to question IC in relation to his submission. IC responded to questions asked.

BS stated that she was concerned about the direction that a Premises Licence would take Bantock Park and asked the Sub-Committee to consider refusing the Application.

The Chair afforded all parties present the opportunity to question BS in relation to her submission. There were no questions asked.

The Chair invited all parties present to make their final address.

BS, IC, JP, JD, KC and the Applicant made a final statement.

All parties except for the Licensing Solicitor and Democratic Services Officer withdrew from the meeting to enable the Sub-Committee to determine the matter.

The Sub-Committee adjourned at 12.23 hours.

The Hearing reconvened at 14.35 hours.

All parties re-joined the meeting.

The Chair advised all parties of the decision of the Sub-Committee, a summary of which was read out by the Licensing Solicitor.

Resolved:

An application was made by City of Wolverhampton Council for a premises licence in respect of Bantock Park, Finchfield Road, Wolverhampton, WV3 9LQ.

Relevant representations had been received from Environmental Health, as Responsible Authorities, and from Other Persons (Interested Parties).

At the hearing on 4 July 2023 to determine the Application, members of the Statutory Licensing Sub-Committee considered all written evidence and listened carefully to all representations made.

Having considered all the representations and having regard to the Licensing

Objectives, the Statutory Licensing Sub-Committee determined that the application should be granted subject to conditions proposed by the Applicant and Responsible Authorities and modifications by the Statutory Licensing Sub-Committee.

An appeal may be made to the Magistrates' Court against the decision, by the Applicant or any other person who made a relevant representation, within 21 days from the date of receipt of the written notice of decision.