



Licensing Sub-Committee agenda supplement

Date: Friday 4 November 2022

Time: 10.30 am

Venue: Via Video Conference

Agenda Item	Time	Page No
5 Brand Events, Higginson Park, Marlow, SL7 2AE To consider an application under s.100 of the Licensing Act 2003 for a temporary licence in respect of the following (reports attached):		3 - 22

The Winter Village (2)

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby on 01494 421261, email democracy@buckinghamshire.gov.uk

This page is intentionally left blank

Licensing Panel Hearing
4th November 2022 at 10:30
Via Microsoft Teams

Applicant(s): Sophie Matcham
Premises: The Winter Village, Higginson Park, Marlow, SL7 2AE
Ward affected: W034 - Marlow Chiltern Rise

DETAILS OF APPLICATION:

Premises History

The premises is a park and is the principal open space in Marlow located on the High Street and yet it also benefits from access to open countryside and the River Thames. The park area is 9.5 hectares (approximately 23 acres) and has been a public park since 1926.

This event is based in some respects on the summer event Pub in the Park which has had a Premises Licence since 2017.

Temporary Event Notice (TEN) Application

The applicant has applied under s.100 of the Licensing Act 2003 for temporary licence to cover the provision of regulated entertainment and retails sale of alcohol on the 9th December 2022 to 13th December 2022 16:00 hours – 22:45 hours daily. This application was received by the licensing unit on the 20th October 2022.

A copy of the full application can be found in **Appendix 1**.

Under section 99A of the Licensing Act 2003 (As amended by the Police Reform and Social Responsibility Act 2011) the Control of Pollution Unit of the Council's Environmental Health department is defined as a 'relevant person'. Both the police and Environmental Health functions have up to three working days to give an objection to a TEN where they consider that the proposed activities will undermine a licensing objective, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Where an objection is received, the licensing authority must hold a hearing to consider the matter unless all parties agree that no hearing is necessary.

The licensing unit has received a relevant representation as all parties could not agree to appropriate conditions being amended to the application in order to promote the licensing objectives, **Appendix 2**.

RELEVANT PARTS OF THE COUNCIL'S LICENSING POLICY AND OF THE NATIONAL GUIDANCE ISSUED UNDER S.182 OF THE ACT

In relation to Temporary Event Notices (p.56)

- 4.16 The Licensing Act 2003 allows licensable activities to be provided at premises for small scale events (for less than 500 people) on a limited number of occasions per year without the need for a licence. Instead the organiser is required to notify the Licensing Authority in advance by way of Temporary Event Notice (TEN) and the event can go ahead unless the Licensing Authority notifies intervenes. The Licensing Authority will only intervene if an objection is made by the police or the Council's environmental health service or the legal limits have been exceeded. Objections, or representations, must be made on the basis that the event would undermine one or more of the licensing objectives. If they do, then the Licensing Authority is obliged to make a decision whether to allow the event to go ahead. The Licensing Authority may also attach conditions if the TEN takes place at a licensed premises, and also to permit the event to proceed with conditions.
- 4.17 It is important to note that the Licensing Authority is not allowed to take into account objections from parties other than the police or the Council's environmental health service. The Licensing Authority recommends that any party with concerns about an event taking place under a TEN contact the police or environmental health service.
- 4.18 Applicants should be aware that the limit of 499 persons applies to the number of people present at any one time and the number includes staff engaged in the event. Failure to comply with this limit may lead to enforcement action. Organisers are recommended, where appropriate, to employ means of recording the number of persons entering and leaving the premises.
- 4.19 Although the Act requires organisers to usually give a minimum of 10 working days' notice (not including the day of delivery of the notice or the day of the event) of qualifying temporary events, the Licensing Authority recommends that between three and six months' notice be given. This will allow the Licensing Authority to help organisers plan their events safely. Any longer period than this may mean that organisers do not have all the details available at the time of submitting the notice, and any lesser time means that planning may be rushed and insufficient.
- 4.21 The Council has established safety advisory groups, (SAGs), consisting of the emergency services and other statutory agencies such as the highways authority, to advise and co-ordinate planning for public events in the Council's area, whether or not a premises licence or a temporary event notice is needed. More information regarding Buckinghamshire Council's SAGs is available in the large events section of this Policy.
- 4.22 Organisers of temporary events are strongly advised to contact the Council's licensing service for advice at the earliest opportunity when planning events. Where necessary, the advice of the SAGs can be obtained, or discussions held with the police to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed. Applicants intending to sell alcohol should be aware that it is an offence to supply alcohol to persons under 18 years of age or persons who are drunk.

In relation to the prevention of crime and disorder the guidance states (p.6)

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

In relation to the prevention of public nuisance (page 14) the policy states that:

- 3.16 The Council wishes to protect the amenity of residents and businesses in the immediate area surrounding the licensed premises. Applications should demonstrate that public nuisance will not increase as a result of the application being granted.
- 3.17 The Authority will particularly take into account the following:
The measures proposed to prevent noise and vibration escaping from the premises:
 - The measures proposed to prevent noise and vibration escaping from the premises. Such measures may include installation of sound insulation and sound limitation devices;
 - Measures proposed to prevent public nuisance from use of outside areas, including smoking areas and outdoor events;
 - The measures proposed to prevent disturbance by customers arriving at or leaving the premises, in particular after 11pm, for example appropriate signage at exits and in car parks, parking provision, the provision of door supervisors, use of "quiet last half hour" at dance venues and provision and availability of safe transport home;
 - The measures proposed to prevent light pollution from external lighting, including security lighting;
 - The measures proposed for refuse storage or disposal and management of any additional litter;

OBSERVATIONS

The Panel is obliged to determine this application with a view to promoting the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Panel is also obliged to have regard to national Guidance and the Council's Statement of Licensing Policy. Should the Panel depart from either it must specify its reasons for doing so. The Panel must also take into consideration all of the representations made and the evidence submitted, both written and orally at the hearing.

In promoting the licensing objectives the Panel can take any of the following decisions in relation to the application:

- Grant the application as asked
- Grant the application, subject to any appropriate conditions (see notes below)
- Reject all or part of the application

Members are asked to note that they may not modify or impose new conditions or reject the whole or part of the application merely because they consider it desirable to do so. It must actually be **appropriate** to do so in order to promote the licensing objectives and any such step must relate to the actual representations made.

The Panel should also consider its responsibilities under the Human Rights Act when considering the fair balance between the interests of the applicant and the rights of local residents.

Any decision taken must be appropriate and proportionate to the objective being pursued. In particular the following should be taken onto consideration:

Article 6 - the right to a fair hearing

Article 8 - respect for private and family life

Article 1, First Protocol - peaceful enjoyment of possessions (which can include the possession of a licence)

Plans of the premises is attached, **Appendix 3**.

Licensing Authority:

Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

Information on the Licensing Act 2003 is available at www.wycombe.gov.uk/licensing

Before completing this form **please read the guidance notes at the end of the form.**
You may wish to keep a copy of the completed form for your records.

I, the proposed premises user, hereby give notice under section 100 of the Licencing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Personal Details of Premises User (Please read note 1)		
1. Your name		
Title	Forenames	Surname
Miss	Sophie	Matcham
2. Previous names (if relevant)		
3. Your date of birth		12/12/1990
4. Your place of birth		Southampton
5. National Insurance Number		JR425674C
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)		
27 Silverdale Road, Hove, BN3 6FE		
7. Other contact details		
Telephone numbers		
Daytime	07827 011499	
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
Email address	sophiem@brandevents.co.uk	

Licensing Authority:

Ref:

8. Alternative address for correspondence (Address for correspondence associated with this application, if different to the previous address)

9. Alternative contact details (if applicable)

Telephone numbers

Daytime

Evening (optional)

Mobile (optional)

Fax number (optional)

E-Mail address (optional)

2. The Premises

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including ordnance Survey references) (Please read note 2).

Higginson Park, High Street, Marlow, SL7 2AE

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number

Additional address information

Do you intend to use the whole of the premises at this address (Please read note 3)
(If no, please give a description and details below)

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Winter Village - An area of 'Christmas in the Park' in Higginson Park, as outlined in TEN area plan. Christmas in the Park is an innovative, exciting, and high-quality Christmas event bringing festive activities to the local area. These include a Christmas Light Trail, the Mistletoe Market, a mini fairground and The Winter Village

Please describe the nature of the premises below. (Please read note 4)

The premises is an open, grassland, public park.

Please describe the nature of the event below. (Please read note 5)

The premises being applied for in this application is The Winter Village. This area is found mid-way around the light trail and offers visitors an opportunity to stop, grab a bite to eat, a drink and watch some live music entertainment. This area will be open to the public from 16:00 to 22:30, with live music being scheduled (with intervals of background music) between these hours

Licensing Authority: *Wycombe District Council*

Ref:

3. The Licensable Activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	X
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	
The provision of regulated entertainment	X
The provision of late night refreshment	
Are you giving a late temporary event notice? (Please read note 7)	

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 8) Please give times in 24 hour clock. eg. 19:00. (Please read note 9)

Start Date	15/12/2022	Time	16:00	End Date	21/12/2022	Time	22:30
------------	-------------------	------	--------------	----------	-------------------	------	--------------

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

499

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	
	Off the premises only	
	Both	X

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)

not applicable

4. Personal Licence Holders (Please read note 13)

	Yes	No
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	X	

If "Yes" please provide the details of your personal licence below.

Issuing licencing authority	New Forest District Council
Licence number	1735/2
Date of issue	24/12/2010
Date of expiry	n/a
Any further relevant details	

5. Previous Temporary Event Notices you have given (Please read note 14)

	Yes	No
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	X	
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	6	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No
	X	

Licensing Authority:

Ref:

6. Associates and business colleagues *(Please read note 15)*

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?		<input checked="" type="checkbox"/>
(Please mark an "X" in the box that applies to you)		
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?		<input checked="" type="checkbox"/>
(Please mark an "X" in the box that applies to you)		

7. Condition *(Please read note 16)*

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declaration

--

8. Declarations *(Please read note 17)*

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and

(ii) to permit an unauthorised licensable activity to be carried on at any place an that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.

Please tick the box if you agree with the declarations above.

Date	25/10/2022
Name of Person signing	Sophie Matcham

For completion by the Licensing Authority

9. Acknowledgement *(Please read note 18)*

I acknowledge receipt of this temporary event notice.

SIGNATURE		DATE	
	On behalf of the Licencing Authority		
Name of Officer Signing			

For Official Use

Ref 1

Ref 2

Ref 3

NOTES**General**

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the "premises user") may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person (the "premises user") may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below explains the definition of an "associate".

When permitted temporary activities take place, a premises user must ensure that either:

a copy of the temporary event notice endorsed as acknowledged by the licensing authority is prominently displayed at the premises; or that

the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

Licensing Authority: *Wycombe District Council*

Ref:

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine up to level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine up to level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed "premises user". Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, "premises" means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance;
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

Regulated entertainment also includes the provision of "entertainment facilities" for:

- (a) making music;
- (b) dancing; and
- (c) entertainment of a similar description to that falling within (a) or (b).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Licensing Authority: *Wycombe District Council*

Ref:

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 5 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours (seven days).

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 does not just include the audience, spectators or consumers and includes, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") as any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment – see note 6 above). A temporary event notice may be given for this purpose.

Note 13

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 14

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 5 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1 January to 31 December inclusive in any year.

Licensing Authority: *Wycombe District Council*

Ref:

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year, however, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an "associate".

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed. For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user himself. Note 14 below sets out the definition of an "associate".

Note 15

An "associate" of the proposed premises user is:

- (a) the spouse of that person;
- (b) a child, parent, grandchild, grandparent, brother or sister of that person;
- (c) an agent or employee of that person; or
- (d) the spouse of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

These provisions will be subject to amendment by the Civil Partnerships Act. These amendments are due to take effect from 5th December 2005.

Note 16

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 18

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of the receipt of the notice.

XML Specific

Application Type

Licence Case Type

Licence Status

XML Template

CAPS Reference

Payments request

CallingAppID

CallingAppRef

PaymentSourceCode

Customer Message

Empty text area for Customer Message

Response response

PaymentAuthorisationCode

IncomeManagementReceiptNumber

OriginatorsReference

CardScheme

CardType

PaymentAmount

ResponseCode

ResponseDescription

Number of payment lines

Service Message

Empty text area for Service Message

Payment 1

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 2

Receipt Number

DueDate

PaymentType

Pay Description

XMLDescription

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 3

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 4

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Payment 5

Receipt Number

DueDate

PaymentType

Pay Description

XML Description

PaymentDue VAT

Paid

Payment Date

Fund

Reference

Form file name:

Applicant Email:

Current Date: Date From:

Form data set reference:

Date/Time E-Signed:

Has been E-Signed:

Date/Time Submitted to main server: Data Validation Reference:

Date/Time Submitted to external server: Date/Time form Started:

Form Database

Primary Record ID: Secondary Record ID:

Department Name: Form Status:

Department Classification:

User Classification:

Department Case Reference:

User Record Id:

Search Field 3:

Date Record Started: Date Last Modified:

Current User

Title:

Surname: First Name:

Tel No:

Power User Features:

Form Features

Dynamic paging enabled: Dynamic page menu:

Data Locked for Editing:

Type of form - ufx, wdf or txt: If TXT - Optimised for screen-readers:

Case Notes

Form History

25/10/2022 16:12:51 | Received on Remote Server
 25/10/2022 16:14:42 | Submitted | (anon, ,) | Application Temporary Event Notice (1.2).wdf, 247102, , new | Ref: 247102-21025-4Z17P5S
 25/10/2022 16:12:51 | Received on Remote Server
 25/10/2022 16:14:42 | Submitted | (anon, ,) | Application Temporary Event Notice (1.2).wdf, 247102, , new | Ref: 247102-21025-4Z17P5S

Case Overview

Form file name:	<input type="text"/>	Current Date	<input type="text" value="25/10/2022 16:14:53"/>
Form data set reference	<input type="text" value="Sophie, Matcham"/>	Date From	<input type="text"/>
Has been E-Signed	<input type="checkbox"/> Date/Time E-Signed <input type="text"/>		
Date/Time Submitted to main server	<input type="text"/>	Data Validation Reference	<input type="text"/>
Date/Time Submitted to external server	<input type="text"/>	Date/Time form Started	<input type="text" value="25/10/2022 15:54:12"/>

Automatic Messaging

Receipt Email Address	<input type="text" value="sophiem@brandevents.co.uk"/>	Notification Email Address	<input type="text"/>
Receipt Email Subject	<input type="text"/>	Notification Email Subject	<input type="text"/>
Receipt Email Message	<input type="text"/>	Notification Email Message	<input type="text"/>
Mobile Number	<input type="text"/>		

Case Notes

CRM Integration

CRM Case Ref

Form History

25/10/2022 16:12:51 | Received on Remote Server
 25/10/2022 16:14:42 | Submitted | (anon, ,) | Application Temporary Event Notice (1.2).wdf, 247102, , new | Ref: 247102-21025-4Z17P5S
 25/10/2022 16:12:51 | Received on Remote Server
 25/10/2022 16:14:42 | Submitted | (anon, ,) | Application Temporary Event Notice (1.2).wdf, 247102, , new | Ref: 247102-21025-4Z17P5S

Form Database

Primary Record ID	<input type="text"/>	Secondary Record ID	<input type="text"/>
Department Name	<input type="text"/>	Form Status	<input type="text"/>
Depart Classification / Priority	<input type="text"/>	Search Field 3	<input type="text" value="27 Silverdale Road, Hove, BN3 6FE"/>
Dept Case Reference	<input type="text"/>		
Date Record Started	<input type="text"/>		
Date Last Modified	<input type="text"/>		

Current User

Title	<input type="text"/>	Surname	<input type="text"/>	First Name	<input type="text"/>	User Record Id	<input type="text"/>
Tel No	<input type="text"/>	Email address	<input type="text"/>		Address	<input type="text"/>	
User Classification	<input type="text"/>						
Portal Username	<input type="text"/>	Expert for this form	<input type="text"/>				

System Data

Pages active with dynamic paging

Data Locked for Editing Date of offline forms creation Enable high-quality print (WDF)

Type of form - ufx, wdf or txt If TXT - Optimised for screen-readers Enable top controls on opening

Start page for expert users Print Collation Config

Form Design Settings

Dynamic paging enabled Use page titles for page menu ESigning is available After ESigning/Submission - go to page No? TXT form is available

Pages with forced error checking

Pages that override forced error checking

Last visible page: Unregistered users Registered users: Expert users: Override for TXT version

Default branding file: e.g. 'UK Revenues & Benefits Branding (1.0)'

Shared Data Dictionary e.g. 'Victoria Forms UK Government Data (1.0)'

HTML pages within WDF

Temporary Event Notice

Office opening hours

Monday to Thursday 8.45am to 5.15pm
Friday 8.45am to 4.45pm

Please click the Next button to continue

FOR OFFICIAL USE ONLY

Title Customer Name
Miss Sophie, Matcham

DOB NINO

TEL

Email sophiem@brandevents.co.uk

Customer Address

27 Silverdale Road, Hove, BN3 6FE

Date Form Started 25/10/2022 15:54:12

Date of E-signing

Date Submitted

Data Validation Ref

Occupancy type

Advisor Name (who started form)

Advisor Department

Form Filename

Form Reference Sophie, Matcham

Caps Reference

Notes

-----Original Message-----

From: Dean, Andy (C2915) <andy.dean@thamesvalley.police.uk>

Sent: 27 October 2022 14:13

To: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>

Subject: [EXTERNAL] RE: Licensing Form Submitted from Sophie Matcham

I've been sent some many over the last few days I don't know what has been formally objected to and which has not. If it hasn't I would be objecting to it because as I've told them there has been no agreement reached for anything and until such time that happens or the Panel Hearing is completed nothing is free to go through. So take this as the objection in line with all the others Andy

Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire); Address - Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;
Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565
Headquarters - Licensing@thamesvalley.police.uk (Hours - Mon - Thurs 0700 - 1500, Fri 0700 - 14.30) NOT RESTRICTED; For Further information on licensing; - Alcohol Licensing Operational Guidance New NTE Guidelines Published; see - Night Time Economy Operational Guidance

-----Original Message-----

From: Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>

Sent: 27 October 2022 14:03

To: Licensing <Licensing@thamesvalley.police.uk>

Cc: Dean, Andy (C2915) <andy.dean@thamesvalley.police.uk>

Subject: FW: Licensing Form Submitted from Sophie Matcham

I believe this replaces the withdrawn TEN, as this has amended times.

Has this been objected to do you know? If so I can add it to the list for the licensing hearing next Friday!

This page is intentionally left blank