



Licensing Sub-Committee agenda

Date: Thursday 13 August 2020

Time: 10.00 am

Venue: Via Video Conference

Membership:

M Hussain JP, C Jackson (Chairman) and Sir B Stanier Bt

Webcasting notice

Please note: this meeting may be filmed for live or subsequent broadcast via the council's website. At the start of the meeting the chairman will confirm if all or part of the meeting is being filmed.

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Therefore by entering the meeting room, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ask the committee clerk, who will advise where to sit.

If you have any queries regarding this, please contact the monitoring officer at monitoringofficer@buckinghamshire.gov.uk.

Agenda Item	Time	Page No
1		
Introductory remarks by the Chairman		
2		
Apologies for absence		
3		
Declarations of interest		
To receive any disclosure of disclosable pecuniary interests by Members relating to any items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the		

District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

- | | | |
|----------|---|----------------|
| 4 | Hearing Procedure Rules | 3 - 14 |
| | To note the hearing procedure rules and virtual licensing sub-committee procedural rules. | |
| 5 | The Barn, Turville Heath, Henley-on-Thames, RG9 6JY | 15 - 74 |

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

BUCKINGHAMSHIRE COUNCIL

LICENSING SUB-COMMITTEE HEARING PROCEDURE

Procedure at Hearings before the Licensing Sub-Committee in relation to matters mainly under the Licensing Act 2003 as amended (“The 2003 Act”) **except** Interim Hearings (Summary Review of a Premises Licence) conducted pursuant to Section 53B of the Licensing Act 2003, as amended (separate Procedure).

Hearings for Gambling Premises are dealt with under the Gambling Act 2005 as amended.

ADMINISTRATION IN RELATION TO A HEARING

1. Prior written notice of the Hearing will have been given to the interested/relevant parties.
 - (a) Where a party has informed the Council that they will not be attending or represented the Hearing may proceed in their absence.
 - (b) Where a party has not replied to the notice, does not attend and is not represented then the Sub-Committee may proceed with the Hearing in that party’s absence or adjourn the Hearing if it is considered necessary in the public interest to do so.
 - (c) If a party has indicated they will attend but does not appear, that party must inform the Council of any delay – with reasons – and in consideration thereof the Sub-Committee can decide to proceed with the Hearing or adjourn to later the same day or another time. If a party is more than 15 minutes late and has not contacted the Council with details of any delay – the Sub-Committee can decide to proceed with the Hearing or adjourn to later the same day or to another time.

If the Hearing is held in a party’s absence, the Sub-Committee will still consider the application, representation or notice made by that party.

2. A Hearing can be dispensed with if all parties give notice that they consider a hearing unnecessary. If this is the case the application/notice will still be determined by the Sub-Committee in public – unless it is considered to be in the public interest that the determination should be in private - on the basis of the advance papers provided, with the Licensing Officer introducing his/her report and answering any queries the Sub-Committee may have before they make their determination.
3. Representations can be withdrawn by prior notice 1 working day before the Hearing or orally at the Hearing.
4. Hearings shall take place in public **except where** the Council considers that the public interest in excluding the public from all or part of the Hearing outweighs the public interest in it remaining public. The Council considers it to be in the public interest to exclude the public, including all parties, when the Sub-Committee are deliberating in order to reach their decision. Where facilities permit, public hearings will be available to be viewed and participated in online using the Councils webcast service. Members of the public who wish to record, photograph, film and report on public hearings are asked to advise the Democratic

Services Officers before the Hearing so that where possible all necessary practical arrangement can be made.

5. At the Hearing any party can be assisted or represented by any person whether or not that person is legally qualified.
6. The Hearing will be before the Licensing Sub-Committee which will be made up of three Members of the Buckinghamshire Council's Licensing Committee who will at the beginning of the session agree and identify which of them is to act as Chairman for the Hearing. Each matter/application will be dealt with individually and three Members **must** be able to participate in relation to each application for the Hearing to proceed and remain until the subject application/notice is determined.
7. The Chairman will address any issues of interests under the Council's Member Code of Conduct at the Hearing after the introductions have been made
8. Members of the Licensing Sub-Committee must consider beforehand if they need to declare any personal interests and whether their personal interest is also a prejudicial interest in which case they will not be able to attend the Hearing. Members who have any Disclosable Pecuniary Interests will not be able to attend the Hearing either. Members should also consider beforehand if they have or would be considered to have predetermined the matter in which case they should also distance themselves from the determination of the matter and not attend the Hearing.
9. Members of the Licensing Sub-Committee will have received in advance (5 clear days) in relation to each application/notice to be considered, the Licensing Officer's Report and associated papers and will come to the Hearing having read those papers.
10. Account can be taken of documentary or other information produced by a party in support of their application, representation or notice (as applicable) either 1 working day before the Hearing or - with the consent of all other parties - at the Hearing, in which case sufficient copies are required to be provided for all relevant parties. Any party wishing to call another person (other than a person representing them) to make oral representations must provide details of this to the Council within the time stated in the Notice of Hearing which the Council will serve on the Parties. At the beginning of the Hearing the Sub-Committee will consider any such requests and confirm whether permission is granted for that person to speak.
11. The Sub-Committee may disregard any information which is not considered relevant to the application/representation/notice and the promotion of the licensing objectives.
12. The purpose of a Hearing is to enable those with a right to appear to amplify their written application or representation and to test the case of their opponents. It is also to assist the Sub-Committee to gather evidence and understand the relevant issues. The parties (including other persons on their behalf) will be allowed an equal reasonable period of time to address the Hearing and ask questions – the Chairman may set such maximum period of time in the interests of the progress of the Hearing in the public interest. Where the representations made relate to the same or similar issues, a spokesperson should be appointed where possible to speak on behalf of any person who has made a written representation.

13. Parties can ask questions of other parties in accordance with the procedure below. The Chairman can stop a party asking questions if they feel the questions are unnecessary. Parties are expected to treat other parties with respect and any form of harassment or excessive questioning will not be tolerated. In such cases the Chairman will ask the party to discontinue that type of questioning. The Chairman can require any person (including any of the parties) who is disrupting the proceedings to leave the Hearing.
14. The Decision of the Licensing Sub Committee will be made after the close of the Hearing for that matter and confirmed in writing to the Applicant and all parties who submitted relevant representations together with details of the right of appeal within the time limits set out in Legislation and Regulations. The date of formal notification for the purposes of any appeal against the Licensing Sub-Committee's decision will be the date the letter from the Licensing Officer enclosing the Decision Notice and confirming the rights of appeal and the timescales involved is deemed to have been served on the parties.
15. The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers it necessary and/or equitable to do so.

AT THE HEARING

1. The Chairman will open the Hearing and start the introductions of the Sub-Committee and Officers and ask each party to introduce themselves. The Chairman will confirm that if a party is not present their representations/application will have been read and will be considered in reaching the decision.
2. The Chairman will address any interest arising under the Code of Conduct.
3. The Chairman will consider any submitted requests from a party for permission for another person to appear at the Hearing. If necessary, the sub-committee will retire to deliberate before making a decision.
4. The Chairman will confirm that the Hearing will take the form of a round the table discussion led by the Sub-Committee in accordance with this procedure. If all parties present confirm that they have seen and understand the procedure to be followed at the Hearing and agree they are ready to proceed then the Hearing **shall commence as set out from para 9 below**.
5. The Chairman will remind everyone that the purpose of the Hearing should be borne in mind at all times i.e.
 - to enable those with a right to appear to advance their point of view and concerns and to test the case of their opponents; and
 - to assist the Sub-Committee to gather evidence and understand the relevant issues.
6. The Chairman will confirm what advance papers have been received and that these have been read and therefore there is no need to repeat these matters.
7. The Chairman will make clear that parties should only address the Sub-Committee in relation to matters previously raised/submitted. Late evidence to be submitted at the Hearing will only be considered by the Licensing Sub-Committee with the consent of all parties present.

8. The Chairman will then outline the procedure to be followed by reading out points 9 to 15 below **unless** all parties present have confirmed that they have seen and understood the procedure and are ready to proceed with the Hearing.
9. The Chairman will ask the Applicants whether they wish to make any amendments to their application with a view to addressing issues raised by the representations.
10. Order of Oral Presentations
 - a. The Licensing Officer will present their report outlining the details of the application/notice and representations received.
 - b. Any party may question the Licensing Officer.
 - c. The Members may question the Licensing Officer.
 - d. The Responsible Authorities will present their case and call their witnesses*.
 - e. Any other party may question the Responsible Authorities.
 - f. The Members may question the Responsible Authorities.
 - g. Each Interested Party will present their case in turn and call their witnesses*.
 - h. Any other party may question the Interested Party.
 - i. The Members may question the Interested Parties.
 - j. The Applicant/Licence Holder will present their case and call their witnesses*.
 - k. The other parties may question the Applicant/Licence Holder.
 - l. The Licensing Officer may question the Applicant/Licence Holder.
 - m. The Members may question the Applicant/Licence Holder.

* If permission has been given to do so.
11. Before moving onto the next party, the Chairman will check there are no further points the current party wishes to make or any further questions that need to be put to that party.
12. On a without prejudice basis, the Licensing Officer will present the schedule of proposed non mandatory Conditions to be imposed of any Licence if granted as set out in their report. Each party will be asked to address/give their views on those proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. If possible an agreed schedule of conditions will result. It will remain however for the Sub-Committee to determine what conditions will apply should the application be successful.
13. Each party will be invited to make closing submissions in the following order
 - a. Licensing Officer
 - b. Responsible Authorities
 - c. Interested Parties
 - d. the Applicant
14. The Chairman will then close the Hearing and the Sub-Committee will retire together with the Committee Clerk and the Sub-Committee Legal Advisor for the matter to be determined.

15. The Sub-Committee will come to a decision which will be sent to the Applicant and all other parties' who submitted relevant representations within the time limits set out in Regulations together with details of the right of appeal.

NOTE

IN PRODUCING THIS PROCEDURE, THE FOLLOWING HAVE BEEN CONSIDERED: -

- Licensing Act 2003 *as amended* - and Explanatory Notes
- National Guidance
- The Licensing Act 2003 (Hearings) Regulations 2005 as amended
- The Human Rights Act 1998.
- Local Government Act 1972 as amended.

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Licensing and Regulatory Sub-Committee Virtual Procedural Rules

Introduction

The Secretary of State for Housing, Communities and Local Government made [Regulations](#) (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020) to ensure local authorities can conduct business during the current public health emergency and this legislation was passed on 4 April 2020. The Regulations will apply to local authority meetings (full council, executive, joint committee, committee or sub-committee) held before 7 May 2021 from 4 April 2020. Councils can make standing orders in respect of virtual meetings, and will not be constrained by any existing restrictions. The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures.

Councils can make standing orders in respect of virtual meetings, and will not be constrained by any existing restrictions.

Before the Hearing

Access to Information

The Council can hold and alter the frequency and occurrence of meetings without requirement for further notice.

The new 2020 Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings and it will be sufficient for local authorities to publish the documents on their website. This includes notices, agendas, reports, background papers and minutes. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be available on the website.

The obligation under the old Regulations (Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) to supply copies of such documents in response to requests made by members of the public and on behalf of newspapers is disapplied.

The requirement in England for 5 clear days' notice to be given of principal council meetings, including annual meetings, still applies however notice can now be given on the council's website. However, it should be noted that Licensing is not subject to this but is bound by the Licensing Act 2003 and there may be occasional times when these requirements cannot be met.

Time and Place of Meetings

Meetings can be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming even if particular members of the public cannot access them. This Council will use Microsoft Teams to hold virtual meetings and will invite external participants to virtual meetings, if any, via email or telephone. Where possible, virtual meetings will be webcast where the Hearing is held in public via a link published on the meeting webpage.

The Constitution states that when reasonably practical, a sub-committee meeting should be held at the Council facility which is closest to the premises or issue that is the subject of the meeting. However, this requirement cannot be met during this current period.

During the Hearing

It is a requirement for such hearings that:

- a) proper notice is given, with all papers served timeously on the authority and published online;
- b) the actual parties to the hearing are able to participate;
- c) any member of the public can see or hear, albeit not participate in, the hearing.

Although held in a virtual format, Hearings dealing with new licences or variations to existing licences will follow the standard procedure. Panel Members may ask questions of any party at any time. Questions are usually taken after each person has spoken. It is helpful to undertake a document check at the start of the Hearing.

In terms of issues that may arise during the Hearing the following rules apply:-

Quorum for Meetings

The rules for quorum will still apply. This is 3 Councillors for a licensing or regulatory sub-committee. It is also considered good practice to have a reserve member, in case of interests. The constitution states that if a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chairman, the business of the meeting will be adjourned. The Chairman may allow for flexibility around the start time of the meeting where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the meeting is still quorate. The Chairman could adjourn for 10-15 minutes to allow the connection to be re-established. If an individual remote participation fails the Chairman may call a short adjournment. As the hearing must have 3 members present, the meeting will be reliant on the lost connection being re-established to ensure all members are present for the entire discussion in order to hear all of the facts and vote on the matter.

You can only have 3 members on the Licensing and Regulatory Sub-Committees (LSC) for each Hearing (as per Section 9 of the Licensing Act 2003 and the Constitution Terms of Reference for the LSC). The reserve member is only there in case an interest rises at the beginning of the Hearing or one of the 3 members identified as being on the LSC fails to turn up to the virtual meeting. It is only those 3 members who have been identified as being on the LSC for that Hearing who can ask questions of the other parties. A reserve member would not be able to participate if the technology fails for one of the members present as whilst they would be listening they will not have taken an active role nor been included in the process/asked to see if they have any questions etc.

Attendance at meetings and webcasting

Once everyone is present at the start of the Hearing the 'room can be locked' unless the Chairman/Democratic Services Officer believe that additional persons need to be included during the Hearing.

A roll call or introductions will be made at the start of the meeting to record those present. There is no requirement for councillors to sign their names on the attendance sheets when attending a

virtual meeting. The Democratic Services Officer will maintain a list of attendance throughout the meeting.

To be classified as a 'member in attendance' and attend a meeting remotely, the following conditions must be satisfied:

- a) councillors must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other councillors in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak at the meeting
- b) All other members of the public must as a minimum be able to hear (but if practicable be seen as well)

In practice this means that if councillors and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the requirements of holding a virtual meeting.

Members of the press and public may only be excluded from a meeting in accordance with the Access to Information Rules.

The Regulations state that meetings being open to the public include access by remote means. Such access includes (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person. For clarity, a meeting recorded and then posted online after the event would not satisfy this requirement.

The people on the Teams call who are present throughout the meeting are the Members 'round the table' and any officer supporting the meeting. The public gallery, where Members can sit and observe the meeting alongside members of the public, is the webcast version. It is important to keep numbers in the meeting (except for those allowed to be present as Members) to a minimum to enable the proper flow of the virtual meeting.

Conflicts of interest

Councillors should consider if they have an interest, and, if required, seek advice from the Monitoring Office, or their deputy, before the meeting starts. If a Councillor appointed to a licensing hearing considers that their interest is prejudicial they should notify Democratic Services as soon as possible so that an alternative councillor can be appointed to the licensing hearing. Where a councillor has an interest they must declare their interest and the nature of it at the start of the meeting. If the interest is 'personal' having declared a personal interest the councillor may continue to speak and vote on the item of business concerned. If the councillor has a prejudicial interest they will not be able to take part in the discussion or decision and must leave the meeting. A reserve councillor, if available, will then be called upon to serve on the hearing in their absence.

Minutes of meetings

The Minutes of meetings will be signed and kept by the Chairman until government guidance allows councillors and officers to return the signed copy to the office.

Questions

Questions will be asked in the normal way as set out in the Constitution.

Order of business (as normal)

1. The Chairman will open the Hearing and start the introductions of the Sub-Committee and Officers and ask each party to introduce themselves. The Chairman will confirm that if a party is not present their representations/application will have been read and will be considered in reaching the decision.
2. The Chairman will address any interest arising under the Code of Conduct.
3. The Chairman will consider any submitted requests from a party for permission for another person to appear at the virtual Hearing. If necessary, the sub-committee will retire to deliberate before making a decision.
4. The Chairman will confirm that the Hearing will take the form of a virtual round the table discussion led by the Sub-Committee in accordance with this procedure. If all parties present confirm that they have seen and understand the procedure to be followed at the virtual Hearing and agree they are ready to proceed then the Hearing **shall commence as set out from para 9 below**.
5. The Chairman will remind everyone that the purpose of the virtual Hearing should be borne in mind at all times i.e.
 - to enable those with a right to appear at the virtual meeting to advance their point of view and concerns and to test the case of their opponents and
 - to assist the Sub-Committee to gather evidence and understand the relevant issues.
6. The Chairman will confirm what advance papers have been received and that these have been read and therefore there is no need to repeat these matters.
7. The Chairman will make clear that parties should only address the Sub-Committee in relation to matters previously raised/submitted. Late evidence to be submitted at the Hearing will only be considered by the Licensing Sub-Committee with the consent of all parties present.
8. The Chairman will then outline the procedure to be followed by reading out the order of oral presentations **unless** all parties present have confirmed that they have seen and understood the procedure and are ready to proceed with the virtual Hearing.
9. The Chairman will ask the Applicants whether they wish to make any amendments to their application with a view to addressing issues raised by the representations.
10. Order of oral presentations
 - a. The Licensing Officer will present their report outlining the details of the application/notice and representations received.
 - b. Any party may question the Licensing Officer.
 - c. The Members may question the Licensing Officer.

- d. The Responsible Authorities will present their case and call their witnesses*.
- e. Any other party may question the Responsible Authorities.
- f. The Members may question the Responsible Authorities.
- g. Each Interested Party will present their case in turn and call their witnesses*.
- h. Any other party may question the Interested Party.
- i. The Members may question the Interested Parties.
- j. The Applicant/Licence Holder will present their case and call their witnesses*.
- k. The other parties may question the Applicant/Licence Holder.
- l. The Licensing Officer may question the Applicant/Licence Holder.
- m. The Members may question the Applicant/Licence Holder.

* If permission has been given to do so.

Once they have made their representations under the requirements of the constitution they will need to switch off their microphone and not participate any further in the meeting unless they are asking any questions or wish to sum up. No speaking is timed.

11. Before moving onto the next party, the Chairman will check there are no further points the current party wishes to make or any further questions that need to be put to that party.
12. On a without prejudice basis, the Licensing Officer will present the schedule of proposed non mandatory Conditions to be imposed of any Licence if granted as set out in their report. Each party will be asked to address/give their views on those proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. If possible an agreed schedule of conditions will result. It will remain however for the Sub-Committee to determine what conditions will apply should the application be successful.
13. Each party will be invited to make closing submissions in the following order:
 - a. Licensing Officer
 - b. Responsible Authorities
 - c. Interested Parties
 - d. the Applicant
14. The Chairman will then close the Hearing and the Sub-Committee will meet virtually together with the Committee Clerk and the Sub-Committee Legal Advisor for the matter to be determined.
15. The Sub-Committee will come to a decision which will be sent to the Applicant and all other parties' who submitted relevant representations within the time limits set out in Regulations together with details of the right of appeal.

When can the Chairman be interrupted?

There are circumstances allowed for in the Constitution where the Chairman can be interrupted such as:-

- Technology is not working effectively
- Officer needs to provide advice

- Point of order or personal explanation

or any other area where the Constitution or Chairman allows.

Disturbance during proceedings

The Constitution states that if anyone interrupts proceedings the Chairman will warn the person concerned and if they continue to interrupt the Chairman will order their removal from the virtual meeting room. There may be circumstances where the person needs to be removed immediately for example if they are being inappropriate and the Chairman can do this by muting their microphone. If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as they consider necessary.

Adjournments

People will remain on the call with mics muted and cameras off until the meeting starts again. The Chairman may also want to consider having a comfort (screen) break for longer meetings. If there is a problem with the technology the Chairman should adjourn the meeting. However, this does not stop a meeting going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole meeting incapable of proceeding and therefore the Chairman should adjourn until the remote meeting can be restored within a reasonable period, or at a time and date fixed by the Chairman or until the next ordinary meeting. Any interested party eligible to speak who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding unless they are happy to submit their comments through a written representation.

The Council will try and achieve the best possible outcome.

Deliberations and Exclusion of the Press and the Public

Under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing authority may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the Hearing or part of that Hearing taking place in public. In addition there may be information in the agenda pack pertaining to the hearing be exempt from publication or discussion in public under Schedule 12A of The Local Government Act 1972 as amended. In these circumstances the public will be excluded from part or the whole of the Hearing as appropriate.

At the conclusion of the Hearing, the Sub-Committee together with the Democratic Services Officer and Legal Advisor, will remain in a private virtual meeting in order to deliberate on the decision. Interested parties will then be notified of the outcome of the hearing in writing after the meeting in accordance with required timescales.

Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers it necessary and/or equitable to do so.

Buckinghamshire Council

Licensing Sub-Committee Hearing Date: 13
August 2020, 10:00 hours

Agenda Item No: 5

SUBJECT:	APPLICATION FOR A NEW PREMISES LICENCE at: Turville Heath Farm, Turville Heath, Henley-on-Thames, RG9 6JY
REPORT OF:	Application under section 17, Licensing Act 2003
Responsible Officer	Brian Whittall – Licensing Officer
Report Author	Brian Whittall – Licensing Officer
Ward/s Affected	Chiltern Villages

1. Purpose of Report

To provide Members with information enabling the determination of an application for a new Premises Licence, in respect of which relevant representations have been received. The Application has been submitted by Mr Robin Leslie Harman (“the applicant”) by his Licensing Agent, Mr Robert Jordan, in respect of Turville Heath Farm, Turville Heath, Buckinghamshire, RG9 6JY (“the premises”).

2. Background

- 2.1 Planning application for 2018, reference: 18/08000/FUL. This application approved the change of use from Agricultural to Mixed Agricultural and Cafe (A3) creating pop-up cafe/mobile BBQ tent (Retrospective).
- 2.2 The premises is situated in Turville Heath. Turville is a village and civil parish in Buckinghamshire. It is in the Chiltern Hills, 5 miles west of High Wycombe and 5 miles north of Henley-on-Thames. The area is however predominantly agricultural, with five residential dwellings within a 100 metre radius of the premises. The premises is not located within a cumulative impact policy area and is located in an area of outstanding natural beauty.

A location plan showing the premises location is attached to this report marked **Appendix 1**.

3. The Application

3.1 This application is for a new Premises Licence to commence with immediate effect upon the decision to grant by this licensing authority. A copy of the application is attached to this Report marked **Appendix 2**.

3.2 The licensable activities sought are as follows:

<u>Proposed activity</u>	<u>Proposed hours</u>
Supply of alcohol (Both on & off the premises) Standard days and timings:	10 am - 8:15pm daily On sales of alcohol shall not commence before 11:30am daily
Hours premises are open to the public Standard days and timings:	10:00am – 8:15 pm daily

4. Relevant Representations

4.1 Responsible Authorities:

4.1.1 **The Chief Officer of Police:** Response received: no objection

4.1.2 **The Licensing Authority:** No objection

4.1.3 **The Fire and Rescue Authority:** Response received: no objection

4.1.4 **The Local Planning Authority (Head of Sustainable Development):** Response received: The plan submitted with the licence application shows the building north of the 'self-serve area' to be part of the café and there is no planning application approving this. In addition, external seating has not been approved (apart from on the frontage) and the 2018 application approved the following opening hours to the frontage building. The A3 (cafe) use of the premises hereby permitted shall be restricted to the hours of 10:00 to 16:00 daily

4.1.5 **The Local Environmental Health Authority (Head of Environmental Health):** Response received: no objection

4.1.6 **Weights and Measures Authority (Trading Standards Officer):** No response received. No comment

4.1.7 **The Safeguarding and Child Protection Unit:**

No response received. No comment

4.1.8 **The Primary Care Trust:**

No response received. No comment

4.1.9 No responses were received from any other Responsible Authority.

4.2 **Any other persons:** Eighteen (18) objections were received during the 28 day consultation process which ended on 22 July 2020 a copy of which are attached marked **Appendix 3**.

4.3 No letters of support were received.

5. Licensing Officer's Observations:

5.1 The Relevant Representations received raise the follows issues:

- *Public Safety*

Public Safety concerns are mentioned in several of the objections, that rat infestation will increase and that there is insufficient toilet provision which shall result in patrons urinating on neighbouring properties. There are references to parking and highway concerns, in addition to the safety of cyclists and children who frequent the area.

- *The prevention of public nuisance*

Representations mention concerns regarding anti- social behaviour occurring on the premises and the adjoining heath.

Residents living nearby have expressed concerns that they have lived in the area for many years and did not envision living in close proximity to an alcohol licensed premises. Representations have stated that their right to enjoy the peaceful possession of their property is undermined and that a statutory nuisance may occur as a result of the granting of the application.

Government Guidance states the following: That any licence holder "cannot manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff" and "Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law".

The Council's own Statement of Licensing Policy states, "Licensing is not a mechanism for the general control of anti-social behaviour by individuals beyond the direct control the licensee of the premises concerned."

5.2 Licensing and Planning

A great number of representations received have made reference to the hours requested not corresponding to those permitted in planning permission for the premises. Matters pertinent to planning are to be dealt with under planning legislation and to that end they have their own enforcement powers.

Licensing and Planning are separate statutory regimes.

The Council's Statement of Licensing Policy makes reference to planning as follows:

1.12 Licensing applications should not be seen as a re-run of the planning application process and there is a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. If premises do not have planning permission, applicants are strongly advised to apply for this prior to submitting their Premises Licence application

5.3 In addition to the Mandatory Conditions, the Licensing Sub-Committee should consider those conditions offered in the operating schedule and decide whether they are appropriate for the promotion of the licensing objectives and address any valid representations made by Interested Parties.

6. Policy Considerations

6.1 Regard must be had to the Council's adopted Licensing Policy published December 2018 when determining this application. Of particular relevance (but not limited to) are sections 6.6 and 6.9 which detail the Council's approach to licensing hours.

In relation to shops and other retail outlets supplying alcohol for consumption off the premises, the general policy will be to allow sales of alcohol at all times that the premises are open for business unless there is evidence to suggest that this would not promote the crime and disorder objective (e.g. where there is evidence of antisocial drinking in the morning hours). Any decision not to allow sales of alcohol at particular times will be based on evidence of the need to prevent crime, disorder and public nuisance

Section 6.9 of the policy states, "Fixed trading hours will not be set for particular geographical areas. Account will be taken, however, of any guidelines that are adopted in respect of licensing hours. It should be stressed that each case will be decided on its own merits based on whether the licensing objectives can be met. Stricter conditions however are likely to apply where the premises are situated in mainly residential areas to minimise disturbance to local residents. There is no presumption that longer hours should be permitted".

6.2 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended.

7. Links to Council Policy Objectives

7.1 The Authority regards existing and future environmental qualities and character of the District to be important when consideration is given to granting licences for any purpose. When considering licensing applications where relevant representations have been made, the Authority will consider its effect on the licensing objectives and in particular the effect the licence will have on the public nuisance and crime and disorder objectives. In order to

consider these matters, it is necessary to consider the environment of the area in which the premises are or will be situated.

8. Resources, Risk and Other Implications

- 8.1 **Resource:** The only resource implications to date have been officer time however if the applicant or persons making relevant representations appeals against the decision of the Licensing Sub-Committee this would result in legal fees to defend the appeal and further costs. In the event of a successful appeal the Council may also have to pay the applicant/other party's costs.
- 8.2 **Human Rights:** The Licensing Sub-Committee's decision regarding this application will have Human Rights implications in respect of both the Applicant and the persons making relevant representations which also need to be considered equally and fairly so that the decision is proportionate and the right balance is met. The referral of this matter to the Sub-Committee is laid down in the Licensing Act 2003, as amended and is also in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. The Applicant and the persons making relevant representations have been notified of the Hearing and invited to make representations. A statutory right of appeal to the Magistrates Court and the right (if it arises) to challenge the Sub-Committee's decision by way of Judicial Review to the High Court also ensure a fair hearing to both the Applicant and the persons making relevant representations.
- 8.3 Article 8 and Article 1 of the First Protocol - the right to respect for private/family life and peaceful enjoyment of property/possessions (including Licences) - also needs to be considered. The persons making relevant representations have a right to respect for their private and family life and their home. They are entitled not to be disturbed by unreasonable noise and/or nuisance. However, this is a qualified right and has to be balanced against the rights of others including the rights of businesses in the area to operate.
- 8.4 Article 14 of the Human Rights Act 1998 - the right to freedom from discrimination (which is an absolute right) also needs to be considered. The human rights provided under the Human Rights Act 1998 must not be subject to discrimination under various headings, including race, national or social origins, association with a national minority group or other status.
- 8.5 Interference with these rights is acceptable within the terms of the Human Rights Act 1998 if it safeguards the rights of others, is legitimate, proportionate and balanced in that there is a need to find a fair balance between the protection of individual rights and the interests of the community at large – other than rights under Article 6 and 14 which are absolute rights and can not be interfered with.
- 8.6 Therefore if Members refuse to grant the application for a new Premises Licence in whole or part or grant it subject to conditions, this will be a breach of the rights of the Applicant unless such refusal (in full or part) is, and/or the conditions imposed are, appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction

placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.

8.7 By taking into consideration all the material considerations relating to this application and balancing the interests/rights of all parties involved, it is considered that the Licensing Sub-Committee's decision will be both proportionate and justified having had regard to the Human Rights Act 1998.

8.8 The Equality Act 2010, including the Council's Public Sector Equality Duty, must be taken into account when making decisions in relation to licensing applications.

9. Determination by the Licensing Sub-Committee

9.1 The Sub Committee is obliged to determine applications in the light of the above and any other material considerations with a view to promoting the four licensing objectives. Which are:

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

Regard must also be had to the Council's Licensing Policy, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received and the evidence presented at the Hearing.

9.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.

9.3 The Sub-Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.

9.4 The following options are available to the Licensing Sub Committee:

9.4.1 Grant the Premises Licence - subject to any conditions which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant mandatory conditions.

- 9.4.2 Exclude from the scope of the Premises Licence granted under Para 9.4.1 above any of the licensable activities to which the application relates.
 - 9.4.3 Refuse to specify a person in the Premises Licence granted under Para 9.4.1 as the premises supervisor.
 - 9.4.4 Reject the whole of the Application.
 - 9.4.5 Grant the Premises Licence subject to different conditions for different parts of the premises or the different /reduced licensable activities if this is considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).
- 9.5 The Sub-Committee is asked to note that it may not reject the whole or part of the application or attach conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the 4 licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committees decision.

THE SCHEDULE

The Mandatory Conditions

For the purposes of this schedule;

"the Act" means the Licensing Act 2003;

"Anti-Social Behaviour" has the meaning given in section 36 of the Anti-social Behaviour Act 2003;

"Disability" has the meaning given in section 1 of the Disability Discrimination Act 1995;

"Relevant Premises" has the meaning given in paragraphs (a) and (b) of the definition in section 159 of the Act;

"Responsible Person" has the meaning given in paragraphs (a) and (b) of the definition in section 153(4) of the Act (the relevant parts of which are attached to this licence)

Mandatory Condition – s19 of the Licensing Act 2003

No supply of alcohol may be made under the premises licence:

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made authorised by a person who holds a personal licence

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010 AS AMENDED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014:

Mandatory Condition 1

- (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

Mandatory Condition 2

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Mandatory Condition 3

- 1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- 2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - (a) a holographic mark, or
 - (b) an ultraviolet feature

Mandatory Condition 4

The responsible person must ensure that:

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2013 (MANDATORY CONDITIONS) ORDER 2014:

Mandatory Condition 5

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price

2. For the purposes of the condition set out in paragraph 1:
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula:
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny
- 4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Proposed conditions

A set of conditions has been redrafted by the Licensing Officer on the basis of those submitted to the licensing authority within the operating schedule. Any changes made have been to ensure that the conditions offered shall be clear and enforceable:

General

- Staff training shall be recorded and updated every 6 months. Such training shall cover the requirements for identification as part of age verification, fines and punishments and other relevant matters regarding the Licensing Act 2003 to staff member's role in the premises. All training records shall be recorded and immediately available upon request of an authorised officer.

- There shall be no on sales before 11:30 hours each day

The prevention of crime and disorder

- There shall be a suitable colour digital CCTV recording system installed at the premises to cover external areas of the premises to capture head and shoulder of persons entering or exiting the premises the system must be capable of providing 30 days recording. The images recorded are to be retained for minimum 30 days and made available to the police or other enforcement agencies upon reasonable request (within 24 hours) in line with data protection legislation. DVD/USB copies of relevant footage to be provided to the police or other enforcement agencies at no cost.
- A staff member from the premises who is trained and conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the minimum of delay when requested, subject to compliance with the Data Protection Act.

Public Safety

- Risk assessments shall be kept in accordance with current legislation and made immediately available upon request of an authorised officer.

Prevention of Public Nuisance

- Prominent and clear signs shall be placed at all exits from the premises asking customers to respect the needs of local residents and depart from the premises quickly and quietly.
- There shall be regular litter patrols on and in the immediate vicinity of the premises. Patrols shall be recorded to include a date and time of the patrol, with such records to be made available to an authorised officer upon request.

The protection of children from harm

- A Challenge 25 scheme will be adopted in compliance with the age verification condition. Customers who appear be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, Holographic 'PASS' scheme card or other identification recognised by the licensing authority in its statement of licensing policy.
- Challenge 25 posters shall be clearly displayed at the premises.
- A refusals register shall be created and maintained which records all sales of alcohol refused by the premises. The register shall be retained for inspection at the premises whilst it is open for licensable activities for a period of no less than 12 months from the date of the last entry in the register being made.
- Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years

Informative/s -

Officer Contact:	Brian Whittall (01494 421 346) – email address: brian.whittall@buckinghamshire.gov.uk
Background Papers:	Application Ref 20/01002/LAPREN Licensing Act 2003, as amended Licensing Policy – Wycombe Area Published December 2018. Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.



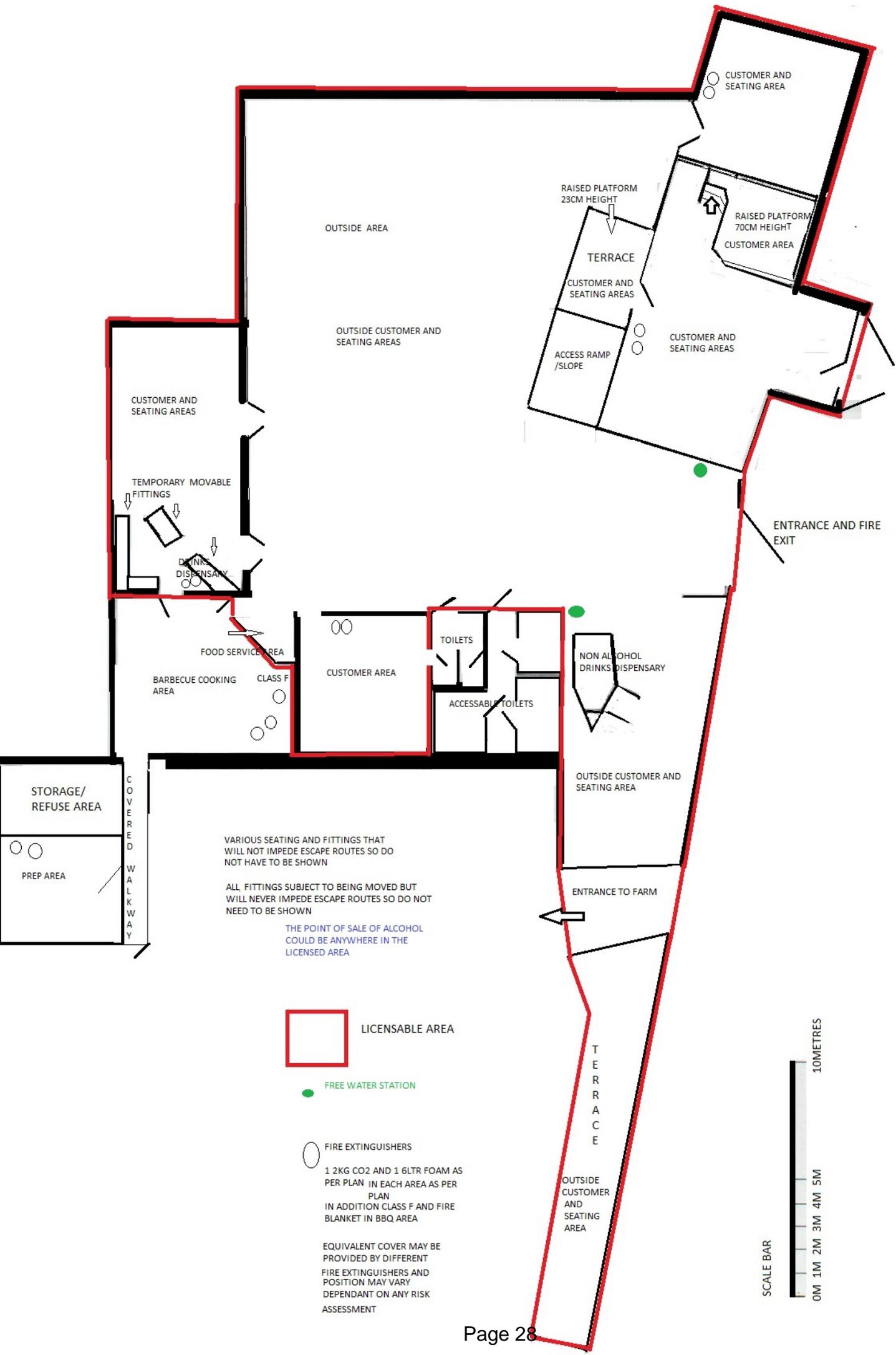
●	Properties - WDC Gazetteer
★	Streets - USRNs
★	Google street view points - use Chrome
●	

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OUTSIDE AREA

OUTSIDE CUSTOMER AND SEATING AREAS

CUSTOMER AND SEATING AREAS

TEMPORARY MOVABLE FITTINGS

DRINK DISPENSARY

FOOD SERVICE AREA

BARBECUE COOKING AREA

CLASS F

CUSTOMER AREA

TOILETS

ACCESSIBLE TOILETS

RAISED PLATFORM 23CM HEIGHT

TERRACE

CUSTOMER AND SEATING AREAS

ACCESS RAMP /SLOPE

CUSTOMER AND SEATING AREAS

RAISED PLATFORM 70CM HEIGHT
CUSTOMER AREA

CUSTOMER AND SEATING AREA

ENTRANCE AND FIRE EXIT

NON ALCOHOL DRINKS DISPENSARY

OUTSIDE CUSTOMER AND SEATING AREA

STORAGE/
REFUSE AREA

PREP AREA

COVERED WALKWAY

VARIOUS SEATING AND FITTINGS THAT WILL NOT IMPEDE ESCAPE ROUTES SO DO NOT HAVE TO BE SHOWN

ALL FITTINGS SUBJECT TO BEING MOVED BUT WILL NEVER IMPEDE ESCAPE ROUTES SO DO NOT NEED TO BE SHOWN

THE POINT OF SALE OF ALCOHOL COULD BE ANYWHERE IN THE LICENSED AREA

LICENSABLE AREA

FREE WATER STATION

FIRE EXTINGUISHERS

1 2KG CO2 AND 1 6LTR FOAM AS PER PLAN IN EACH AREA AS PER PLAN IN ADDITION CLASS F AND FIRE BLANKET IN BBQ AREA

EQUIVALENT COVER MAY BE PROVIDED BY DIFFERENT FIRE EXTINGUISHERS AND POSITION MAY VARY DEPENDANT ON ANY RISK ASSESSMENT

ENTRANCE TO FARM

TERRACE

OUTSIDE CUSTOMER AND SEATING AREA





Buckinghamshire
Application for a premises licence
Licensing Act 2003

For help contact
licensing.wyc@buckinghamshire.gov.uk
 Telephone: 01494 421222

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Your position in the business

Home country The country where the headquarters of your business is located.

Continued from previous page...

Agent Registered Address

Address registered with Companies House.

Building number or name	PUMP HOUSE
Street	OLD MEAD ROAD
District	HENHAM
City or town	BISHOP'S STORTFORD
County or administrative area	HERTS
Postcode	CM22 6JG
Country	United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	THE BARN AT TURVILLE HEATH, TURVILLE HEATH FARM
Street	
District	TURVILLE HEATH
City or town	HENLEY-ON-THAMES
County or administrative area	
Postcode	RG9 6JY
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	0

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name	<input type="text" value="TURVILLE HEATH FARM"/>
Street	<input type="text"/>
District	<input type="text" value="TURVILLE HEATH"/>
City or town	<input type="text" value="HENLEY-ON-THAMES"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="RG9 6JY"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail	<input type="text" value="thebarnatturvilleheath@gmail.com"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="02"/> / <input type="text" value="12"/> / <input type="text" value=""/>
	dd mm yyyy
* Nationality	<input type="text" value="BRITISH"/>
Right to work share code	<input type="text"/>

[Documents that demonstrate entitlement to work in the UK](#)
[Right to work share code if not submitting scanned documents](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /

dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /

dd mm yyyy

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

THE PREMISES IS A RESTAURANT/CAFE

VERY POPULAR WITH WALKERS, CYCLISTS AND HORSE RIDERS, ON POPULAR ROUTE FOR WALKERS,CYCLISTS AND HORSERIDERS
NO PARKING FOR CARS

VERY ACCESSABLE FOR WHEELCHAIR USERS AS NO NEED TO NEGOTIATE ANY STEPS

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:15"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:15"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:15"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="20:15"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

ON SALES OF ALCOHOL SHALL NOT COMMENCE BEFORE 11:30HOURS EACH DAY

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Continued from previous page...

Date of birth

02	/	12	/	1968
dd		mm		yyyy

Enter the contact's address

Building number or name	TURVILLE HEATH FARM
Street	
District	TURVILLE HEATH
City or town	HENLEY-ON-THAMES
County or administrative area	
Postcode	RG9 6JY
Country	United Kingdom
Personal Licence number (if known)	13/01616
Issuing licensing authority (if known)	WYCOMBE

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

STAFF TRAINING SHALL BE RECORDED AND UPDATED EVERY 6 MONTHS .TRAINING SHALL COVER THE REQUIREMENTS FOR ID AS PART OF AGE VERIFICATION, FINES AND PUNISHMENTS AND OTHER RELEVANT MATTERS REGARDING THE LICENSING ACT 2003 TO STAFF MEMBERS ROLE IN THE PREMISES
THERE SHALL BE NO ON SALES BEFORE 11:30HOURS EACH DAY

b) The prevention of crime and disorder

THERE SHALL BE A SUITABLE COLOUR DIGITAL CCTV RECORDING SYSTEM INSTALLED AT THE PREMISES TO COVER EXTERNAL AREAS OF THE PREMISES TO CAPTURE HEAD AND SHOULDER OF PERSONS ENTERING OR EXITING THE PREMISES THE SYSTEM MUST BE CAPABLE OF PROVIDING 30 DAYS RECORDING. THE IMAGES RECORDED ARE TO BE RETAINED FOR 30 DAYS AND MADE AVAILABLE TO THE POLICE OR OTHER ENFORCEMENT AGENCIES UPON REASONABLE REQUEST (WITHIN 24HOURS)IN LINE WITH DATA PROTECTION LEGISLATION. DVD/USB COPIES OF RELEVANT FOOTAGE TO BE PROVIDED TO THE POLICE OR OTHER ENFORCEMENT AGENCIES AT NO COST.

c) Public safety

ADHERE TO LEGISLATION AND COVERED IN A) ABOVE
REGULAR MAINTENANCE OF FIRE FIGHTING EQUIPMENT
ALL EXIT ROUTES TO BE KEPT CLEAR
CCTV AS ABOVE
RISK ASSESSMENTS ACCORDING TO CURRENT LEGISLATION

d) The prevention of public nuisance

SIGNAGE SHALL BE DISPLAYED IN A PROMINENT POSITION ON THE PREMISES REQUESTING THAT CUSTOMERS LEAVE QUIETLY

STAFF TRAINING AS ABOVE
LITTER PATROLS ON A REGULAR BASIS

e) The protection of children from harm

THE PREMISES LICENCE HOLDER SHALL ENSURE THAT A 'CHALLENGE 25' POLICY IS ADOPTED ON THE PREMISES. SIGNAGE OF THE 'CHALLENGE 25' POLICY SHALL BE PROMINENTLY DISPLAYED ON THE PREMISES.
ACCEPTABLE IDENTIFICATION ACCEPTED BY THE PREMISES LICENCE HOLDER, DPS, OR OTHER STAFF MEMBERS SHALL BE A PASSPORT, PHOTO DRIVING LICENCE OR PASS ACCREDITED IDENTITY CARD
STAFF TRAINING IN I.D PROCEDURE WILL BE CARRIED OUT ON A REGULAR BASIS.
THE LICENCE HOLDER SHALL ENSURE THAT A REFUSALS REGISTER IS KEPT ON THE PREMISES AND THAT THIS SHALL BE IMMEDIATELY AVAILABLE UPON REQUEST OF AN AUTHORISED OFFICER. THE REGISTER SHALL RECORD ANY REFUSED SALE OF ALCOHOL.. THE REFUSAL REGISTER SHALL BE INSPECTED ON A REGULAR BASIS BY THE DPS OR NOMINATED PERSON/S AND SIGNED BY THE DPS OR NOMINATED PERSON/S THAT THEY HAVE CHECKED THE REGISTER
AT LEAST 12 MONTHS OF REFUSAL REGISTER DETAILS SHALL BE RETAINED AND MADE AVAILABLE UPON REQUEST BY AN AUTHORISED OFFICER
SIGNAGE SHALL BE PROMINENTLY DISPLAYED WARNING CUSTOMERS OF THE LEGAL PENALTIES FOR PURCHASING ALCOHOL FOR ANY PERSON UNDER THE AGE OF 18 YEARS

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

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Capacity 80000-89999 £56,000.00
Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/wycombe/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Brian Whittal

From: [REDACTED]
Sent: 15 July 2020 15:36
To: Brian Whittal
Subject: [EXTERNAL] Turville Heath Barn License Objections

Dear Sir

I'm objecting to this license extension on these grounds:

1. Children using the bridle paths and access track to the Barn will be at risk; cyclists visiting the Barn, sometimes a menace through their sheer numbers to young and old, are now too numerous to monitor or control; and drivers with drink will be yet more dangerous;
2. The overspill from the Barn, even now cluttering a public-access heath that is privately owned, will add further scars and noise pollution;
3. The noise from revellers will be intolerable to residents in an AONB that no-one envisaged should or would host a pub;
4. Security to neighbours, who have suffered since the opening of the cafe, will be further degraded; garden ornaments have been stolen, visitors to the Barn wander into neighbouring gardens 'by mistake'. Local security and risk will be further damaged and compromised;
5. Cyclists now park their bikes outside and in front of neighbours' houses and cars entering and exiting these houses run a gauntlet - a situation made more volatile if drinking is added;
6. The layout of the Barn Restaurant, with its plethora of unplanned open structures, cannot restrict noise volumes; all-day drinking will greatly add to the problem;
7. The premises, the wooden Elizabethan barn and farm, was simply not designed to be a pub, the fire risk is terrifying. Vermin and rats, endemic on a farm, will be much more of a danger if yet more people clutter the outbuildings drinking;
8. Mr Harman has put stumps/seats for drinkers just outside his barn, and has created benches out of tree stumps on the heath itself, encouraging *al fresco* drinking.

9. Mistakes in procedure in granting retrospective planning permission in 2019 for the Barn to operate (*until 16.00, which the licensing application ignores!*) should not be repeated by allowing this application, adding to the hurt of all those who hitherto enjoyed what Nicholas Pevsner, the architectural historian, called 'the most secluded and perhaps the most beautiful part of the Chilterns.' But not any more if all day drinking, 7 days a week is permitted. The preservation of the heath for all, not just for drinkers, may be a PLANNING matter but it must also concern the LICENSING COMMITTEE as the granting of a drinks licence in a barn, right on a public amenity like the heath imposes a threat not only to the premises but to the Conservation area, and people, outside.

10. A bar, a pub (which is what it would be) on a private country heath in an AONB would not have been permitted if it had been applied for in 2015 when the Barn opened its doors. But, *by stealth*, it has come to the verge of becoming just that, and it is intolerable to many who live nearby, and to lovers of the peace of old.

Yours faithfully

Mike Hobbs

From: [REDACTED]
Sent: 16 July 2020 12:05
To: Brian Whittall
Subject: [EXTERNAL] SUBJECT: DRINKS LICENCE APPLICATION, BARN RESTAURANT, TURVILLE HEATH RG9 6JY Ref. No: 20/01002/LAPREN

Follow Up Flag: Follow up
Flag Status: Completed

For the attention of **Brian Whittall**, Licensing Officer, Communities Directorate, Buckinghamshire Council, Queen Victoria Road, High Wycombe, Bucks, HP11 1BB

Dear Sir

I am writing to set out my objections to the above Application.

I have been a frequent visitor to Turville Heath over the last 25 years and have on many occasions 'house sat' for some of the neighbouring owners. I know the area exceedingly well.

I appreciate that the application is not for Planning but for a Drinks Licence but it will not have escaped your attention that the Applicant only succeeded in getting Planning Consent in retrospect. He appears now to be using the same cunning to achieve not only a greater intensity of use, but also an extension of opening hours in contravention of the existing Planning Consent. The very most that the applicant should be allowed to get away with is a Drinks Licence with hours identical to those granted within the Planning Consent.

That said, I object to any form of Drinks Licence being granted. There are several established Pubs in the area all with experienced and responsible Landlords trying to stay in business right now and adding another Licensee with perhaps no previous Licensee experience is only going to make things worse for them or help to put them out of business.

My understanding of the local Community is that they have been forced to tolerate the unwelcome activity surrounding the Barn Restaurant but that this latest development is one further step too far. They did not want the Barn Restaurant in the first place and for certain do not now after a lifetime of tranquility want a Pub or a Licensed Restaurant on their doorstep. I should also make you aware that the sale of the adjacent property has just fallen through only days prior to exchange of contracts simply because the buyer

learnt of this Application for a Drinks Licence. This clearly underlines the strength of feeling surrounding this Application.

The granting of a Drinks Licence will create a Public Nuisance not only discouraging members of the Public from moving into the area, but also a clear Nuisance to the public already living there, and an obvious Nuisance to those ramblers and members of the public who seek peace and serendipity on their walks and not a crowd of drink fuelled revellers leaving an inevitable trail of litter behind them. With drink comes noise, crime and disorder, thereby a threat to Public Safety and a potential danger to the families and children who will no longer feel free to walk unthreatened and peacefully across Turville Heath.

Please, please do not approve this Application and help to keep Turville Heath an area of natural beauty.

Geoff Bevitt



Sent from my iPhone

From: [REDACTED]
Sent: 16 July 2020 12:21
To: Brian Whittall
Subject: [EXTERNAL] Ref: no: 20/01002/LAPREN

Dear Mr Whittall, (Licensing Officer, Communities Directorate, Buckinghamshire Council, High Wycombe)

I am writing with reference to the Drinks Licence application for the Barn cafe/restaurant on Turville Heath (ref.no.20/01002/LAPREN).

I do not want my details to be visible on any public record as I am rather nervous of unpleasantness from the owner of the cafe as I live in a neighbouring village.

I object to the license for alcohol to be sold on the heath for the following reasons:

PUBLIC SAFETY

a) cyclists in particular are a danger for pedestrians and horse riders in the area and parish of Turville. Many race along at great speed and shout at us local walkers to get out of the way. It is concerning to think that these fast and inconsiderate cyclists (not all of them) will be able to obtain alcohol in a rural spot where all the access roads (3) to the cafe are very narrow, steep with lots of blind corners. This does also apply to cars driven by visitors to the area unfamiliar with the lanes around here. At least it is possible to hear the cars but not so the cyclists.

b) the cafe is small and guests have to go the bar to get served. At this time the Corona Virus means that this is not permitted in established pubs, cafes or restaurants. Such a small concern may find it difficult to put in place the safety measures they will be required to.

PUBLIC NUISANCE

b) the area is in the AONB and the Heath is also a conservation area. We already have a problem with littering. Often plastic drinks bottles thrown by cyclists and this is likely to get worse if people are drinking alcohol and are more relaxed in how they are behaving.

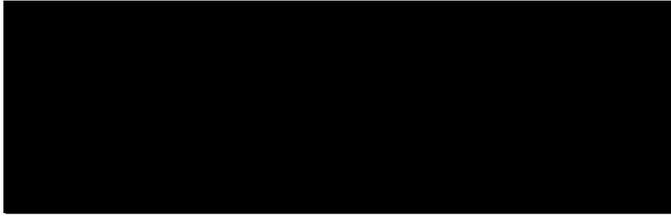
c) residents on the Heath say they can hear the noise from the cafe from quite a distance. After drinking alcohol people are generally more relaxed which often leads to them being more noisy. The peace of this ancient wooded conservation area is likely to be disturbed even more.

CRIME AND DISORDER

d) thefts of garden ornaments from nearby gardens has increased since the cafe was opened. Alcohol consumption may encourage more casual thieving of this sort.

My final objection is based on the negative impact that giving an alcohol license to the cafe may have on local pubs. Local pubs at Turville, Christmas Common, Pishill and Skirmett (which are the nearest to Turville Heath) have all been struggling. In fact locals in one village have all given money to the local pub to help it to stay open. These pubs are an important focal point for locals and also a great amenity for

tourists to the areas who may be cyclists, motorists or walkers. It seems unnecessary to give an alcohol license to a very small rural cafe which is likely to take much needed business from them.



From: [REDACTED]
Sent: 16 July 2020 12:51
To: Brian Whittal
Subject: [EXTERNAL] Drinks license application barn restaurant, Turville Heath. Bucks HP11 1BB Ref NO 20/01002/LAPREN

Follow Up Flag: Follow up
Flag Status: Completed

We are objecting to the issuance of the above drinks license for the hours of 10.00 -21.15 pm seven days a week on the following grounds :

1. Article 1 of the first Protocol of the HUMAN RIGHTS ACT (protects your rights to enjoy your property.) This will be violated , a breach of law .
2. The inevitable noise from revellers will be simply intolerable to residents, horse riders and walkers in an AONB that NO-ONE could have imagined hosting a pub . The layout with unplanned open structures, which can not restrict the already very high decibel levels . All day drinking will GREATLY add to this horrible Noise and general invasion.
3. The toilets are inadequate even now and all day drinking will inevitably lead to yet more men relieving themselves , as they already do now on neighbouring gates and walls etc .
4. Security to neighbours who have truly suffered since this invasion . Garden ornaments have been stolen [REDACTED] and there has been trespassing in local gardens. Security and trust will be YET more compromised .
5. The wooden barn was not designed to be a pub. The fire risk is very frightening . There are rats , and vermin as in all farms, and the dropped litter and food as yet more people clutter up the area will be much more of a danger.
6. The application is from 10am to 8.15 pm although his planning permission restricts his opening until 4 pm...The planning restriction ' in the interest of adjoining residents ' surely must stand or will they be ignored as of no concern? Contrary to Acts of Parliament. A limit from 11am to 15 pm Friday to Sunday might be a reasonable limit to the sale of alcohol
7. The peace , safely and security of residents is a real threat and constitutes both a potential public and Private Nuisance to adjoining properties (noise and Statutory Nuisance Act 1993/ Environmental Protection Act 1990/ Noise Act 1996)
8. The Barn restaurant uses land which is privately owned by the Lord of the Manor. The applicant encourages this with the provision of seating and logs . It is a NO ALCOHOL zone. He makes no measures to contain revellers , it is not in his interest nor is it enforceable and the provision of seating encourages this law breaking .

From: [REDACTED]
Sent: 16 July 2020 14:02
To: Brian Whittal
Subject: [EXTERNAL] Mr Harman's liquor license application

Follow Up Flag: Follow up
Flag Status: Completed

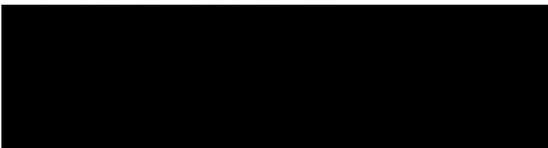
Dear Mr Whittal,

I am writing from the standpoint of a neighbouring owner to the Barn cafe and I want to register my objection to this application, on the following grounds;

- 1) It represents an unwarranted extension of trading hours beyond that already allowed by his planning restrictions. This is an attempt to achieve permission by stealth.
- 2) This application for all day licensed consumption of food and alcoholic beverages would result in a perceived public nuisance, resulting from the increased pedestrian traffic moving to and from the site.
- 3) This public nuisance will be experienced by neighbours in the form of the banging of car doors, fumes of every description, rowdiness, light pollution, all of which are an alien element in this rural space.
- 4) This application represents a clear and present threat to public safety and the well being of local residents, who can have had no expectation of such a change of use in this property.

Yours faithfully,

Antony E A Bird MPhil.



Sent from my iPad

From: [REDACTED]
Sent: 16 July 2020 14:33
To: Brian Whittal
Subject: [EXTERNAL] The Barn cafe Turville Heath

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Whittal,

I would like you to record my objection to this application and ensure that the committee is fully conversant with the strength of feeling among those affected by this development proposal. The committee should be aware that there are those of us who are horrified at what will inevitably follow from all day consumption of food and drink in this rural location which is immediately adjacent to our family home. Your committee will be familiar with what occurs in such places; in this rural location they represent an alien threat and a public nuisance. I am of course referring to pollution in all its forms, all of it noisome and debilitating.

Quite simply I do not have confidence that Mr Harman will be able to contain the pub's clientele to its immediate boundaries. Drinkers will spill out onto the Heath partly because the Heath itself is an integral part of the attraction of the business and is indeed exploited by Mr Harman for this purpose. In effect this public resource will be degraded and will become itself a place of danger, especially in the hours of darkness.

My family and our neighbours have already had to install cameras, build extra secure boundary walls and employ security firms. We shall have to redouble our efforts to ensure our security and protect our wellbeing if this development goes ahead.

Yours faithfully

Judith M Oswald

From: [REDACTED]
Sent: 16 July 2020 19:43
To: Brian Whittall
Subject: [EXTERNAL] DRINKS LICENCE APPLICATION, BARN RESTAURANT, TURVILLE HEATH
RG9 6JY Ref. No: 20/01002/LAPREN

Brian Whittall, Licensing Officer, Communities Directorate, Buckinghamshire Council, Queen Victoria Road, High Wycombe, Bucks, HP11 1BB Brian.Whittall@buckinghamshire.gov

I would like to object to the above application for the following reasons laid out below. I would appreciate redaction of my personal details because of difficulties we have with the applicant.

My own feeling, shared I know by many objectors, is that if a licence cannot be refused *in toto* then one restricted to 11.00 am until 3.00 pm from Friday to Sunday would be the least worst outcome.

.....

1. The noise from revellers will be intolerable to residents who never envisaged living next to a pub; none bought their property with that in mind. The layout of the Barn Restaurant, with its plethora of unplanned open structures, cannot restrict noise volumes; all-day drinking will greatly add to the problem. Article 1 of the First Protocol of the HUMAN RIGHTS ACT (Protection of property) protects your right to enjoy your property peacefully. This will be violated, a breach of law.
2. Security to neighbours, who have suffered since the opening of the cafe, will be further degraded; garden ornaments have been stolen, visitors to the Barn trespass even now neighbouring gardens. Local security will be further compromised, with increased risk of damage to property, hedges [SEE - Report No. DP-14129-18-4343-IR] and fences; low level crime has already been experienced, and disorder. Disorder will only worsen.
3. The provision for toilets on an erstwhile farm is by Portakabin and inadequate; drinking will lead to a potentially dangerous sanitary situation; customers (as they now do) will relieve themselves on neighbouring garden walls; there is increased risk of anti-social behaviour; COVID RESTRICTIONS - liable to be in force semi-permanently - will restrict occupation of toilet facilities forcing people to urinate elsewhere, causing a public nuisance and disorder.
4. Vermin and rats, endemic on a farm and already a serious problem to neighbours since the Barn cafe opened will be much more of a danger if yet more people clutter the outbuildings drinking; PUBLIC HEALTH AND PUBLIC SAFETY will be threatened by a drinks licence with the inevitable increase in numbers and increase in detritus; one concern for neighbours is that rats chew through electrical wires causing potential risk to life.
5. The applicant has applied for a 7-day a week licence from 10.00 am to 8.15 pm, yet his planning

permission restricts his opening until 4.00 pm. The planning restriction, issued 'in the interests of adjoining residents', must surely stand at the very least, or those same neighbours' interests - cited as paramount - will be ignored.

6. A licensed bar with all-day drinking (for that is what it will become) is detrimental to the neighbourhood, to peace, to the safety and security of residents, and may constitute both a Public and Private Nuisance to adjoining properties (Noise and Statutory Nuisance Act 1993 / Environmental Protection Act 1990 / Noise Act 1996).

Nicholas A Bird



From: [REDACTED]
Sent: 17 July 2020 10:15
To: Brian Whittall
Subject: [EXTERNAL] Harmen drinks licence Barn Cafe on Turville Heath RG96JY. Reference No.20/01002/Lapron

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Whittall,

I am writing to you with regard to the above application for a licence to sell alcoholic drinks at the above Barn Cafe.

I know this area well and have lived locally for over 30 years.

I am therefore horrified to see the above premises has applied for a licence to sell alcohol.

Apart from anything else this is an AONB area. It is already surprising that a cafe is being run there and encroaching further and further onto the heath, which is common land.

If people are allowed to drink there from morning until late evening there will be many consequences to list but a few.....

Safety & security

Litter

Cooking smells

Not enough toilet facilities

Cyclists are already a hazard in this area, after a few drinks it will be worse.

Noise for local residents.

This will ruin a very beautiful protected area that people have enjoyed for years.

Amanda Apponyi.

From: [REDACTED]
Sent: 19 July 2020 19:33
To: Brian Whittall
Subject: [EXTERNAL] REF: 20/01002/LAPREN
Attachments: LICENSING OBJECTION - TURVILLE.docx

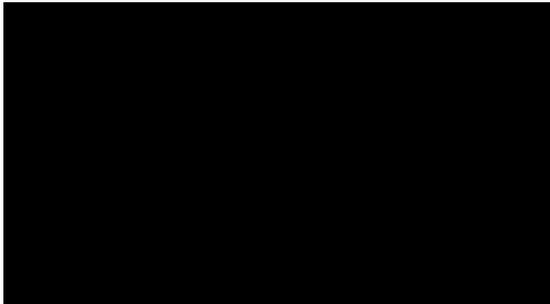
Follow Up Flag: Follow up
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[Please note this has been sent from an external source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intrane/IT for advice.]

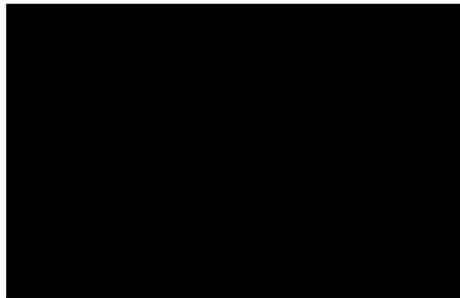
Dear Mr Whittall

I attach my objection letter in connection with the above licensing application. Kindly acknowledge safe receipt.

Yours truly
Fiona Walters



Brian Whittall Esq
Licensing Officer
Communities Directorate
Buckinghamshire Council
Queen Victoria Road
High Wycombe
Bucks HP11 1BB



19th July 2020

VIA EMAIL – HARD COPY TO FOLLOW

Dear Sir

RE: DRINKS LICENCE APPLICATION: BARN RESTAURANT, TURVILLE HEATH RG9 6JY
REF NO: 20/01002/LAPREN

The above application refers. Under the consolidating Licensing Act 2003, the relevant issues are as follows:

1. PREVENTION OF CRIME & DISORDER

- i. *Theft: Security concerning neighbouring properties where garden statuary has been stolen since the café opened. It is only a matter of time before more serious intrusions occur.*
- ii. *Public Order: Even without the sale of alcohol, there have been regular instances of harassment in the locality, e.g bicycles left randomly over the private road and blocking residential driveways; café customers trespassing on to private property causing fear to inhabitants who have previously enjoyed an uninterrupted, peaceful residency; due to the open nature of the 'Barn Restaurant' there is real concern that customers having taken alcohol at night will exacerbate these previous issues and furthermore urinate outside, which is deeply unpleasant and shocking in a domestic location.*

2. PUBLIC SAFETY

- i. *There is no street lighting, given the location is in an AONB.*
- ii. *Encourages motor vehicles to a 'destination' at night, where there are inadequate parking arrangements on a private road serving residential dwellings. The possibility of an RTA is high.*
- iii. *The intrinsic structure fails to protect customers and residents alike from vermin and fire if an extended use is permitted.*
- iv. *The numbers potentially attracted to the 'Barn Restaurant' present a nuisance in the locality which undermines their safety.*

3. PUBLIC NUISANCE

- i. *Creating unnecessary noise pollution in an historical landscape, adversely affecting residents and the environment. 'The Barn Restaurant' is an open Elizabethan barn structure, forming part of a farm and is in very close proximity to dwelling houses. As it is an open building and cannot contain, as it presently stands, noise and odours.*
- ii. *The owner of these premises is already encroaching on to the Heath by arranging outdoor seating, thus encouraging outdoor, unmonitored drinking.*

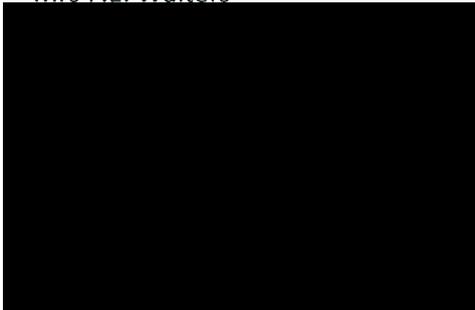
4. PROTECTION OF CHILDREN FROM HARM

- i. *A day time café attending walkers and cyclists is quite a different proposition to an evening destination serving adults alcohol. Children living in the locality walking or cycling to visit their neighbours/family are immediately put at risk by vehicles and those who have been drinking.*
- ii. *Encouraging a different customer base to a venue which has historically been the quiet preserve of agriculture and an AONB sets a terrible precedent.*

I, go so far as to, say if this license is permitted as it stands, it will be a dereliction of the duty of the officer permitting it. I make my submissions as a friend who has visited the locality on numerous occasions.

Yours truly
Fiona Walters

Mrs F.E. Walters



Brian Whittall

From: [REDACTED]
Sent: 19 July 2020 18:40
To: Brian Whittall
Subject: [EXTERNAL] Drinks Licence Application, Barn Restaurant, Turville Heath RG9 6JY
Ref: 20/01002/LAPREN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Whittall

As a regular visitor to Turville Heath over the past 40 years I would like to register my objection to the application for a licence to serve alcohol 7 days a week, from 10am to 8.15pm at the Barn Restaurant.

The location and structure of the building are clearly unsuited to operation as an all day drinking venue, and the likely impact in terms of traffic, parking, noise and disorder represents an unacceptable threat to the comfort and safety of neighbours and other users of the Heath.

Yours sincerely
Robert Keir

[REDACTED]

From: [REDACTED]
Sent: 19 July 2020 17:57
To: Brian Whittal
Subject: [EXTERNAL] Objection to license; Ref. No: 20/01002/LAPREN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Whittal

No: 20/01002/LAPREN

As a frequent visitor to family friends on The Heath, I am writing to object to the application for an alcohol license for the Café on Turville Heath, Ref. No: 20/01002/LAPREN on the following grounds;

- The first Protocol of The Human Rights Act, Article 1 (which protects your rights to enjoy your property.) This will be violated, a breach of law .
- Neighborhood thefts, that are already police documented.
- The peace , safely and security of residents is a real threat and constitutes both a potential public and Private Nuisance to adjoining properties (noise and Statutory Nuisance Act 1993/ Environmental Protection Act 1990/ Noise Act 1996)
- The inevitable noise from drinkers will be simply intolerable to residents.
- The layout with unplanned open structures, which cannot restrict the already very high decibel levels . All day drinking will GREATLY add to this horrible Noise and general invasion.
- The washrooms are inadequate even now and all day drinking will inevitably lead to yet more men relieving themselves, this is already an issue.
- The wooden barn was not designed to be a pub. The fire risk is very frightening . There are rats , and vermin as in all farms, and the dropped litter and food as yet more people clutter up the area will be much more of a danger.
- The restaurant Barn uses land which is privately owned. The applicant encourages this with the provision of seating and logs . It is a NO ALCOHOL zone. There is no provision and, it is not in his interest nor is it enforceable and the provision of seating will lead to flouting the law.
- The application is from 10am to 8.15 pm although his planning permission restricts his opening until 4 pm...The planning restriction in the interest of adjoining residents ' surely must stand or will they be ignored as of no concern? Contrary to Acts of Parliament. A limit from 11am to 15 pm Friday to Sunday might be a reasonable limit to the sale of alcohol.

Yours sincerely

Tanya Levy

From: [REDACTED]
Sent: 19 July 2020 15:50
To: Brian Whittal
Subject: [EXTERNAL] Drinks Licence Application, Barn Cafe(Restaurant) Turville Heath RG96JY

Follow Up Flag: Follow up
Flag Status: Completed

To Brian Whittall, Licensing Officer, Buckinghamshire Council.

I have been a resident with family [REDACTED] for over 40 years, an Area of Outstanding Natural Beauty which has changed dramatically in the last few years since the arrival of the Barn Cafe. The area has been swamped, particularly at weekends and school holidays

by families in cars and cyclists attracted by the Barn's social media advertising.

My reasons for objecting to the granting of a Drinks Licence are as follows.

- 1 The increased noise from more visitors as a result of the available alcohol on sale.
- 2 Increased security for neighbours as revellers might be tempted to cause trouble after darkness when under the influence of too much drink
- 3 The state of the premises --originally a farm with a barn with insufficient toilet and seating facilities on property and the Heath used as an extra--- for both !!
- 4 The owners of houses around the Heath must be aware of the loss of value of their property as a result of the entry of this trading activity, previously a small farm well suited to the locality. The two nearest public houses, in Turville Village and Christmas Common might suffer if the Licence is granted.
- 5 The increased motor traffic, for both parking and travelling down surrounding narrow lanes will be an additional problem which must be taken into consideration in making your decision

Michael Wicks

From: [REDACTED]
Sent: 19 July 2020 09:38
To: Brian Whittal
Subject: [EXTERNAL] Drinks Licence Application, Barn Restaurant, Turvil Heath RG9 6JY - Ref. No: 20/01002/LAPREN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Whittal

I am writing to object to the application submitted by Robin Harman for a drinks licence for the Barn Restaurant on Turville Heath. I am a regular visitor to the heath and have often played cricket at Turville Heath Cricket Cub just down the road from the restaurant.

I object on the following grounds to this licence being issued:

- ◆ First, the restaurant premises are constructed as a wooden barn and as such are a significant fire hazard, particularly given the fact that people who drink are much more likely to smoke; while smoking would be banned inside the barn, smokers would simply congregate outside the barn.
- ◆ Second, there are already inadequate toilet facilities at the restaurant and customers, as they currently do, would continue to use neighbouring gardens and walls to relieve themselves
- ◆ Third, the noise levels from any pub, particularly during the licensing hours applied for, would add to the existing nuisance already suffered by residents in neighbouring properties
- ◆ Fourth, the security of surrounding properties would also be compromised further, as already there is trespassing in, and theft of articles from, neighbouring gardens
- ◆ Fifth, this application would cut across the Human Rights Act which gives people the right to enjoy their property in peace
- ◆ Finally, the application for a licence from 10.0 am to 8.15 pm for 7 days a week would break the current planning permission restrictions that only enable the restaurant to open until 4.0 pm.

I should be grateful if you would acknowledge my objections by email.

Yours faithfully

Euan Ramsay

[REDACTED]

From: [REDACTED]
Sent: 19 July 2020 09:09
To: Brian Whittal
Subject: [EXTERNAL] THE BARN - APPLICATION FOR EXTENDED DRINKS LICENCE

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir

As a regular visitor to the area of natural beauty that is Turville Heath I have become increasingly alarmed by the numbers of visitors to the Heath who congregate at The Barn.

I have been pushed into the hedge row by a continual stream of lycra wearing cyclists and while it was safe in the old days to let my dogs run freely on the Heath this is no longer the case.

I have recently been informed by fellow walkers that the Barn has applied for an extended drinks licence.

I am opposed to the extended licence for the following reasons:

The Heath is (was) a place of natural beauty which should not become a glorified out door public house.

The Barn is already very busy and an extended drinks licence would only increase the number of people creating parking problems and traffic congestion in an area not designed for large public gatherings.

An extended drinks licence would further increase the noise levels and more importantly the behaviour of drinkers would become rowdy and will increase the dangers of anti-social behaviour.

The seating for the Barn is not contained within the property's boundaries and already extends into the Heath at the front of the building. An extended drinks licence would encourage drinkers to use the Heath as a drinking area to the detriment of the Heath encouraging the spread of litter, rubbish and food waste potentially damaging not just the natural beauty of the Heath but endangering wild life.

I would request that you decline the Application for an Extended Drinks Licence and with hold my address and email from any public report.

Yours sincerely,

[REDACTED]

Brian Whittal

From: [REDACTED]
Sent: 17 July 2020 19:20
To: Brian Whittal
Subject: [EXTERNAL] Fwd: DRINKS LICENCE APPLICATION, BARN RESTAURANT, TURVILLE HEATH RG9 6JY Ref. No: 20/01002/LAPREN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Whittal,

I just wanted to make sure that you had received my email below sent on 15.7.20. I'm sure you are having to deal with many comments on this but as my husband, who also wrote, has already received a reply, I just wanted to check that my email hadn't made it into your junk folder by mistake.

Your sincerely

Simone Dawood

- >
- > Dear Mr Whittal
- >
- > I was dismayed to hear that there was a Drinks Licence application pending for The Barn on Turville Heath.
- >
- > I have been a frequent visitor to the Heath over the years; it is a unique and beautiful place that I have visited with friends, starting and finishing many lovely walks in the surrounding area.
- >
- > I did notice on the last few occasions that visitor numbers were way up; congregating uniquely around the The Barn Cafe. Many cyclists and people in cars gathering on make shift stools on the Heath. Also parking all over the place so making it particularly hazardous for elderly, disabled and frailer people. (Of which there are many in this area!)
- >
- > I can only imagine that turning the Barn into, what effectively would be a pub, can only lead to a huge change in atmosphere of the area and inevitably a risk to public safety and potential disorder.
- >
- > This is something that cannot be reversed; the idea of people being allowed to settle in for a good drinking session in a predominantly peaceful and beautiful area can only escalate the potential for antisocial behaviour and littering etc. Once this starts it is impossible to reign back.
- >
- > Cyclists notoriously travel in packs and this has been clearly evidenced by the huge numbers of people already gathering at the Barn. Giving them a drink as well will only encourage them to stay longer, be louder and disturb the peace.
- >
- > I would strongly urge you to reject this application.
- >
- > Yours sincerely
- >

Brian Whittal

From: [REDACTED]
Sent: 20 July 2020 12:28
To: Brian Whittal
Subject: RE: [EXTERNAL] Drinks Licence application, Barn Restaurant Turville Heath.

Dear Mr Whittal,

I am writing to lodge my objections to the above application for a drinks licence.

On the grounds of public nuisance, which would only be made worse with access to alcohol. Since the 'Barn Cafe' opened there has been a great deal of that.

In this neighborhood we have to take great care to ensure we are safe from intruders and thieves and our children playing on the heath are not in harm's way.

Sally Wicks.
[REDACTED]

Sent from Samsung tablet

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

Dear Sarah,

Having regard to the legislation, and Govt Guidance your representation has deemed to be not valid. The reason why it has not been accepted are as follows:

1. The Guidance also states that, "Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives, which are; Prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm. It must also not be considered by the licensing authority to be frivolous or vexatious". The representation made I consider to be frivolous in nature and does not relate to the licensing objectives mentioned above.

If you require any additional assistance on how to make a valid representation or have any queries regarding this notice to you then please do not hesitate to contact me.

Regards,

Brian Whittall

Licensing Officer

Communities Directorate

Buckinghamshire Council

Tel: 01494 421346

Email: Brian.Whittall@buckinghamshire.gov.uk

Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB

From: [REDACTED]
Sent: 19 July 2020 14:50
To: Brian Whittall <Brian.Whittall@buckinghamshire.gov.uk>
Subject: [EXTERNAL] Drinks Licence application, Barn Restaurant Turville Heath.

Mrs S.A. Wicks. [REDACTED]
[REDACTED]

Dear mr Whittall,

I am writing to say that I object most strongly to the possibility of a drinks licence being granted to Mr Robin Harman for his Barn Cafe'.Turville Heath.

This is not a suitable situation, being surrounded by private homes. We already suffer from the disruption the Cafe' has caused. The availability of alcohol can only make things worse.

There is little patronage from local people , the customers coming from far and wide in response to mr Harman's use of social media to advertise and promote his Cafe'.

In good weather cars overflow the assigned area, and park on the verges and along the Avenue.

I suspect that you would have more objections were it not for the fact that many neighbors fear retaliation.

Yours Sally Wicks.

Brian Whittall

From: [REDACTED]
Sent: 20 July 2020 19:20
To: Brian Whittall
Subject: Re: [EXTERNAL] Subject: Drinks Licence Application, Barn Restaurant, Turville Heath RG9 6JY Ref. No: 20/01002/Lapren
Attachments: Drinks Licence Application, Barn Restaurant, Turville Heath RG9 6JY Ref. No-2001002Lapren - letter of objection.pdf
Follow Up Flag: Follow up
Flag Status: Completed

[Please note this has been sent from an external source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

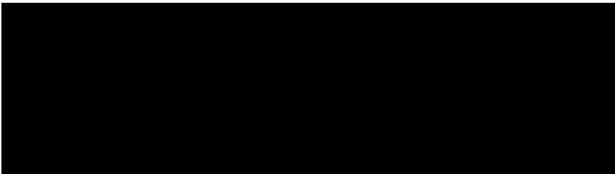
Dear Mr. Whittall

Many thanks for your e mail. I apologise for not understanding the complexities of the licensing legislation. I have now rejigged the letter in the hope that it will now fulfil the criteria set out in the legislation.

I hope that this genuine objection can now be accepted.

Kind regards

David Odgers



On 20 Jul 2020, at 08:20, Brian Whittall <Brian.Whittall@buckinghamshire.gov.uk> wrote:

Dear David,

Having regard to the legislation, and Govt Guidance your representation has deemed to be not valid. The reason why it has not been accepted are as follows:

1. Government Guidance states the following: That any licence holder “cannot manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff” and “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law”. Your representation makes comments on those areas away from the premises, which I consider to be not valid under The Licensing Act.

2.The Guidance also states that, "Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives, which are; Prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm. It must also not be considered by the licensing authority to be frivolous or vexatious". The representation made I consider to be frivolous in nature and does not relate to the licensing objectives mentioned above.

3.The public space near the premises is not a consideration of the Licensing Act. Any representation must relate to the actual premises concerned with the application. The Council's own Statement of Licensing Policy states, "Licensing is not a mechanism for the general control of anti-social behaviour by individuals beyond the direct control the licensee of the premises concerned."

If you require any additional assistance on how to make a valid representation or have any queries regarding this notice to you then please do not hesitate to contact me.

Regards,

Brian Whittall
Licensing Officer
Communities Directorate
Buckinghamshire Council

Tel: 01494 421346

Email: Brian.Whittall@buckinghamshire.gov.uk

Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB

From: David Odgers 

Sent: 18 July 2020 11:08

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

Subject: [EXTERNAL] Subject: Drinks Licence Application, Barn Restaurant, Turville Heath RG9 6JY
Ref. No: 20/01002/Lapren

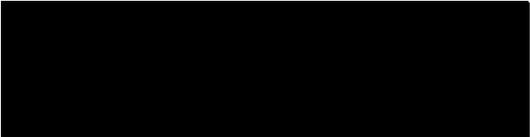
[Please note this has been sent from an external source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

Dera Mr. Whittall

Please find attached a letter of objection to the above application.

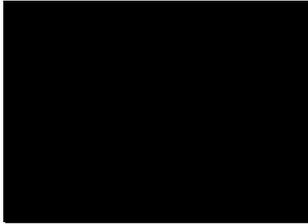
Kind regards

David Odgers



DISCLAIMER FOR BUCKINGHAMSHIRE COUNCIL

Brian Whittall,
Licensing Officer,
Communities Directorate,
Buckinghamshire Council,
Queen Victoria Road,
High Wycombe,
Bucks,
HP11 1BB



18th July 2020

Dear Mr. Whittall

Drinks Licence Application, Barn Restaurant, Turville Heath RG9 6JY
Ref. No: 20/01002/Lapren

As a user of Turville Heath when visiting friends in the area, I am writing to object to the above licensing application. The development of the Barn into a café has been controversial but no doubt of benefit to the cycling and walking community who are its main users. However the proposal that it should now have a licence risks significant damaging effect to the heath and its environment.

My specific objections are as follows:

1. The potential for noise from drinkers at the café will be intolerable to residents and those who have gone to the AONB in search of tranquillity. The layout of the Barn Restaurant, with its plethora of unplanned open structures, cannot restrict noise volumes; all-day drinking will greatly add to the problem.
2. The provision for toilets is inadequate and drinking will lead to unacceptable sanitary situation in which customers (as they now do) will relieve themselves on the heath and on hedges and gardens of the adjoining properties
3. The premises consist of a wooden Elizabethan barn and farm; this was simply not designed to be a pub, so there must be an unacceptable risk of fire.
4. The application for a licence from 10.00 am to 8.15 pm, 7 days a week directly contradicts the current (and retrospective) licence granted in 2019 for the café to operate until 4.00pm

I trust that you will take account of these serious objections when considering the application.

Yours sincerely



David Odgers

Brian Whittal

From: [REDACTED]
Sent: 14 July 2020 15:19
To: Brian Whittal
Subject: [EXTERNAL] Ref. No: 20/01002/LAPREN

Follow Up Flag: Follow up
Due By: 16 July 2020 16:00
Flag Status: Flagged

Dear Mr Whittal,

Ref. No: 20/01002/LAPREN

I would like to register my objection to the above Licence Application.

As a visitor to Turville Heath over many years I believe that granting an alcohol licence to The Barn would have a serious negative impact on the immediate area in and around the premises of THE BARN RESTAURANT, due to the additional noise and inevitable increase in the number of visitors that selling alcohol will result in. The noise from the Barn is already a nuisance - it will be intolerable to neighbours and to those outside trying to enjoy the countryside.

Alcohol consumption will increase safety risk, already compromised; the area attracts a lot of walkers and cyclists, access is limited to a potholed road; allowing drinking will increase the risk to people who want to use and enjoy the Heath, will threaten the safety of the many children who ride just outside the Barn.

I understand that The Barn Restaurant's application is for a 7-day a week licence ending at 20.15 at night! This will be intolerable for the cottages next door, for the neighbours to the west and east. At most weekend hours of 11.00-3.00 pm might be considered, but any more will create a disturbance, a security hazard and threaten the ambience of the building itself, an Elizabethan barn that is a farm building, an ancient wooden structure now put at risk of fire.

The proprietor's planning permission is that he must close at 16.00. If he is permitted to have a licence until 20.15 it will mock his planning restriction, and create a volatile, febrile atmosphere in and around his premises to the detriment of all.

Yours sincerely,

[REDACTED]