



Licensing Sub-Committee agenda

Date: Tuesday 19 July 2022

Time: 2.30 pm

Venue: Via Video Conference

Membership:

P Griffin, D Town and A Wood

Webcasting notice

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Agenda Item

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.

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|----------|--|----------------|
| 4 | Hearing Procedure Rules | 3 - 10 |
| | To note the hearing procedure rules and virtual licensing sub-committee procedural rules. | |
| 5 | New Bury Farm, Mill Road, Slapton, LU7 9BT | 11 - 70 |
| | To consider an application under s.34 of the Licensing Act 2003 to vary the premises licence in respect of New Bury Farm, Mill Road, Slapton, LU7 9BT (report attached). | |

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

Licensing and Regulatory Sub-Committee Virtual Procedural Rules

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.

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.

Administration in Relation to the Hearing

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 shall proceed with the hearing unless it is in the public interest not to do so and shall adjourn the hearing to later on the same day or another date.

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.

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 be dealt with by way of a determination.

Representations can be withdrawn by prior notice 1 working day before the Hearing or orally at the Hearing.

At the Hearing any party can be assisted or represented by any person whether or not that person is legally qualified.

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.

The Sub-Committee may disregard any information which is not considered relevant to the application/representation/notice and the promotion of the licensing objectives.

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 a maximum period of time on how long each party may speak, progressing without undue delays and ensuring that there is a fair hearing. 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.

The Decision of the Licensing Sub Committee will be made after the close of the Hearing when the Chairman retires with the legal advisor and the Clerk to the Sub-committee in a private session to consider all the evidence and submissions made at the hearing.

The decision of the Sub-committee will be communicated to all parties by way of a written Decision Notice issued by Legal Services. This notice shall be issued within 7 days of the hearing and if there is to be a delay in issuing such a notice; the licensing officer will communicate with all parties. The notice will contain will be dated and set out the provisions of the Right to Appeal to the Magistrates Court.

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 reasonably necessary and proportionate.

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 disappplied.

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.

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. 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.

Only 3 members are permitted on 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 present in case an interest arises at the beginning of the Hearing or one of the 3 members identified as being on the LSC fails to attend 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

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 is 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.

In the event that the live webcast fails and cannot be resumed the meeting will be opened and adjourned to allow for it to take place at a hearing (the date and time of which will be fixed prior to the matter being adjourned).

The people on the Teams call who are present throughout the meeting are the Members of the Sub-Committee, any officer supporting the meeting and those who have submitted valid representations, applicant and/or legal representative. 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 Officer, 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 published on the website if the meeting is held in public.

Questions

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.

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 and any other procedural matters. If necessary, the sub-committee will retire to deliberate before making a decision.
4. 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 Applicant 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 Applicant will present their case and call their witnesses
 - e. Any other party may question the Applicant. Any party includes any responsible body.
 - f. The Members may question the Applicant
 - 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 Licensing Officer may question the Interested Parties.

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 at any time during the procedure above, 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. There may be a discussion at the hearing, on a without prejudice basis, where each party will be asked to address/give their views on any proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. Any agreed conditions may be incorporated into the Decision Notice if the application is successful. However, the Sub-Committee to determine any final conditions that will apply to the licence.
13. Each party will be invited to make closing submission in the order as set out in paragraph 10.
14. The Chairman will then close the Hearing and the Sub-Committee will meet (privately) virtually together with the 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 this procedure and 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 pause the meeting until that issue has been resolved. 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. 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.

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.
- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020

SUBJECT:	APPLICATION FOR A VARIATION OF A PREMISES LICENCE at: New Bury Farm, Mill Road, Slapton, LU7 9BT
Report Author	Kerryann Ashton – Licensing Officer
Ward/s Affected	Ivinghoe

1. Purpose of Report

To provide Members with information enabling the determination of an application for a variation to the premises licence, in respect of which relevant representations have been received. The application has been submitted by Newbury Supplies Ltd (“the applicant”) in respect of New Bury Farm, Mill Road, Slapton, LU7 9BT (“the premises”).

2. Background

- 2.1 The premises is located within the village of Slapton. The Premises consist of an equestrian centre offering facilities for both horses and riders. Consisting of indoor and outdoor arenas, Café and bar, Livery yard and equine vet clinic.
- 2.2 The premises are not located within a cumulative impact policy area.
- 2.3 A location plan showing the premises is attached to this report marked **Appendix 1**. The current layout plan is attached as **Appendix 2**.
- 2.4 The premises currently have the benefit of a premises licence permitting the sale of alcohol for consumption on the premises live music, recorded music and other entertainment. The licence was granted under delegated authority in 2007 there being no objections. A copy of the current licence is attached as **Appendix 3**. The premises also made a minor variation in April 2022 to amend the licence plans.

3. The Application

- 3.1 This application is for a variation of the current premises licence to take immediate effect. A copy of the application is attached as **Appendix 4**. Additional layout plan is attached as **Appendix 5**.

- 3.2 The variations sought are as follows:

This variation is to change the licence area to include all the areas shown on the enclosed plan. The normal day to day activities of the premises will not change the variation it is to permit the premises to run 2 family orientated county show events each year, as described in the operating schedule. This is to include plays, films, live

music, recorded music, performance of dance and similar activities. Add off sales.

<u>Current activities and hours</u>	<u>Proposed activities and hours</u>	<u>Effect of Variation</u>
	Add Plays Saturday and Sunday 1000 – 2200 Outdoors	New Activity
	Add Films Saturday and Sunday 1000 – 2200 Outdoors	New Activity
Live music Every day 1800 - 2200 Indoor Non-Standard Timings 1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year. 2. Regulated entertainment: live music (indoors only) Mon Tues: 18.00 to 22.00 Wed Thurs: 18.00 to 23.00 Fri - Sun: 18.00 to 00:00	Add Live Music Saturday and Sunday 1000 – 2200 Outdoors	Change to licence Amend the hours for Sat & Sun only
Recorded music Everyday 1000 – 2200 Indoors 1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year. 2. Regulated entertainment: recorded music (indoors only) Mon - Sun: 10.00 to 00:00	Add Recorded music Saturday and Sunday 1000 – 2200 Outdoors	Change to licence Amend the hours for Sat & Sun only
	Add Performance of dance Saturday and Sunday 1000 – 2200 Outdoors	New Activity
Anything of a similar description to music and dancing Everyday 1800 – 2200	Add Anything of a similar description to music and dancing Saturday and Sunday 1000 – 2200	Change to licence Amend the hours for Sat & Sun only

<p>Indoor</p> <p>1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.</p> <p>2. Regulated entertainment: anything similar to music/dance (indoors only)</p> <p>Mon - Sun 18.00 to 00:00</p>	<p>Outdoors</p>	
<p>Sale of alcohol On the premises</p> <p>Everyday 0800 - 2200</p> <p>1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.</p> <p>2. On Christmas Eve and New Year's Eve, alcohol would be sold until 02:00 hours, but these extensions would not count towards the 12 occasions mentioned above</p> <p>3. Alcohol (for consumption on the premises only)</p> <p>Mon - Wed: 08.00 to 00.00 Thurs - Sat 08.00 to 01.00 Sun - 12.00 to 00:00</p>	<p>Add Sale of alcohol Both on and off the premises</p> <p>Everyday 0800 - 2200</p> <p>1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.</p> <p>2. On Christmas Eve and New Year's Eve, alcohol would be sold until 02:00 hours, but these extensions would not count towards the 12 occasions mentioned above</p> <p>Mon - Wed: 08.00 to 00.00 Thurs - Sat 08.00 to 01.00 Sun - 12.00 to 00:00</p>	<p>Change to licence</p> <p>Amend the hours for Sat & Sun only</p>
<p>Hours premises are open to the public</p> <p>Everyday 0800 - 2230</p> <p>1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.</p> <p>2. Sun - Wed: 08.00 to 00.00 Thurs - Sat: 08.00 to 01.00</p>	<p>Add Opening hours</p> <p>Saturday to Sunday 1000 - 0000</p>	<p>Change to licence</p> <p>Amend the hours for Sat & Sun only</p>

3.3 The steps the applicant intends to take to promote the licensing objectives are set out in the operating schedule (see appendix 3, section 16 of application form).

4. Relevant Representations

4.1 Responsible Authorities:

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

4.1.2 **The Fire and Rescue Authority:** No Response received: No comment

- 4.1.3 **The Local Planning Authority (Head of Sustainable Development):** No Response received: No comment
- 4.1.4 **The Local Environmental Health Authority (Head of Environmental Health):** Submitted a representation during the consultation period a copy of which is attached as **Appendix 6**, the content of which has been agreed by the applicant.
- 4.1.5 **Weights and Measures Authority (Trading Standards Officer):** No response received
- 4.1.6 **The Safeguarding and Child Protection Unit:** No response received: No comment
- 4.1.7 **The Licensing Authority:** Response received: No comment
- 4.1.8 No responses were received from any other Responsible Authority.

4.2 Other persons: One valid objection was received during the 28 day consultation period which ended on the 22 June 2022. A copy of the representation is attached marked **Appendix 7**.

4.3 No letters of support were received during the consultation period.

5. Licensing Officer's Observations

5.1 The Relevant Representation from other parties mainly raises the follows issues:

- The prevention of public nuisance (including noise and traffic issues)

5.2 In addition to the Mandatory Conditions, which together with the Conditions proposed by the applicant and the Responsible Authority are considered appropriate for recommendation to the Licensing Sub-Committee to address concerns raised in the objections if a Premises Licence is granted.

6. Policy Considerations

6.1 Regard must be given to the Council's Statement of Licensing Policy (published 4th March 2022) when determining this application. Of particular relevance (but not limited to) are the sections relating to large events (page 46-47) and the Council's approach to preventing a public nuisance (page 35).

6.2 In relation to large events, the policy confirms at 3.64 that organisers of large events should be encouraged to make early contact with Buckinghamshire Council's Safety Advisory Group (SAG). The SAG is made up of representatives from the emergency services and other agencies concerned with event safety. The panel should note that the applicant has been engaged with SAG members and has provided on requests such documentation as required by SAG members. Some members of SAG are statutory consultee of the application as 'Responsible Authorities' and therefore able to make a representation to the application should they consider the licensing objectives would be undermined.

- 6.3 In relation to the prevention of a public nuisance licensing objective, section 3.36, the Licensing Authority will consider whether the measures proposed to deal with the potential for public nuisance having regard to all circumstances of the application, are adequate. Much weight will be placed on recommendations made by Environmental Health Officers in terms of preventing public nuisance.
- 6.4 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended.
- 6.5 In relation to Prevention of Public Nuisance the Statutory Guidance states:
- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. In certain circumstances, conditions relating to noise emanating from the premises may

also be appropriate to address any disturbance anticipated as customers enter and leave.

- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

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 appeal 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 need 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 cannot be interfered with.

- 8.6 Therefore if Members refuse to grant the application to vary the 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-Committees 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 where there is no need for such conditions. 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 Variation Application in full or part - subject to any Conditions to be attached to the premises licence (which modify, or add to or vary the Conditions already imposed on it) 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.

On a “without prejudice” basis, a draft list of **proposed Conditions** is attached to this Report marked “The Schedule”.

- 9.4.2 Reject the whole of the Variation Application.

- 9.4.3 Grant the Variation Application subject to different conditions for different parts of the premises or 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

- 9.5.1 It may not reject the whole or part of the application or modify or add to or vary the existing conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the four licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committee's decision.

- 9.5.2 When determining the application to vary the Premises Licence consideration must be given to the effect of the variations proposed. Any modification or variation to Conditions or any additional Conditions to be added to the Premises Licence must also be as a result of the effect of the variation if granted on the promotion of the four licensing objectives.

THE SCHEDULE

The Mandatory Conditions

Annex 1 – 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 - Supply of Alcohol

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

Annex 2 –Conditions consistent with the operating schedule - To be added to current operating schedule

General licensing objective

- This will only apply to non-equine events
- The extended Licensable area is limited to two outside weekend events ONLY a year for events over 1,500 people (usually one weekend in May and one in August).
- The red line area is extended to include the areas outside of the actual event area such as car parking so that the whole site is protected under the licensing laws which allows SIA registered security personnel to ensure the site is safe and the operation schedule can be enforced.
- For non-equine events outside over 1,500 people - The Premises Licence Holder shall present the Event Management Plan to the Licensing Authority, Thames Valley Police, Environmental Health and the Safety Advisory Group [28 days] before the first event day.
- The Event Management Plan shall include but not limited to the following:-
 - a. Nature & style of the event, including crowd profile
 - b. Capacity and expected audience
 - c. Event programme & advertising
 - d. Communication strategy
 - e. Site and location plans
 - f. Management structure

- g. Special effects
- h. Campsite safety and security (when on site)
- i. Emergency evacuation plan
- j. Medical plan
- k. Information and welfare
- l. Safeguarding children and young people and age controls
- m. Transport and traffic management plans
- n. Food, drink and water provision
- o. Waste management
- p. Working at height
- q. Animal welfare
- r. Noise management planning and controls
- s. Temporary demountable structures
- t. Fire risk assessment
- u. Electrical safety
- v. Welfare and sanitation plan
- w. Extreme weather and contingency plans
- x. Waste management
- y. Crowd management
- z. Emergency procedures
- aa. Barriers and fencing
- bb. Entry search and eviction policy
- cc. Alcohol and drugs policy
- dd. Counter terrorism

- So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan
- The premises licence is limited to 4,999 persons
- All staff involved in the sale of alcohol to be trained in the prevention of underage sales. The training should be clearly documented and available for inspection by the licensing authority.
- Alcohol sold for consumption off the premises shall be sold in sealed containers only, guests will not be permitted to leave the site with alcohol in open containers.

The Prevention of Crime and Disorder

- A close circuit television system shall be maintained in all internal areas of the premises where the public have access as well as all public entrances and exits.
- The system shall be capable of recording images of sufficient quality to enable facial recognition and shall record continuously with a date and time stamp applied to the recording to show when the recording was made and the system shall be capable of producing copies of the recordings in a format that can be viewed on domestic-grade reproduction equipment of a computer.

- The premises licence holder shall ensure that an incident log is kept at the premises. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police.

Public Safety
Not sated.

The Prevention of public nuisance

- The premises licence holder shall take appropriate measures to ensure that patrons leave the premises in a quiet and orderly fashion.
- Notices displayed asking customers to leave the premises quietly.

Protection of children from harm

- Children will be asked to vacate the premises by 22.00 hours and will need to be accompanied by an adult before this time.
- A Challenge 25 scheme will be adopted in compliance with the age verification condition. Customers who appear to 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 displayed at the premises.
- A refusals register is to be kept at the premises and to be made available to licensing officers and police officers on request.

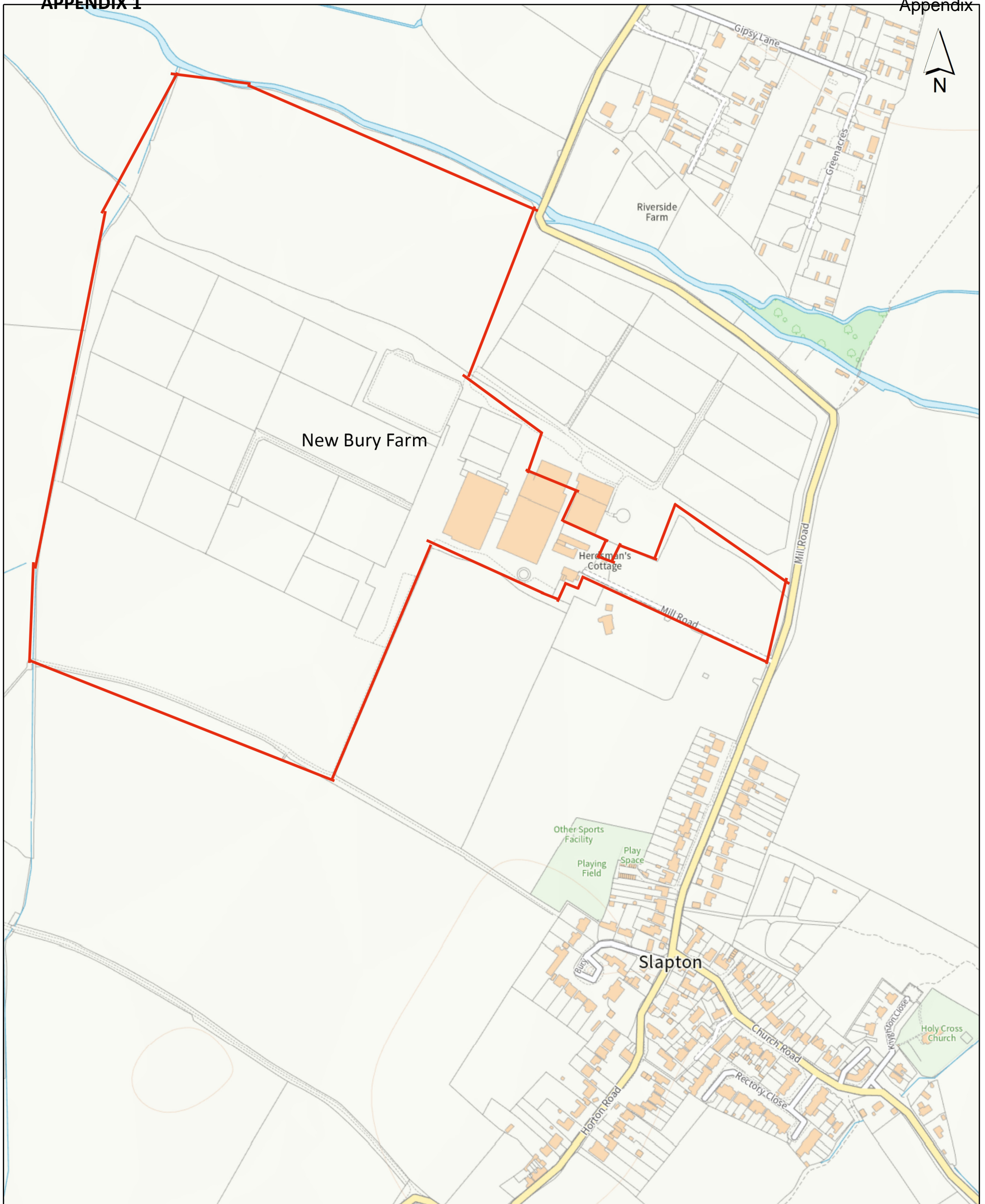
Informative/s -

This Premises Licence does not purport to grant planning permission for the use of the premises hereby permitted by this Licence and/or for the hours of operation hereby permitted by this Licence and the Applicant is advised to contact the Planning Department to check compliance with the relevant planning legislation/requirements and to submit any necessary planning applications prior to operation.

Officer Contact: Kerryann Ashton (01296 585 560)
email address: kerryann.ashton@buckinghamshire.gov.uk

Background Papers:	• Application ref PR202205-271333
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	<ul style="list-style-type: none">• Licensing Act 2003, as amended• Licensing Policy – Buckinghamshire Council published March 2022• Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended
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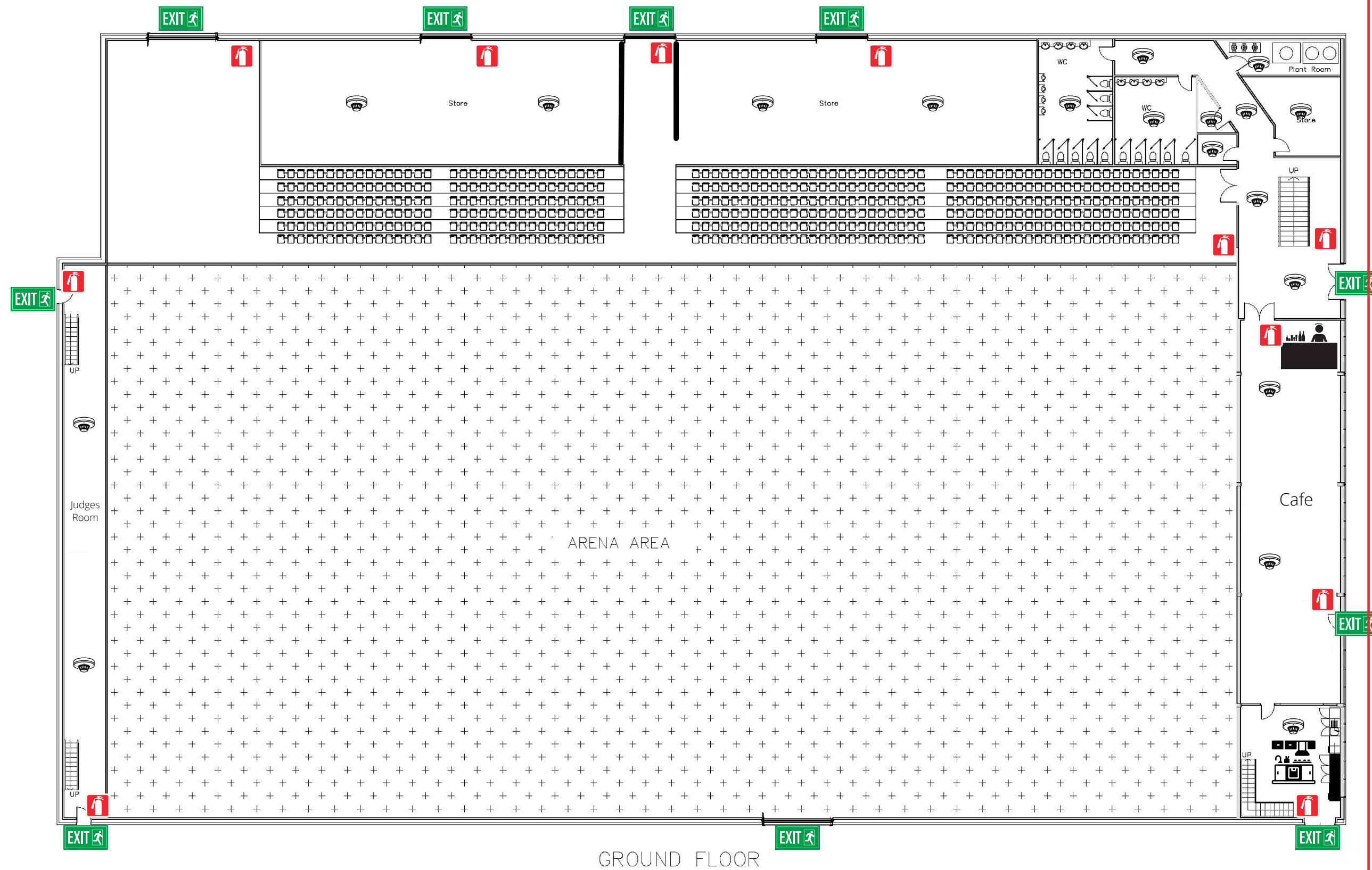


Directorate For Communities
 The Gateway
 Gatehouse Road
 Aylesbury
 HP19 8FF

PROJECT : Licensing - PR202205-271333

Title : New Bury Farm
 Mill Road
 Slapton
 Buckinghamshire
 LU7 9BT

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Amendments		
Revision	Comment	Date
Key		
	Kitchen	
	Bar	
	Fire Exit	
	Fire Exit Stairs	
	Fire Extinguishers	
	Fire Detectors	
CDM Risk Assessment Details		
CDM File No. N/A	Assessed By JM	Date N/A
<small>Figured dimensions are to be followed in preference to dimensions scaled from drawing. All dimensions to be checked on site by Contractor, and such dimensions to be his responsibility. Drawing errors and omissions to be reported to Contract Administrator.</small>		
Client Alan Dougard		
Job Title Bury Farm Equestrian Centre		
Drawing Title		
Ground Floor Plan		
Scale NTS	Date 01/08/11	
Drawn by JM	Checked by	
Job No: 11032 Dwg No: KS/11032/G		



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**Directorate for Communities****Licensing Department**

The Gateway
Gatehouse Road
Aylesbury
HP19 8FF

Licensing.av@buckinghamshire.gov.uk
01296 585605
www.buckinghamshire.gov.uk

Premises Licence

Premises Licence Number PR202105-252813 (PR0844)

Date Issued 16 Jun 2021

Premises Details

Address - Location New Bury Farm
MILL ROAD, SLAPTON, LEIGHTON BUZZARD, LU7 9BT

Telephone Number 01525 222114

Where the licence is time limited, the dates Not Applicable

Licensable Activities

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

Opening Times Monday: 08:00 - 22:30 Tuesday: 08:00 - 22:30
Wednesday: 08:00 - 22:30 Thursday: 08:00 - 22:30 Friday:
08:00 - 22:30 Saturday: 08:00 - 22:30 Sunday: 08:00 -
22:30

Non-Standard Timings 1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.
2. Sun - Wed: 08.00 to 00.00
Thurs - Sat: 08.00 to 01.00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On the premises

Retail Sale of Alcohol	Monday: 08:00 - 22:00 Tuesday: 08:00 - 22:00 Wednesday: 08:00 - 22:00 Thursday: 08:00 - 22:00 Friday: 08:00 - 22:00 Saturday: 08:00 - 22:00 Sunday: 08:00 - 22:00
Non-Standard Timings	1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year. 2. On Christmas Eve and New Year's Eve, alcohol would be sold until 02:00 hours, but these extensions would not count towards the 12 occasions mentioned above 3. Alcohol (for consumption on the premises only) Mon - Wed: 08.00 to 00.00 Thurs - Sat 08.00 to 01.00 Sun - 12.00 to 00:00
Live Music	Monday: 18:00 - 22:00 Tuesday: 18:00 - 22:00 Wednesday: 18:00 - 22:00 Thursday: 18:00 - 22:00 Friday: 18:00 - 22:00 Saturday: 18:00 - 22:00 Sunday: 18:00 - 22:00
Indoors/Outdoors/Both	Indoor
Non-Standard Timings	1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year. 2. Regulated entertainment: live music (indoors only) Mon Tues: 18.00 to 22.00 Wed Thurs: 18.00 to 23.00 Fri - Sun: 18.00 to 00:00
Recorded Music	Monday: 10:00 - 22:00 Tuesday: 10:00 - 22:00 Wednesday: 10:00 - 22:00 Thursday: 10:00 - 22:00 Friday: 10:00 - 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00
Indoors/Outdoors/Both	Indoor
Non-Standard Timings	1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year. 2. Regulated entertainment: recorded music (indoors only) Mon - Sun: 10.00 to 00:00

Other Entertainment Involving Music or Dance Monday: 18:00 - 22:00 Tuesday: 18:00 - 22:00 Wednesday: 18:00 - 22:00 Thursday: 18:00 - 22:00 Friday: 18:00 - 22:00 Saturday: 18:00 - 22:00 Sunday: 18:00 - 22:00

Indoors/Outdoors/Both Indoor

Non-Standard Timings 1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.
2. Regulated entertainment: anything similar to music/dance (indoors only)
Mon - Sun 18.00 to 00:00

Licence Holder

Name Newbury Supplies Ltd

Address Newbury Farm
Mill Road
Slapton, Leighton Buzzard
LU7 9BT

Telephone Number 01525 222114

Email Address alan@buryfarmestates.co.uk

Company No 05739485

Designated Premises Supervisor

Name Elliot Capel

Address 1 Horton Road
Slapton
Leighton Buzzard
LU7 9DB

Telephone Number 01525 222114

Email Address Not Stated

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence Number PE1694

Issuing Council Buckinghamshire Council



Martin Dickman
Service Director Neighbourhood Services

Annex 1 – Mandatory Conditions

The following conditions apply to all premises licences under the circumstances described, with the exception of community premises which are subject to the alternative licence condition. These following conditions are in addition to any conditions shown on the licence under Annex 2 and Annex 3.

Premises licences authorising the sale or supply of alcohol

Conditions 3, 4 and 6 do not apply to premises only licensed for consumption of alcohol “off” the premises.

Condition 1

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.

Condition 2

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

Condition 3

- (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).

Condition 4

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

Condition 5

(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 licences 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.

Condition 6

The responsible person shall 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; and

(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.

Condition 7

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) 'valued 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.

If the premises licence allows exhibition of films

Condition 8

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section "children" means any person aged under 18; and film "classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the premises licence has conditions in respect of door supervisors

Condition 9

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
 - (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the operating schedule

General licensing objectives

- a) Members only area

The prevention of crime and disorder

- a) Visitors must be signed in by a member so all users will be recorded

The prevention of public nuisance

- a) The premises are approximately quarter of a mile from the public highway and its nearest neighbour.
- b) Members only will ensure continuity.
- c) All windows and doors are to be closed at 23.00 hours.
- d) Any speakers used during the transmission of the music are kept within the premises and are not positioned near to openings such as doors or windows.

Public safety

- a) Members will be encouraged to walk to the premises as most of our trade will be local

The protection of children from harm

- a) Members only - children will be asked to vacate the premises by 21.00 hours and will need to be accompanied by an adult before this time.

Annex 3 - Conditions attached after a hearing by the licensing authority

**Directorate for Communities****Licensing Department**

The Gateway
Gatehouse Road
Aylesbury
HP19 8FF

Licensing.av@buckinghamshire.gov.uk

01296 585605

www.buckinghamshire.gov.uk

Premises Licence Summary

Premises Licence Number PR202105-252813 (PR0844)

Date Issued 16 Jun 2021

Premises Details

Address - Location New Bury Farm
MILL ROAD, SLAPTON, LEIGHTON BUZZARD, LU7 9BT

Telephone Number 01525 222114

Where the licence is time limited, the dates Not Applicable

Licensable Activities

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities:

Opening Times Monday: 08:00 - 22:30 Tuesday: 08:00 - 22:30
Wednesday: 08:00 - 22:30 Thursday: 08:00 - 22:30 Friday:
08:00 - 22:30 Saturday: 08:00 - 22:30 Sunday: 08:00 -
22:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On the premises

Retail Sale of Alcohol Monday: 08:00 - 22:00 Tuesday: 08:00 - 22:00
Wednesday: 08:00 - 22:00 Thursday: 08:00 - 22:00 Friday:
08:00 - 22:00 Saturday: 08:00 - 22:00 Sunday: 08:00 -
22:00

Live Music Monday: 18:00 - 22:00 Tuesday: 18:00 - 22:00
Wednesday: 18:00 - 22:00 Thursday: 18:00 - 22:00 Friday:
18:00 - 22:00 Saturday: 18:00 - 22:00 Sunday: 18:00 -
22:00

Indoors/Outdoors/Both Indoor

Recorded Music Monday: 10:00 - 22:00 Tuesday: 10:00 - 22:00
Wednesday: 10:00 - 22:00 Thursday: 10:00 - 22:00 Friday:
10:00 - 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 -
22:00

Indoors/Outdoors/Both Indoor

**Other Entertainment
Involving Music or Dance** Monday: 18:00 - 22:00 Tuesday: 18:00 - 22:00
Wednesday: 18:00 - 22:00 Thursday: 18:00 - 22:00 Friday:
18:00 - 22:00 Saturday: 18:00 - 22:00 Sunday: 18:00 -
22:00

Indoors/Outdoors/Both Indoor

Related Persons

Licence Holder Newbury Supplies Ltd

Address Newbury Farm
Mill Road
Slapton
Leighton Buzzard
Bedfordshire
LU7 9BT

**Designated Premises
Supervisor** Elliot Capel

State whether the access to the premises by children is restricted or prohibited

Restricted

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Newbury Supplies Ltd T/As Bury Farm Equestrian Centre

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PR0844
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description New Bury Farm Mill Road Slapton			
Post town	Leighton Buzzard	Postcode	LU7 9BT

Telephone number at premises (if any)	01525 222114
Non-domestic rateable value of premises	£97,000

Part 2 – Applicant details

Daytime contact telephone number	01525 222114		
E-mail address (optional)	tony@interguidegroup.com		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

This variation is to change the licence area to include all the areas shown on the enclosed plan. The normal day to day activities of the premises will not change the variation it is to permit the premises to run 2 family orientated county show events each year, as described in the operating schedule. This is to include plays, films, live music, recorded music, performance of dance and similar activities. Add off sales.

Operating Schedule Details – These will only apply to non-equine events

The extended Licensable area is limited to two outside weekend events ONLY a year for events over 1,500 people (usually one weekend in May and one in August).

The red line area is extended to include the areas outside of the actual event area such as car parking so that the whole site is protected under the licensing laws which allows SIA registered security personnel to ensure the site is safe and the operation schedule can be enforced.

For non-equine events outside over 1,500 people - The Premises Licence Holder shall present the Event Management Plan to the Licensing Authority, Thames Valley Police, Environmental Health and the Safety Advisory Group [28 days] before the first event day. The Event Management Plan shall include but not limited to the following:-

- a. Nature & style of the event, including crowd profile
- b. Capacity and expected audience
- c. Event programme & advertising
- d. Communication strategy
- e. Site and location plans
- f. Management structure
- g. Special effects
- h. Campsite safety and security (when on site)
- i. Emergency evacuation plan
- j. Medical plan
- k. Information and welfare
- l. Safeguarding children and young people and age controls
- m. Transport and traffic management plans
- n. Food, drink and water provision
- o. Waste management
- p. Working at height
- q. Animal welfare
- r. Noise management planning and controls
- s. Temporary demountable structures
- t. Fire risk assessment
- u. Electrical safety
- v. Welfare and sanitation plan

- w. Extreme weather and contingency plans
- x. Waste management
- y. Crowd management
- z. Emergency procedures
- aa. Barriers and fencing
- bb. Entry search and eviction policy
- cc. Alcohol and drugs policy
- dd. Counter terrorism

So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan

The premises licence is limited to 4,999 persons

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5) Local school/amateur/professional performances		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	22:00			
Sun	10:00	22:00			

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon			Amplified		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	22:00			
Sun	10:00	22:00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5) Amplified & unamplified		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	22:00			
Sun	10:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5) Amplified		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	22:00			
Sun	10:00	22:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input checked="" type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5) Local school/amateur/professional performances		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	10:00	22:00			
Sun	10:00	22:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5) Performance of shows. Cookery displays & Flair Bartending displays. Cooking & Cocktails Schools.</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri					
Sat	10:00	22:00	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun	10:00	22:00			

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue			On and off sales for festival stalls selling alcohol. Consumption of alcohol on site only. Off sales for consumption at home.		
Wed			Alcohol sold for consumption off the premises shall be sold in sealed containers only, guests will not be permitted to leave the site with alcohol in open containers.		
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>NONE</p>
--

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 8)</p>			<p><u>State any seasonal variations</u> (please read guidance note 6)</p> <p>The longer hours are to allow for overnight camping for Traders & limited customers</p>
Day	Start	Finish	<p>These timing are to only take effect on 2 weekends a year (Usually May & August)</p>
Mon			
Tue			<p>These times listed here are to allow for visitors and traders to camp overnight in designated licenced areas</p>
Wed			
Thur			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 7)</p>
Fri			
Sat	10:00	00:00	
Sun	00:00	22:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

At the requested of Buckinghamshire Licensing Team
Removal the following in Annex 2. To apply at all times.

General licensing objectives

a) Members only area

The prevention of crime and disorder

a) Visitors must be signed in by a member so all users will be recorded

The prevention of public nuisance

b) Members only will ensure continuity.

Public safety

a) Members will be encouraged to walk to the premises as most of our trade will be local

The protection of children from harm

a) Members only - children will be asked to vacate the premises by 21.00 hours and will need to be accompanied by an adult before this time.

Amend to remove Members only
Adjust to - Children will be asked to vacate the premises by 22.00 hours and will need to be accompanied by an adult before this time.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

I submitted a minor variation which has only just been agreed but I have been informed I am unlikely to receive the revised premises license for a number of weeks. The best way forward therefore would be submit this variation without the license.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

This will only apply to non-equine events

The extended Licensable area is limited to two outside weekend events ONLY a year for events over 1,500 people (usually one weekend in May and one in August).

The red line area is extended to include the areas outside of the actual event area such as car parking so that the whole site is protected under the licensing laws which allows SIA registered security personnel to ensure the site is safe and the operation schedule can be enforced.

For non-equine events outside over 1,500 people - The Premises Licence Holder shall present the Event Management Plan to the Licensing Authority, Thames Valley Police, Environmental Health and the Safety Advisory Group [28 days] before the first event day. The Event Management Plan shall include but not limited to the following:-

- a. Nature & style of the event, including crowd profile
- b. Capacity and expected audience
- c. Event programme & advertising
- d. Communication strategy
- e. Site and location plans
- f. Management structure
- g. Special effects
- h. Campsite safety and security (when on site)
- i. Emergency evacuation plan
- j. Medical plan
- k. Information and welfare
- l. Safeguarding children and young people and age controls
- m. Transport and traffic management plans
- n. Food, drink and water provision
- o. Waste management
- p. Working at height
- q. Animal welfare
- r. Noise management planning and controls
- s. Temporary demountable structures
- t. Fire risk assessment
- u. Electrical safety
- v. Welfare and sanitation plan
- w. Extreme weather and contingency plans
- x. Waste management
- y. Crowd management
- z. Emergency procedures
- aa. Barriers and fencing
- bb. Entry search and eviction policy
- cc. Alcohol and drugs policy
- dd. Counter terrorism

So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan

The premises licence is limited to 4,999 persons

All staff involved in the sale of alcohol to be trained in the prevention of underage sales. The training should be clearly documented and available for inspection by the licensing authority.

Alcohol sold for consumption off the premises shall be sold in sealed containers only, guests will not be permitted to leave the site with alcohol in open containers.

b) The prevention of crime and disorder

A close circuit television system shall be maintained in all internal areas of the premises where the public have access as well as all public entrances and exits.

The system shall be capable of recording images of sufficient quality to enable facial recognition and shall record continuously with a date and time stamp applied to the recording to show when the recording was made and the system shall be capable of producing copies of the recordings in a format that can be viewed on domestic-grade reproduction equipment of a computer.

The premises licence holder shall ensure that an incident log is kept at the premises.

The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police.

c) Public safety

d) The prevention of public nuisance

The premises licence holder shall take appropriate measures to ensure that patrons leave the premises in a quiet and orderly fashion.

Notices displayed asking customers to leave the premises quietly.

e) The protection of children from harm

Children will be asked to vacate the premises by 22.00 hours and will need to be accompanied by an adult before this time.

A Challenge 25 scheme will be adopted in compliance with the age verification condition. Customers who appear to 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 displayed at the premises.
A refusals register is to be kept at the premises and to be made available to licensing officers and police officers on request.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	Group Financial & Operations Controller

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	

Capacity			
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.

- 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.
 - 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.
 - 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:
 - 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.
 - 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.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please 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.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please 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 or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

KEY

- Red Lined Area – Area Controlled by SIA & License
- White Lined Area – Outside Area for all Festival Events
- Blue Lined Area – Car Parking & Overflow Parking
- Green Lined Area – Trader Parking & Overnight Area



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envhealth.csb@buckinghamshire.gov.uk

01494 732058

www.buckinghamshire.gov.uk

Licensing Authority Aylesbury Area
 Buckinghamshire Council
 The Gateway
 Gatehouse Rd
 Aylesbury
 HP19 8FF

Dealt with by: Mr A Godman
 Direct Line: 01494 732934
 Your Ref: PR202205-271333
 Date: 15/6/2022
 Our Ref: PR202205-271397
 Email: Andrew.Godman@Buckinghamshire.gov.uk

BY EMAIL

Dear Sir/Madam

Licensing Act 2003

Re: New Bury Farm, Mill Road, Slapton, Leighton Buzzard, Buckinghamshire, LU7 9BT

I acknowledge safe receipt of the Premises Licence application documentation as regards the above premises.

I am an authorised officer of the Council as set out in Section 69(2)(d) of the Licensing Act 2003. I fulfil the duties of a Responsible authority as defined by Section 69(4)(e) of the Act in terms the Council's statutory functions associated with the minimisation or prevention of risks associated with pollution to the environment or harm to human health.

I have reviewed the proposed Operating Schedule in the context of what steps, if any, are appropriate for the promotion of the licensing objectives as described in Section 4 of the Licensing Act 2003 and **wish to make a Representation against the granting of a premises licence on the terms set out in the application.**

The proposed Operating Schedule identifies the provision of regulated entertainment which, if unmitigated, would not in my opinion promote the *prevention of public nuisance* licensing objective as regards the liberation of environmental noise.

Inadequacy of the steps cited in the proposed Operating Schedule

The steps that are currently identified in Section M of the proposed Operating Schedule are necessary and, in principle, go some way to securing the overall licensing objectives as stated in the Act. However, the current wording of these measures do not permit their direct translation into clear and enforceable licence conditions that reflect the *Crawley Borough Council v Attenborough 2006* judgement and consequently, in my view, amount to a set of *unreliable* control measures in their current form.

The way forward

I invite officers of the Licensing Authority to exercise their powers, as recognised in Section 182 guidance, to refine the wording of these measures to reflect the above case law and to render them effective. To assist with this, I would recommend the following conditions:

1. *All outdoor events to which this licence relates shall not take place unless and until, for the year in question:*
 - (a) *the commencement date of the event for that year has been agreed in writing by the Licensing Authority; and*
 - (b) *at least three months prior to the commencement date of that event (agreed pursuant to condition 1(a) of this Schedule), a draft Noise Management Plan has been submitted by the Licensee to the Licensing Authority and to any other authority/body that the Licensing Authority may request; and*
 - (c) *at least twenty eight days prior to the commencement date of that year's event (agreed pursuant to condition 1(a) of this Schedule) a final Noise Management Plan has been submitted by the Licensee to the Licensing Authority; and*
 - (d) *at least fourteen days prior to the commencement date of that year's event (agreed pursuant to condition 1(a) of this Schedule), a Noise Management Plan has been approved by the Licensing Authority in writing.*

2. *The Licensee shall ensure that the premises site is operated at all times in accordance with the Noise Management Plan approved for that event.*

If, however, no such agreement is reached within the prescribed consultation period then I am mindful that this matter will be subject to formal determination by a full Licensing Subcommittee.

If you would like to discuss this case please do not hesitate to contact me.

Yours sincerely,



Mr A Godman
Environmental Health Officer

cc Applicant

BILLINGTON PARISH COUNCIL.

Clerk: Julie Todd
6b Higher Rads End
Eversholt
Beds MK17 9ED
juliemtodd@hotmail.co.uk

21 June 2022

Licences
Buckinghamshire Council

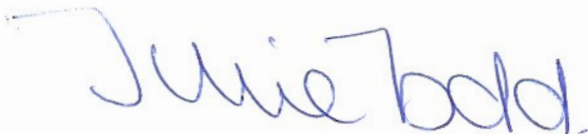
Dear Sir or Madam

Application Reference: PR202205-271333
Licence Number: LC201711-4115
New Bury Farm, Mill Road, Slapton, Leighton Buzzard LU7 9BT

Billington Parish Council objects to the proposed extension of the licence to enable Bury Farm to run two family-oriented shows on 13 and 14 August 2022, unless the following conditions are clearly applied:

- (1) The transmission of live and recorded music or any other transmission is strictly controlled. Equipment and microphones are set up properly, so the noise does not drift on the wind towards Little Billington.
- (2) Traffic to and from Bury Farm (permanently, not just for these shows) must NOT be routed through Little Billington.
- (3) The Bury Farm Website clarifies the present note about Car Parking "TBC". Cars carrying the public travelling to these shows will not be allowed to park in Little Billington.

Yours faithfully



Julie Todd
Parish Clerk

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