



Licensing Sub-Committee agenda

Date: Thursday 16 November 2023

Time: 10.30 am

Venue: Via Video Conference

Membership:

P Gomm, T Green (Chairman) and D Town

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
To note the hearing procedure rules and virtual licensing sub-committee procedural rules. | 3 - 10 |
| 5 | New Bury Farm, Mill Road, Slapton, Leighton Buzzard, LU7 9BT
To consider an application under s.51 of the Licensing Act 2003 for a review of the premises licence in respect of New Bury Farm, Mill Road, Slapton, Leighton Buzzard, LU7 9BT (report attached). | 11 - 124 |

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, 01494 421261 or democracy@buckinghamshire.gov.uk

Addendum Licensing and Regulatory Sub-Committee Virtual Procedural Rules

Procedure at Hearings before the Licensing Sub-Committee (“LSC”) in relation to matters 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) or as otherwise provided.

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

Introduction

The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures. Buckinghamshire Council has decided to hold such hearings remotely in accordance with these procedural rules.

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 be represented at the hearing it may proceed in their absence.
- (b) Where a party has not replied to the notice, does not attend and is not represented then the LSC 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 LSC 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 LSC 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 LSC 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 up to 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) if provided either at least 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 LSC will consider any such requests and confirm whether permission is granted for that person to speak.

The LSC 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 LSC 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 LSC will be made after the close of the hearing when the LSC retires with the Democratic Services Officer and the Legal Advisor to the sub-committee in a private session to consider all the evidence and submissions made at the hearing.

The decision of the LSC will be communicated to all parties by way of a written Decision Notice issued by Legal Services. They will endeavour to serve the notice within 5 working 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 be dated and set out the provisions of the right to appeal to the Magistrates Court.

The LSC 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 hearing without requirement for further notice.

These 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 hearing, and the agenda, together with details of how to join the hearing which will be available on the website.

Time and Place of Hearing

All hearings will be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming unless a party can show good and sufficient reason why the hearing should be held in person. Where a party has notified the Council that they wish to attend a remote hearing but are unable to access the hearing remotely, for whatever reason, the Council will endeavour to make provision for them to be able to view the hearing at Council offices. The Council will use Microsoft Teams to hold virtual hearings and will invite external participants to virtual hearings, if any, via email or telephone. Virtual hearings 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 hearing should be held at the Council facility which is closest to the premises or issue that is the subject of the hearing. However, this requirement is disapplied in respect of remote hearings.

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 Hearings

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 15 minutes of the scheduled start of the LSC or such longer time as allowed by the Chairman, the business of the hearing will be adjourned. The Chairman may allow for flexibility around the start time of the hearing where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the hearing 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 hearing 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 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 hearing. 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 hearings and webcasting

A roll call or introductions will be made at the start of the hearing to record those present. There is no requirement for councillors to sign their names on the attendance sheets when attending a virtual hearing. The Democratic Services Officer will maintain a list of attendance throughout the hearing.

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

- a) Councillors sitting on the Sub-Committee must be able to hear and be heard and (where practicable) see and be seen by parties in attendance at the hearing.
- b) This full requirement also extends to parties attending to exercise a right to speak at the hearing.
- c) All other members of the public must as a minimum be able to hear and if practicable see the proceedings.

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 hearing.

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

The Regulations state that hearings 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 hearing is accessible to the public through such remote means the hearing is open to the public whether or not members of the public are able to attend the hearing in person. For clarity, a hearing 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 hearing will be opened and adjourned to allow for it to take place at a later date (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 hearing are the Members of the Sub-Committee, any officer supporting the hearing and those who have submitted valid representations, applicant and/or legal representative. The public gallery, where Members can sit and observe the hearing alongside members of the public, is the webcast version.

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 hearing 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.

Members of the LSC must consider beforehand if they need to declare any personal interests and

whether their personal interest is also a prejudicial interest in which case they will not be able to attend the hearing. Members who have any Disclosable Pecuniary Interests will not be able to attend the hearing either. Members should also consider beforehand if they have or would be considered to have predetermined the matter in which case they should also distance themselves from the determination of the matter and not attend the hearing.

Minutes of hearings

The Minutes of hearing will be published on the website.

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 LSC 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 hearing to advance their point of view and concerns and to test the case of their opponents and
 - to assist the LSC 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 LSC in relation to matters previously raised/submitted. Late evidence to be submitted at the hearing will only be considered by the LSC 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 any witnesses.
 - e. Any other party may question the Applicant.
 - f. The Members may question the Applicant.
 - g. The Responsible Authorities, who made representations. will present their case in turn and call any witnesses.
 - h. Any party may question the Responsible Authorities.
 - i. Any Members may question the Responsible Authorities.
 - j. Each Interested Party will present their case in turn and call any witnesses.
 - k. Any other party may question the Interested Party.
 - l. The Members 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 hearing 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 LSC are 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 LSC will meet (privately) virtually together with the Democratic Services Officer and Legal Advisor for the matter to be determined.
15. The LSC 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 hearing 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 hearing for as long as they consider necessary.

Adjournments

People will remain on the call with mics muted and cameras off until the hearing starts again. The Chairman may also want to consider having a comfort (screen) break for longer hearings. If there is a problem with the technology the Chairman should pause the hearing until that issue has been resolved. However, this does not stop a hearing going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote hearing, and the hearing is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole hearing incapable of proceeding and therefore the Chairman should adjourn until the remote hearing 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 which will 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 LSC 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.

They 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.

SUBJECT:	APPLICATION FOR A REVIEW OF A PREMISES LICENCE at: New Bury Farm, Mill Lane, Slapton, LU7 9BT
REPORT OF:	Application under section 51, Licensing Act 2003
Responsible Officer	Kerryann Ashton – Licensing Officer
Report Author	Kerryann Ashton – Licensing Officer
Ward/s Affected	Ivinghoe

1. Purpose of Report

To provide Members with information to enable the determination of an application for a Review of a Premises Licence.

The Application has been submitted by Buffalo Lodge Retreat Ltd, Buffalo House, Mill Road, Slapton, Leighton Buzzard, LU7 9BT (“the applicant”) in respect of New Bury Farm, Mill Lane, Slapton, LU7 9BT (“the premises”).

2. Background

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.

The premises were granted a premises licence on 4 July 2007 by a licensing Act Sub Committee after an objection was received from any other person. A copy of the original licence is attached as **Appendix 1** which shows the operating schedule that was volunteered by the applicant.

An application for a minor variation was received 14 April 2022 to vary the licence plan attached to the licence and to amend the licence operating schedule. This was approved 12 May 2022 under delegated authority.

An application for a major variation of the premises was then received on 25 May 2022. The variation was to change the licence area to include all the areas shown on the enclosed plan. “The variation it is to permit the premises to run two 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. And add off sales to current licence hours”. This application was granted at a licensing Act Sub Committee meeting on the 19 July 2022 after a representation was received from any other person.

A subsequent application for a major variation of the premises was received 17 May 2023. The variation was to add Friday to the (non-equine) outdoor events where more than 1500 persons

are expected to attend, to be held on no more than two weekends per year, the following hours apply with on and off the premises supplies of alcohol permitted: Friday 0800 – 2200. For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year, the following hours apply: Live Music, Recorded music, Plays, Films, Other entertainment involving music and dance and Performance of dance: Friday 10:00 - 22:00. One representation was originally received from any other person however as this objection was withdrawn at least 24 hours before the Licensing Sub-Committee hearing this application was approved under delegated authority by officers.

An application to transfer the premises licence from Newbury Supplies Ltd to Newbury Park Events LTD was received on the 5 July 2023.

A copy of the current licence is attached as **Appendix 2**.

An email was received from Ms Griffin regarding the Fields of Thunder Event raising a number of issues. On the 30 August 2023 the event organisers were invited to meet with the Council's Safety Advisory Group to discuss the event and the issues raised by Ms Griffin. Following that meeting the Chair of the SAG wrote to both the event organisers and Ms Griffin to confirm what had been discussed. Copies of his emails to both parties can be found at **Appendix 3**.

The Principal Licensing Officer also wrote to Ms Griffin on the 21 September 2023 to advise from a licensing point of view.

"I visited the site on Saturday 22nd July (not 23rd) in response to your complaint to assess the situation for myself. The weather conditions were very poor and the exceptionally heavy rain would have rendered any attempt to traverse the intended route if not impossible, dangerous, with an evident risk to public safety. I can also confirm that when I attended on the Saturday afternoon the number of guests in attendance on site was very low and the surrounding roads were very quiet and clear of traffic. Under the circumstances, without any prejudice to the issue of the disputed driveway, I think the event organisers took the appropriate decision to not use the intended site entry/exit route via the fields from the S-bend entering the village. As Neil has explained, the requirement of the licence is to comply with the Event Management Plan 'so far as is reasonably practicable'. The exceptionally poor weather rendered compliance with the traffic plan in my judgment impracticable and I don't think the decision to depart from the plan could be considered a breach of the licence in this instance."

A valid application to review the Premises Licence was received on the 26 September 2023 on the grounds of 1) The Prevention of Crime and Disorder 2) Public Safety 3) The Prevention of Public Nuisance. The current premises licence holder is New Bury Park Events Ltd. A copy of the application and attachments can be found marked **Appendix 4**.

The grounds for the Review

- 1) The Prevention of Crime and Disorder - Trespass of company and public**
- 2) Public Safety - Crossing land with no access permitted puts public safety in question**
- 3) The Prevention of Public Nuisance - Nuisance to residential amenity misled location on application.**

The current plan attached to the Premises Licence can be found at the end of **Appendix 2**.

A location plan of the premises can be found, **Appendix 5**.

3. Relevant Representations

3.1 Responsible Authorities:

- 3.1.1 **The Chief Officer of Police:** Response received. No comment. A copy of the response is attached as **Appendix 6**.
- 3.1.2 **The Fire and Rescue Authority:** No Response received.
- 3.1.3 **The Local Planning Authority (Head of Sustainable Development):** A copy of the response is attached as **Appendix 7**.
- 3.1.4 **The Local Environmental Health Authority (Head of Environmental Health):** A copy of the response is attached as **Appendix 8**.
- 3.1.5 **Weights and Measures Authority (Trading Standards Officer):**
No response received.
- 3.1.6 **The Safeguarding and Child Protection Unit:** No response received.
- 3.1.7 **The Licensing Authority:** No response received.
- 3.1.8 **Home Office Alcohol Team:** Response received. No comment. A copy of the response is attached as **Appendix 9**.
- 3.1.9 One response was received from **Any Other Person**. A copy of the comments is marked as **Appendix 10**.

Correspondence since notice of hearing has been sent.

An additional email was received from the applicant of the review in support of their application which refers to various historic planning applications. Many of the points raised are beyond the scope of the Licensing Act 2003 as Planning and Licensing are two separate regimes. A copy of the email and attachments are marked as **Appendix 11**.

Correspondence has also been received from a solicitor on behalf of the licence holder. The letter and attachments mainly deal with issues that are beyond the scope of the Licensing Act 2003 as Planning and Licensing are two separate regimes. They state they object to the Review application on a number of grounds. A copy of the letter and attachments are marked as **Appendix 12**.

- 3.2 The licensing authority has complied with the requirement to advertise the application in accordance with the regulations both at the premises and at the council offices at The Gateway, Aylesbury.

3.3 Licensing Officer's Observations:

Many of these points raised in the review are beyond the scope of the Licensing Act 2003 which confines the Sub-Committee to consideration of possible breaches of the four licensing objectives which include Prevention of Crime and Disorder; Prevention of Public Nuisance; Public Safety and the Protection of Children.

Under the Prevention of Public Nuisance, the review has raised issues the failure to follow the traffic management plan supplied for the events and noise disturbances during the Days of Thunder Festival weekend from motorcycles.

4. Relevant Policy Considerations:

- 4.1 Regard must be given to the Council's Statement of Licensing Policy (published March 2022) when determining this application. Of particular relevance (but not limited to) are the

sections relating to Section 3 Part C - promoting the licensing objectives and Section 4 Licence Reviews.

3.6 The Licensing Authority will also take this Policy into account when deciding upon review applications. If a failure to comply with the Policy has been a contributory factor in the non-promotion of the licensing objectives, this is likely to be reflected in any decision made by the Licensing Authority.

3.24 In considering review applications, the Licensing Authority will take into account whether such standards have previously been observed at the premises and whether such standards are appropriate in order to promote the licensing objectives.

3.25 The Policy restricts itself to the control of licensed premises, qualifying clubs and temporary events within the terms of the Act. Therefore, conditions will focus on matters within the control of operators, centring on the premises and the vicinity.

Prevention of crime and disorder

3.26 Section 17 of the Crime and Disorder Act 1998 places a legal duty on the Council to consider the reduction of crime and disorder, including the reduction of anti-social behaviour, in all its activities. The Licensing Authority will look to the police as the main source of advice on crime and disorder matters and will also seek to involve the local Community Safety Partnership for advice on anti-social behaviour.

The prevention of public nuisance

3.35 Public nuisance relates to the negative effects of nuisances including noise, light, odour, dust and litter affecting, or likely to affect, at least a few separate households locally. The Licensing Authority is keen to protect the amenity of residents and businesses in the vicinity of licensed premises. At the same time the Licensing Authority is aware that the licensed trade is important to the local economy and promoting the Council's culture and leisure aspirations. Consequently, the Licensing Authority will try and work together with statutory agencies, licensed businesses, residents and other businesses to reach a compromise in its decision making.

3.36 In considering all licence applications, 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. In preparing applications, applicants are strongly encouraged to consider the measures set out below. Much weight will be placed on recommendations made by Environmental Health Officers in terms of preventing public nuisance.

3.66 For the purpose of an application for a premises licence the Event Management Plan (EMP) can be the operating schedule. The Act requires the Licensing Authority to issue the licence with conditions consistent with the operating schedule accompanying the application. Paragraph 10.7 of the Statutory Guidance states that 'consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule.' Applicants should bear this in mind when drafting their EMP so that the premises licence is prepared with clear and enforceable conditions attached to it.

Licence reviews

4.26 The Licensing Authority can only review a licence on specific application and where it is alleged that the licensing objectives are being breached. The Act allows for any person to apply for a review, including local residents and responsible authorities.

- 4.2 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended (August 2023).
- 1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.
- 1.3 The licensing objectives are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance; and
 - The protection of children from harm
- 1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Public nuisance

- 2.20 The 2003 Act enables licensing authorities and responsible authorities, through representations, 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.
- 2.21 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.
- 2.22 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or

persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). 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. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.23 As with all conditions, those relating to noise nuisance may not be appropriate in 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.
- 2.24 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. 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.
- 2.25 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.26 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial 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.

Reviews

- 11.9 Responsible authorities and other persons may make representations in respect of an application to review a premises licence or club premises certificate. They must be relevant (i.e., relate to one or more of the licensing objectives) and, in the case of other persons, must not be frivolous or vexatious. Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent hard copy, unless the licensing authority waives this requirement.

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times.
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption).
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management.
- suspend the licence for a period not exceeding three months.
- revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises.

Planning and building control

14.64 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa. Licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.

5. Resources, Risk and Other Implications

5.1 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.

5.2 Human Rights:

The Panel should consider its responsibilities under the Human Rights Act when considering the fair balance between the interests of the applicant and the rights of local residents. Any decision taken must be appropriate and proportionate to the objective being pursued. In particular, the following should be taken into consideration: Article 6 - the right to a fair hearing Article 8 - respect for private and family life Article 1, First Protocol - peaceful enjoyment of possessions (which can include the possession of a licence).

5.3. 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.

5.4. Therefore, if Members refuse to grant the application for a new Premises Licence in whole or part or grant it subject to conditions, this will be a breach of the rights of the Applicant unless such refusal (in full or part) is, and/or the conditions imposed are, appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.

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

5.6 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.

6. Determination by the Licensing Sub-Committee

6.1 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.

- 6.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.
- 6.3 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.
- 6.4 The following options are available to the Licensing Sub Committee in determining the application:
 - (a) modify the conditions of the licence.
 - (b) exclude a licensable activity from the scope of the licence.
 - (c) remove the designated premises supervisor.
 - (d) suspend the licence for a period not exceeding three months.
 - (e) revoke the licence.
 - (f) take no further action or take informal action.
- 6.5 The Sub-Committee is asked to note that it may not reject the whole or part of the application or attach conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the 4 licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committees decision.

Informative/s -

Officer Contact:	Kerryann Ashton – email address: kerryann.ashton@buckinghamshire.go.uk
Background Papers:	Application Ref PR202309-331542 Licensing Act 2003, as amended Licensing Policy – As adopted March 2022. Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.

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APPENDIX 1

Premises Licence

Premises Licence Number

07/00629/LAPRE (PR0844)

Date Issued

7th November 2013

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

New Bury Farm
Mill Road
Slapton
Buckinghamshire
LU7 9BT

Telephone number 01525 222114

Where the licence is time limited the dates

Not applicable

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

Sale by retail of alcohol	Every Day	08.00 – 22.00
Performance of Live Music	Every Day	18:00 - 22:00
Performance of Recorded Music	Every Day	10.00 - 22:00
Other Entertainment of a Similar Description to Music / Dancing	Every Day	18:00 - 22:00

All licensable activities are indoors only

The opening hours of the premises

Opening Hours	Every Day	08:00 - 22:30
---------------	-----------	---------------

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

Supply of alcohol from these premises is authorised for consumption on the premises only.

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Newbury Supplies Ltd
Newbury Farm
Mill Road
Slapton
Leighton Buzzard
Bedfordshire
LU7 9BT

Tel – 01525 222114

Registered number of holder, for example company number, charity number (where applicable)

Company Number 05739485

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Elliot John Capel
The Carpenter's Arms
1 Horton Road
Slapton
Leighton Buzzard
LU7 9DB

Tel – 01525 222114

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

Aylesbury Vale District Council
PE1694

Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made at a time when:
 - (i) there is no designated premises supervisor in respect of the premises; or
 - (ii) the designated premises supervisor does not hold a personal licence or his/her personal licence has been suspended.

- 2 Every supply of alcohol must be made or authorised by a person who holds a personal licence.

- 3 Where a premises licence authorises the exhibition of films, the admission of children must be restricted in accordance with the recommendations (eg 12A, 15 or 18) given to films by either the British Board of Films Classification or the Licensing Authority.

- 4 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:
 - (i) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (ii) be entitled to carry out that activity by virtue of section 4 of that Act.

Annex 2 –Conditions consistent with the operating schedule

1. Non standard timings -

- i. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.
- ii. 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
- iii. 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
- iv. Regulated entertainment: recorded music (indoors only)
Mon - Sun: 10.00 to 00:00
- v. 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
- vi. Regulated entertainment: anything similar to music/dance (indoors only)
Mon - Sun 18.00 to 00:00
- vii. Late Night Refreshment (both indoors and outdoors)
Mon - Thurs: 23.00 to 00:00
Fri - Sun: 23.00 to 01:00
- viii. Open to the public
Sun - Wed: 08.00 to 00.00
Thurs - Sat: 08.00 to 01.00

2. General Licensing Objectives

- a) Members only area

3. The prevention of crime and disorder

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

4. Public Safety

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

5. 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.

6. 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

Not applicable.

Annex 4 – Plans
See attached.

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**Directorate for Communities****Licensing Services**

The Gateway
 Gatehouse Road
 Aylesbury
 HP19 8FF

Licensing@buckinghamshire.gov.uk

01296 585605

www.buckinghamshire.gov.uk

Premises Licence

Premises Licence Number PR0844 (PR202307-325298)
Date Issued 18 Jul 2023

Premises Details

Address - Location New Bury Park Events Ltd
 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: 10:00 - 00:00 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.

Sun - Wed: 08.00 to 00.00

Thurs - Sat: 08.00 to 01.00

2. For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year, the following hours apply:

Friday 10:00 - 00:00
Saturday 00:00 - 00:00
Sunday 00:00 – 22:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies: Alcohol is supplied for consumption both on and off the premises (see below)

Sale by Retail 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

Location: Both

Seasonal Variations: Not Applicable

Non-Standard Timings: 1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.

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

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

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

Location: Indoor

Seasonal Variations: Not Applicable

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

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

Location: Indoor

Seasonal Variations: Not Applicable

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

Location: Indoor

Seasonal Variations: Not Applicable

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

Non-Equine Events

Sale by Retail of Alcohol

For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year, the following hours apply with on and off the premises supplies of alcohol permitted:

Friday 08:00 - 22:00

Saturday 08:00 - 22:00

Sunday 08:00 – 22:00

Plays

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Films

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Live Music

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Recorded Music

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Performances of Dance

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Other Entertainment Involving Music or Dance

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Licence Holder

Name: New Bury Park Events Ltd

Address:

New Bury Farm

Mill Road

Slapton, Leighton Buzzard

LU7 9BT

Telephone Number: 01525 222114

Email Address: tony@interguidegroup.com

Company No: 06997947

Designated Premises Supervisor

Name: Anthony Flynn

Address:

178 Pall Mall Southend-on-Sea Leigh-on-Sea SS9 1RB

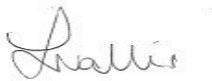
Telephone Number: 01525 222114

Email Address: tony@interguidegroup.com

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: 05/01740/LAPER

Issuing Council: Chiltern District Council



Lindsey Vallis

Transport Service Director

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

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.

a. 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.

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.

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

Where a premises licence authorises the exhibition of film, the admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made by:

- (a) The British Board of Film Classification (BBFC), where the film has been classified by that Board or
- (b) The Licensing Authority where no classification certificate has been granted by the BBFC, or, where the Licensing Authority has notified the licence holder that section 20 (3) (b) applies to the film in question and the admission of children must be in accordance with any recommendation made by the Licensing Authority.

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

1. 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.

The prevention of crime and disorder

1. 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.
2. 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.
3. Alcohol sold for consumption off the premises shall be sold in sealed containers only and guests will not be permitted to leave the site with alcohol in open containers. (Off supplies at (Non-equine) outdoor events only, where more than 1500 persons are expected to attend, and held on no more than two weekends per year).
4. 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.

The prevention of public nuisance

1. The premises are approximately quarter of a mile from the public highway and its nearest neighbour.
2. All windows and doors are to be closed at 23.00 hours.
3. 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.
4. The premises licence holder shall take appropriate measures to ensure that patrons leave the premises in a quiet and orderly fashion.
5. Notices displayed asking customers to leave the premises quietly.

Public safety

1. For (non-equine) outdoor events where more than 1,500 persons are expected to

attend, 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 be 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.

2. The premises licence capacity is limited to 4,999 persons.

The protection of children from harm

1. Children will be asked to vacate the premises by 21.00 hours and will need to be accompanied by an adult before this time.
2. 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.
3. Challenge 25 posters shall be displayed at the premises.
4. A refusals register is to be kept at the premises and to be made available to licensing officers and police officers on request.

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

The prevention of public nuisance

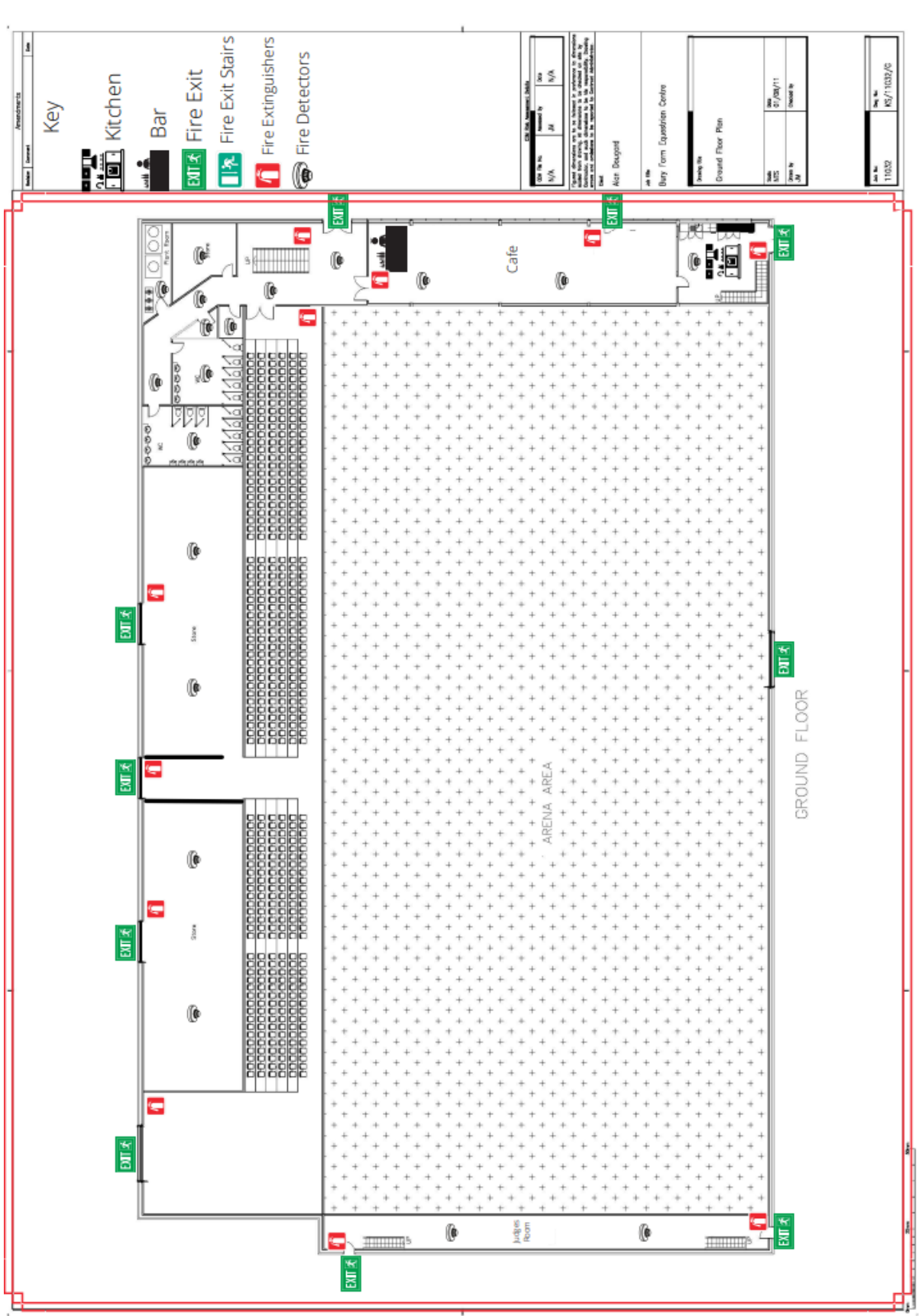
- a) All outdoor events to which this licence relates shall not take place unless and until, for the year in question:
- a. the commencement date of the event for that year has been agreed in writing by the Licensing Authority; and
 - b. at least three months prior to the commencement date of that event (agreed pursuant to condition (a) above), 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 (a) above) 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 (a) above), a Noise Management Plan has been approved by the Licensing Authority in writing.
- b) The Licensee shall ensure that the premises site is operated at all times in accordance with the Noise Management Plan approved for that event.
- c) The specified periods for the Noise Management Plan as set out in (a) to (d) shall not apply to the event to be held on 13 & 14 August 2022. In respect of the August 2022 event only, the outdoor events to which this licence relates shall not take place unless and until at least seven days prior to the commencement date of that event a Noise Management Plan has been approved by the Licensing Authority in writing.

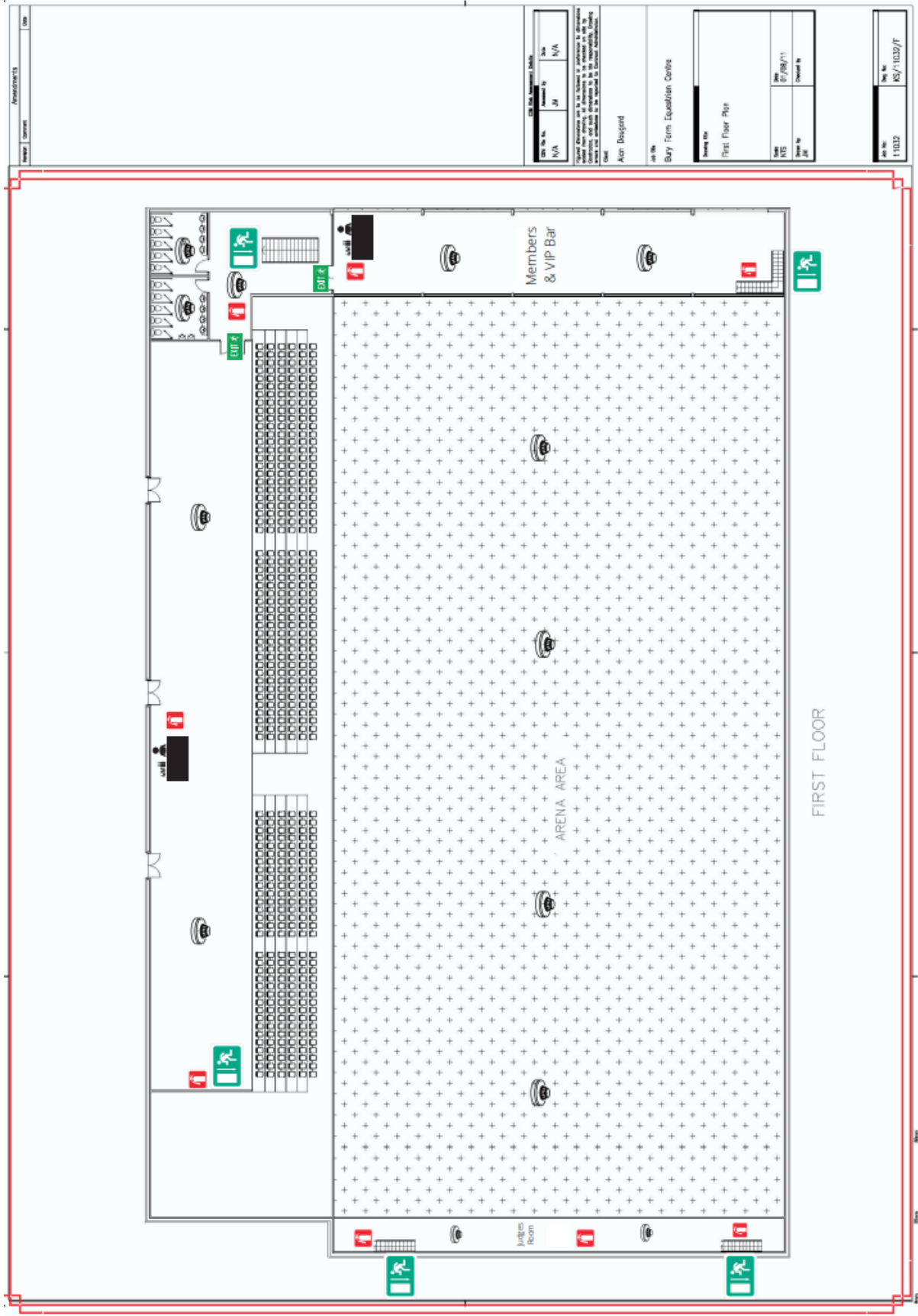
The protection of children from harm

a) All children (under the age of 18 years) must be accompanied by an adult (over 18 years of age) at all times whilst on the premises.

b) No children will be permitted to remain on the premises after 22.00 hours

Annex 4 - Plans









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Directorate for Communities

Licensing Services

The Gateway
Gatehouse Road
Aylesbury
HP19 8FF

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

Premises Licence Summary

Premises Licence Number PR0844 (PR202307-325298)
Date Issued 18 Jul 2023

Premises Details

Address - Location New Bury Park Events Ltd
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: 10:00 - 00:00 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.

Sun - Wed: 08.00 to 00.00

Thurs - Sat: 08.00 to 01.00

2. For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year, the following hours apply:

Friday 10:00 - 00:00
Saturday 00:00 - 00:00
Sunday 00:00 – 22:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies : Alcohol is supplied for consumption both on and off the premises (see below)

Sale by Retail 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

Location: Both

Seasonal Variations: Not Applicable

Non-Standard Timings: 1. The longer hours applied for (listed below) would not be used on more than 12 occasions per calendar year.

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

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

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

Location: Indoor

Seasonal Variations: Not Applicable

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

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

Location: Indoor

Seasonal Variations: Not Applicable

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

Location: Indoor

Seasonal Variations: Not Applicable

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

Non Equine Events

Sale by Retail of Alcohol

For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year, the following hours apply with on and off the premises supplies of alcohol permitted:

Friday 08:00 - 22:00

Saturday 08:00 - 22:00

Sunday 08:00 – 22:00

Plays

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Films

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Live Music

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Recorded Music

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Performances of Dance

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Other Entertainment Involving Music or Dance

Friday: 10:00 – 22:00 Saturday: 10:00 - 22:00 Sunday: 10:00 - 22:00

Location: Outdoor

Seasonal Variations: Not Applicable

Non-Standard Timings: For (non-equine) outdoor events where more than 1500 persons are expected to attend, to be held on no more than two weekends per year

Licence Holder

Name: New Bury Park Events Ltd

Address:

New Bury Farm

Mill Road

Slapton, Leighton Buzzard

LU7 9BT

Telephone Number: 01525 222114

Email Address: Not Stated

Company No: 06997947

Designated Premises Supervisor

Name: Anthony Flynn

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

Restricted

From: [Neil Green](#)
To: [Chris](#)
Subject: Update following SAG meeting
Date: 18 September 2023 16:42:33

Dear Chris,

Thank you for attending the Safety Advisory Group (SAG) meeting on the 30th August along with Tony Flynn and taking the time to both provide us with a de-brief on your events and answer the questions from the SAG members. As you are aware, several complaints were received following the events at Bury Farm (Summer Festival and Fields of Thunder) and it is important to have opportunity to discuss these matters with you directly so that we can fully understand the situation and ensure measures are put in place to prevent similar issues recurring in the future.

The weather during both of these events was exceptionally bad with both heavy rainfall and strong winds. This caused the main route into the site to become wet and muddy and in the interests of customer safety a decision was made to re-direct traffic to the driveway instead. Whilst this was a deviation from your Event Management Plan, officers attending agreed that this was a suitable alternative given the low numbers of customers onsite and the low numbers of 'on the gate' ticket sales as a result of the adverse weather.

However, the use of the alternative entrance did result in complaints from a local resident and the local Parish Councils who would have experienced unexpected additional traffic in their villages due to the diversion in place. In order to prevent future recurrence of these issues the following recommendations were discussed with you during the SAG meeting;

1. The ownership of the driveway has been disputed by a local resident. During the meeting you confirmed that you did have appropriate rights of access/ownership to use the driveway for ingress/egress to your event. Notwithstanding this, from a Health and Safety perspective we need to ensure that any planned route into an event site is suitable for use and that all necessary permissions for use are in place. If there is an ownership dispute there is a risk of a route being taken out of use by a 3rd party. Therefore if future SAG notifications are made for events utilising the driveway we may ask you to provide evidence that you have the appropriate rights of use.
2. To help ensure that ticket holders follow your event signage/planned traffic routes when arriving/departing it is recommended that you emphasise the importance of following the signage on information provided to ticket holders (i.e. website and email accompanying tickets). This could include a reminder to follow your instructions/signage rather than a SatNav.
3. There were allegations that some signage hadn't been put up or may have been moved. Although this was not substantiated by visiting officers, it is good practice to periodically carry out checks before and during the event to ensure that road signage remain in place and is clearly legible.
4. Much of the issues this year could have been avoided had you been able to use your intended route into the site. During the meeting we discussed the use of temporary trackway which could be used on high traffic areas to ensure that access can be

maintained even if ground conditions become wet and muddy. I understand that you already have access to a supply of trackway and that this is something you could use for future events.

5. I understand that you did have contact with local parish councils and some local residents prior to the event. I would recommend that if any significant changes are made during an event (i.e. change of entrance) then this is communicated to those affected at that time.
6. During the SAG meeting you confirmed that the Oktoberfest event has been cancelled and that you would remove adverts referencing this event from your website.

I trust that this information is of use to you. Should you wish to discuss any of the above further then please do not hesitate to contact me.

Kind regards

Neil

Neil Green
Environmental Health Team Leader – Commercial (North)
Housing & Regulatory Service
Planning, Growth and Sustainability Directorate
Buckinghamshire Council

01296 585160
neil.green@buckinghamshire.gov.uk

The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF

From: [Neil Green](#)
To: [REDACTED]
Subject: Update following SAG meeting concerning Bury Farm Summer Festival and Fields of Thunder events
Date: 18 September 2023 14:58:38

Dear Emma,

I am writing to update you following the Safety Advisory Group (SAG) meeting that took place on the 30th August. As you were aware, I had requested that the organisers of the events at Bury Farm attend the meeting to provide a de-brief following this years events (specifically; Bury Farm Festival, 15-16 July and Fields of Thunder, 21-23 July) and to discuss the complaints received.

Firstly, to summarise the situation as explained to the SAG by the event organisers;

The weather forecast was very poor for the Bury Farm Festival with heavy rain and strong winds forecast for the whole weekend. Unfortunately the forecast was correct and from the Friday afternoon there was very heavy rain which resulted in the planned entrance/route into the festival becoming extremely wet and muddy. The organisers made a decision on Saturday 15th to use the driveway as an alternate route into/out of the festival site and placed stewards on the 'S' bend entrance to direct customers to the alternative entrance. Although the driveway entrance is narrow they took into consideration that numbers of vehicles would be low (as pre-event ticket sales had been low and the adverse weather would mean very low numbers of 'on the day' ticket sales would be sold).

The weather during the week after the festival continued to be poor and by the 21st July the main entrance had still not dried out. A large proportion of the pre-sales for the Fields of Thunder event were to customers arriving by motorcycle and the organisers were concerned that the muddy condition of the planned entry route would be unsafe for motorcycles and would also be challenging for emergency services to access if an accident had occurred on this route. As with the prior weeks festival, pre-event ticket sales had been low and 'on the day' ticket sales were anticipated to be very low due to the expected wet weather and therefore the comparatively narrow width of the driveway was not anticipated to result in any significant issue.

A Licencing officer visited the site on the 23rd July and from observations of the ground conditions agreed that there was a safety risk for any motorcycles using the original planned entrance route and that given the low numbers onsite felt that the organisers decision to use an alternate route for ingress/egress was justified.

Some complaints related to the amount of additional traffic in local villages as a result of these events. The organisers had employed the AA to provide and install road signage to direct customers along the planned route to the venue. Officers attending the event on the 23rd July noted that this signage was in place and stewards were situated on the 'S' bend for the entrance diversion. Unfortunately it is a common issue for many event organisers that customers will try to follow their Sat-Navs or use their own local area knowledge rather than follow road signage when travelling to an event. We have recommended to the event organisers that they display route instructions prominently on their website and that the importance of following road signage to the event is re-iterated on any instructions/information sent/emailed to ticket holders in advance of the event.

We have also discussed with the organisers the use of temporary trackway during any future events. This would have meant that the planned entrance route could have continued to be used even with the adverse weather conditions. I understand from my discussions that this is something that is readily available and will be considered should future events be planned.

Some complaints about noise were received. I understand that this was mostly in relation to motorcycle noise rather than the regulated entertainment on the site. An Environmental Health Officer visiting on the 21st July observed that the motorcycles appeared to be 'road legal' and therefore would be subject to DVLA requirements on emissions. Had the original planned entrance route been in use the number of motorcycles travelling through the villages would have been much reduced. The use of temporary trackway to keep the main entrance in use in future should help to mitigate this issue.

Lastly I enquired about the promotion of an Oktoberfest event that was listed on their website. The organisers gave their assurance to the SAG that this event would not now be taking place and that reference to it would be removed immediately following our meeting from their website.

My colleagues in licensing have confirmed that it is a condition of their site licence that an Event Management Plan (EMP) must be submitted at least 28 days in advance of a large event (defined as an outdoor non-equine event with more than 1500 persons). The EMP must then be adhered to 'so far as is reasonably practicable'. The nature of large events does require there to be some flexibility so that unexpected events etc... can be dealt with without necessarily breaching licence conditions.

I will be writing to the event organisers to remind them of the recommendations made during the SAG meeting and will be expecting them to demonstrate that they have taken these on board if/when any future events are notified to us.

If you are still have concerns then you may wish to consider calling for a review of the site licence. Further information on when and how this can be done can be found on our website here: <https://www.buckinghamshire.gov.uk/business/business-licences-and-permits/alcohol-and-entertainment-licences/report-a-licensed-premises/request-a-review-of-a-licensed-premises/>

With regard to your complaint about the use of the driveway (as an alternative entrance route/blue light route for these events), this would primarily be a civil matter between yourself and the event organisers and from your email I understand that you are already taking legal advice on this. I did raise the ownership question during the SAG meeting and the event organisers have stated that they did have the necessary rights to use it for these events.

From a health and safety and a licensing perspective we do need to ensure that event access (whether primary or emergency only) is suitable and safe. This would include the risk of it being blocked or otherwise taken out of use by another party. Therefore, given the information that you have provided, should any further event notifications for this venue be received by the Safety Advisory Group then we will ask to see evidence of their rights to use this driveway (if intending to use it in the EMP).

I trust that this information is helpful to you, please do let me know if you have any further concerns.

Kind regards

Neil Green
Environmental Health Team Leader – Commercial (North)
Housing & Regulatory Service
Planning, Growth and Sustainability Directorate
Buckinghamshire Council

01296 585160
neil.green@buckinghamshire.gov.uk

The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF

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APPENDIX 4

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate 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 EMMA GRIFFIN ON BEHALF OF BUFFALO LODGE RETREAT LTD
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description BURY FARM EQUESTRIAN CENTRE MILL ROAD SLAPTON	
Post town LEIGHTON BUZZARD	Post code (if known) LU7 9BT
Name of premises licence holder or club holding club premises certificate (if known) BURY FARM EQUESTRIAN CENTRE BURY FARM EVENTS + ASSOCIATED COMPANIES	
Number of premises licence or club premises certificate (if known)	

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

GRIFFIN

EMMA

I am 18 years old or over

DIRECTOR

Please tick yes

Current postal
address if
different from
premises
address

ON BEHALF OF

BUFFALO LODGE RETREAT LTD
BUFFALO HOUSE
MILL ROAD
SLAPTON

Post town

LEIGHTON
BUZZARD

Post Code

LU7 9BT

Daytime contact telephone number

01525 221111

E-mail address
(optional)

HELLO@BUFFALOLODGE.CO.UK

(B) DETAILS OF OTHER APPLICANT

Name and address

EMMA GRIFFIN
BUFFALO HOUSE
MILL ROAD
SLAPTON
LU7 9BT

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder ✓
 - 2) public safety ✓
 - 3) the prevention of public nuisance ✓
 - 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

Prevention of crime and disorder
trespass of company and Public.

Public safety. crossing land with no
access permitted puts public safety in question

Public Nuisance - Nuisance to residential
amenity misled location ~~of~~ an application.

Please see email with this form for
full details.

Please provide as much information as possible to support the application (please read guidance note 3)

evidence attached to email

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

I requested a review with representation at a SAG Review meeting to these events

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date

22/9/2023

Capacity

DIRECTOR OWNER OCCUPIER
BUFFALO LODGE RETREAT LTD, BUFFALO HOUSE

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
EMMA GRIFFIN BUFFALO HOUSE MILL ROAD SLAPTON	
Post town	Post Code
LEIGHTON BUZZARD	LU7 9BT
Telephone number (if any) [Redacted]	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) [Redacted]	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

I have completed the Review of a Licence form and have it attached for consideration. Can I ask that the information in this email be considered alongside the application form for review.

I would like to clarify a couple of points your email highlighted.

You mention Interguide attended the SAG meeting and claimed they did not own but had a right of use of the driveway they are using for events. This is factually incorrect and misleading to the SAG Committee. The organisers were fully aware any use of the driveway was now considered trespass, as attached documentation will verify. I think it reasonable if licenced use is to continue, evidence of the claim to a right of use of the driveway should be shown to the Licencing Committee. I am confident this will not be forthcoming.

The licence was originally issued in 2006, this coincided with a change of use planning application which incorrectly stated Interguide/Bury Farm Equestrian Centre owned all the land within the application. The drive access has never been owned by this company or any rights granted for its use. The farmhouse not mentioned in the Licence application was built prior to 1998 the access road was in its title until recently. Notice as should have been served on the owner was not served at the time of the application and we were unaware this false declaration had been made on the application until too late. The implications of this false declaration has tainted the view of licence applications since this time, as committees are under the false belief the access road was within Interguide/Bury Farm Events curtilage.

Interguide are aware they have no legal rights of use of the road dating back as far as 2018, where notice was served by a solicitor advising them of this position.

The driveway was sold this year to Buffalo Lodge Retreat Ltd, of which I am a director. The sale of course is registered with HM Land Registry. For clarification there were no access rights to anyone on the transfer. There are no grounds for an unregistered right of access. A copy of the land transfer is attached.

Notice was served to Interguide Ltd, the holding company to Bury Farm Events and associated companies, that 28 days' notice to cease use of the driveway was applied. From this point forward it is now trespass.

The information below was submitted to a SAG review meeting following trespass of 2 large festivals and multiple events. My objection originated from a trespass which was purposefully misleading signing on the access point to be used. At no point did Interguide communicate any intention of bringing these festivals down my driveway, hence the cross department and agency involvement, at the time of the event, in defence of the Buffalo Lodge Retreat Ltd companies' property.

No communication to myself was made of the re-route intention, all event signing was left directing traffic away from this access until the last moment, signing having previously indicated event access would be located elsewhere.

My objection also concerns my loss of my residential amenity, which surely must be taken into account in the licence application.

It has been stated I had not objected to the licence. As I was unaware the licence was being applied for, and notice of intention to run events across my land has never been served. I had no way of knowing there was an application being considered until it was too late.

I had asked to attend the SAG meeting, as the event organisers had been invited, but was advised it was a closed meeting and I needed to wait to hear the outcome.

As Director of Buffalo Lodge Retreat Ltd I will need to take steps to secure my property. I did not block the access on this occasion as there was an obvious public safety matter to consider, a courtesy not returned by event organisers.

I think it is obvious to everyone that Interguide and associated companies have no access of their own, as weather conditions made the alternative access unusable, and no rights of access have been granted across the Buffalo Lodge Retreat Ltd companies' land. The ownership of the land is registered with Land Registry, and at no time have Interguide had any formal or informal agreement for use of the land.

As such I would like to apply for a review of this licence and events crossing the Buffalo Lodge Ltd companies land to stop immediately.

For your information I have below a copy of the letter I sent to the SAG Committee outlining my objections, and evidence of notice served and showing without doubt the event organisers being fully aware of having no access rights across Buffalo Lodge Retreat Ltd companies land.

I have completed your form requesting a review, if this email can be used in conjunction with the review form it would be appreciated.

The grounds for my objection are as follows

Trespass – Interguide/Bury Farm Events or association businesses do not own the access driveway and have **no registered access rights for any vehicle at any time** across the access road used for events. Events also invite public trespass, very difficult to manage. There has been no request for any agreement for use of the access road or communication to intention of use.

Prevention of crime and disorder - I am not sure if you consider Trespass a crime, but attempts to protect the companies property could lead to disorder. Police have been involved.

Public safety has to be considered in an application. In this instance, a volatile situation bringing the public across a trespass area, making traffic management impossible.

Prevention of public nuisance - Trespass on the driveway results in nuisance to my residential amenity. Residential amenity is a consideration for any licencing application.

The Access is not wide enough to support 2 way traffic. 3.40m wide when average vehicles are 1.8m. The licence states up to 4900 people potentially 2500 cars per day. Single Track.

The licence states there are no residences within a quarter of a mile of the event yet my home and relaxation centre business are actually on the access driveway used and subjected to the noise and inconvenience of heavy traffic and excessive motorbike noise. This seriously is affecting residential amenity, and business use. Every applicant for this licence has been aware of the proximity of my home to the venue, and repeated misleading applications have been submitted.

I believe in misleading the Licensing Committee in removing the location of my home and business on the application form, an assumption is made the driveway would be part of the Interguide curtilages'. This is not the case.

The licence clearly states;

Prevention of public nuisance objective a) The premises are approximately quarter of a mile from the public highway and its nearest neighbour.

The event was held adjacent my home. This is clearly breach of licence and an attempt to mislead the Licensing Committee. Far less than the ¼ mile stated on the completed form. To travel in either direction the farmhouse is visible and within the farmhouse HMLR title BM275159 until purchased by Buffalo Lodge Retreat Ltd in May 2023.

Preparations for events have also resulted in serious damage to my conifer trees, a matter the police are currently investigating. TVP Ref: 43230258775

The damage to the conifer trees greatly reduced my noise and visibility barrier, stripping trees to the bark and strimming the bases affecting any future growth and long term reduction of privacy for my family and business.

Interguide Ltd had been served 28 days' notice restricting access to all vehicles by my solicitor, with special mention festival traffic was not permitted on my access driveway.

No contact from Bury Farm Events or Interguide Ltd before during or after the event on festival use, despite an offer to meet with them to discuss event happenings and possible scenarios moving forwards.

No information on the event or notice served to myself or my business advising of the change of route to the AA road signage and the intention to cross my land for event use.

Safety - single track access would limit emergency services creating a safety risk

Liability - Should an accident occur on my property my business could be potentially liable for damages even without my granting any permission for access.

Chris Parker the Event Organiser had knowledge from attending the Parish Council meeting in July 2022, advised on their first festival that Interguide did not own the access road or have rights across it, he was also able to view public records with HM Land Registry should this have been in question. He was fully aware of the location of my property and the distance to the event when putting in the licensing application.

His response to the meeting was a letter to the Parish Clerk requesting a letter be read out stating in his opinion a Counsellor made a 'Blatant Lie' I have a copy of this letter if needed.

The event agent Tony Flynn was also the same person who asked to purchase the driveway from me in his position as Group Financial Controller to Interguide Ltd, suggesting £2000, but following a valuation I then received from the respected valuer Kirkby Diamond, Interguide from then on claimed to actually own the land, despite the title deed, and continued the trespass.

With this in mind, Tony Flynn the Event Agent is fully aware my property is not only well within 1/4 mile of the festival site, but also is was aware I have ownership of the driveway that my home and business is attached to. He is also aware Interguide or associated businesses have no right of access or right to damage my trees.

Acting as event agent to Bury Farm Events his declaration also misled the Licencing Committee, when applying for the events licence on the distance to my property and declaring a right for use of the access. As no right has been issued and letters sent to the contrary, this is incorrect.

I am on the understanding the event plan did not show an access utilising my driveway, having received very little information on the festival plans.

The following information shows not only prior intent to use my access rather than the one on the plan, but also blatant misleading of the licensing committee by Bury Farm Events and subsidiary company Interguide Ltd when applying for the licence.

Taking each of these points in finer detail:

1 They do not own the access driveway and have no access rights for any vehicle to enter or pass across the driveway

The access road has recently been sold to Buffalo Lodge Retreat Ltd from land I owned in title BM275159 . I am a Director of Buffalo Lodge Retreat fully responsible for the land and potentially liable for unexpected happenings on my property. The new title is awaiting registration, so I enclose the transfer document in which it is clearly visible no right of way is held by Interguide Ltd or associated companies.

I enclose the transfer document to Buffalo House Retreat Ltd of the access road, and the previous 2 land registry documents of the land HM Land Registry registered to either myself or my family. Interguide and/or their associated companies have never had a registered right of access across my property.

The drive access is owned by Buffalo Lodge Retreat Ltd and as Director I can confirm there is no rights of access for any vehicles connected with either Bury Farm Events, Interguide Holdings or any of their associated businesses or residences they are currently using with violation of planning permission.

A notice period of 28 days had been issued to Interguide advising they had no right to enter or cross the land with special mention of no right of access for festival use. I enclose a copy of this letter for your records.

Anthony Flynn acting as Event Agent did enquire to purchase the roadway from me in his role as Group Financial Controller for Interguide Ltd, but after receiving the valuation from Kirkby Diamond the respected valuer, they did not progress it. I enclose a copy of this email for your records. Tony Flynn is fully aware Interguide have no access agreement in place.

* attached Tony Flynn Email

* attached HMLR title deed BM 275159 Buffalo House including Access Road prior to sale

* attached transfer document to Buffalo Lodge Retreat Ltd Access Road

* attached Solicitor letter to Interguide Ltd giving 28 day notice period to cease use.

2 The Event Plan did not permit access for festival traffic to travel through the small village of Slapton

I believe the license was granted on grounds the entrance to the events would be as the event plan, entering the site through the access on Horton Road S Bend. I understand it is an offence to use another route other than the one Bury Farm Events detailed for licensing.

Slapton is a small village not suitable for heavy traffic use. Neither the Parish Council, the community or myself had any warning of the plan to divert traffic or were considered in any traffic management plans as the event was clearly signed to use the Horton Road entrance.

I believe it was the intent of the company to use this route despite solicitors letters.

Intention to use this access road also could be seen in preparations made to the access road used for weeks before including damage to my conifer trees, details below.

I think there is clear evidence Bury Farm Events saw my access as preferential to their own field access and proceeded to use it regardless of permitted rights or agreement.

On the second festival, Environmental Health Officer Andrew Godman assisted with trying to get the festival back on its planned route. More detail on this below.

3 The Access Road is not wide enough to support 2 way traffic

The access driveway is only 3.40m wide a vehicle is average 1.8m wide it is not suitable for heavy traffic use and should never have been licensed as suitable for events. . At no time should this access have been deemed suitable for an event which could have had a capacity of up to 4900 attendees. At full attendance this could have been in excess of 2,500 cars per day. The traffic on this single track access road was 2 directional taking no account of my being to enter and exit my own home/business.

4 Serving Notice

I understand that you do not need to own the ground to obtain licensing, similarly to a planning permission, but if cases of planning it is required you serve notice of intention. Can you advise please if this is the case with licencing, as to be made aware of the event on the day it is happening makes it too late to obtain a court injunction as would have been the case should notice have been served.

5 The license declaration states there are no residences within 1/4 mile of the event yet my home and Relaxation Centre business are on the access driveway they chose to use for the festivals and continually trespass over.

The event organiser made a declaration when applying for the licence that there were no residences within ¼ mile of the event. A declaration like this is at best dishonest, but to have no contact with me even in a courteous capacity, even having seen me on the driveway no contact was made and no attempt to facilitate my presence within their plans. By not declaring my house and business it could be assumed the access driveway was within the Interguide curtilage.

I was therefore unexpectedly subject to the excessive noise and inconvenience of heavy traffic and extreme motorbike noise.

To enter and exit my property was exceptionally stressful and to have festival traffic entering my residential property to 'look' or as a means of a passing place, required I padlocked to secure my own residential property for the first time.

This seriously affected my quiet enjoyment of my property.

To try and limit use on the driveway with the event actually happening was more stressful. It is not just noise and inconvenience, it is Bury Farm Events and Interguide Ltd behaving in a manipulative manner to continue to use what they have no right to.

I understand there are several 'residences' on Bury Farm Equestrian Centre, although these are being operated without suitable planning permission but must have been affected by the noise and again are within the ¼ mile distance in the declaration.

I attach a noise readout on my property from my Iphone with noise levels up to 110db.

6 Bury Fam Summer Festival event

On the morning of the 16 July AA signs for the festival entrance were up at the S bend on Horton Road leading to a field owned by Interguide, which I assume is the expected route on the plan. I had no reason to believe the traffic would take any other route than the signed one.

I had a university open day to attend for my daughter and on returning home to my property about 3pm on I saw all traffic signs had been redirected through the village of Slapton and traffic management personnel were then directing traffic down my driveway which runs next to my home. This resulted in problems accessing my property as there were traffic management staff with 2 way walkie talkies either end of the access road I own, and not taking any account of my own required access to my home and business. Also we were subject to nuisance and noise for throughout the weekend.

It would have been courteous in the least to have spoken to me regarding the change of plan. I can only assume this was the plan all along, but had AA signed a different access point misleading everyone into believing they were using an access more acceptable to the community, the one which had been documented in the management plan and had a right to use, unlike my access road which they have continued to use without permission or any registered rights to date.

Interguide had been served 28 days notice from my solicitor, advising there was no right of access for any traffic on the access road especially traffic connected with a festival.

*I attach the letter for your information.

7 Fields of Thunder Festival Event

No notice of intent on use of the driveway for the events were served to myself or my business. I was first aware of the change of route having been woken by excessive motorbike noise at 5.30am on Friday 21st July. It is clear as to why it was named Fields of Thunder as that is exactly what I endured for 3 days with documented evidence noise from my home of over 110db.

Event music went on well into the night and the noise and inconvenience to my home was extreme.

I was not served notice of the event and had no communication from Interguide since.

Weather conditions were good with very little rain since the previous weekend. No reason not to use their own access. Signing confirmed use of the Horton Road S Bend entrance until that morning, no signing at the bottom of my driveway the night before.

I did not expect after the last festival to have another festival within a week without consultation or permission. No signing went up at the bottom of my driveway for this event until the day.

I believe this was advertised as a 2 day festival but it was clearly 3 day with traffic arriving 5.30am on Friday and camping with event staff and motorbikers leaving throughout Sunday until the evening.

I managed to speak to Environmental Health Officer Andrew Godman who came out the same day to speak to Chris Parker the event organiser to see if the traffic could be routed back to the plan. He was advised the decision had been taken by Bury Farm Events several days previously to re-route to my access road. Bury Farm Events were advised their actions could have consequences but continued to use the route despite Andrew Godmans request. I appreciate the prompt response of Andrew and following up with advice on how to raise a complaint.

I have attached a record of the noise levels up to 110db.

8 Lack of communication

I was not consulted to festival re-routing despite owning the access and the close location to my home.

My home adjoins the access road, the road is required for my access to the property and business. No notice was served or provision made for accessing my own property.

My solicitor has written to Interguide offering to meet to discuss the trespass, receiving no response to date.

* Letter attached from my solicitor offering to meet to discuss the trespass and find a way forward. No response received to date.

9 Liability – Very Important

Should an accident have occur on my property my business could be potential liable from a 3rd party. By licencing Bury Farm Events and Interguide Ltd and their associated businesses to allow trespass over my land you are leaving me potentially liable for damages. Bury Farm Events and Interguide Ltd have no access agreement for any vehicle or maintenance contract for any damage to my property.

Please also consider the following.

I have not seen the management plan for the event as I have not received a copy, or served notice of intention, neither was a map circulated to our Parish Council when the event was raised at Parish Council level for the licence.

Please consider the arrogance of Interguide Ltd and Bury Farm Events to continue to use an access despite solicitor intervention and with disregard of HM Land Registry, instead making continued claims they own the land, and continue to put applications for planning and licencing across.

The event agent Tony Flynn was the same person who asked to purchase the driveway from me in his capacity of Group Financial Controller so aware of the access situation.

Chris Parker the event organiser wrote to Slapton Parish Council called it a 'Blatant Lie' when I advised I owned the access road for his first festival in June 2022. He was made aware even if he refused to believe it.

A simple view of public records, or indeed of the land deed I brought with me that evening would have made the land situation clear to him.

I think it is clear the events came off the licensed plan and Bury Farm Events chose to use an access they had full knowledge they did not have rights to cross, with a complete disregard for myself, my family and my business, as well as routing traffic through a community unprepared for large numbers of vehicles. No approach was made to myself or the Parish Council on the change of plan.

I believe there was full intent to misdirect the signage to ensure I was too late to apply for a court order to stop the trespass of traffic.

They also intentionally misled the committee when applying for the licence stating there is no houses within ¼ mile of the event.

Both Chris Parker, Alan Dugard and Tony Flynn through various letters were all aware of the driveway position yet continued to deceive in the routing of the event to ensure it would be too late for me to apply for a court order to stop the trespass.

I do think Bury Farm Events have sought to mislead the licensing committee and myself over and over again and any license for future events should be considered in the light of the permitted access they have available to them, not on land they are fully aware they have no rights to cross and have been advised by a solicitor is trespass.

By continuing to allow licensed use of the access road you are supporting the trespass and leaving my company potentially open to claims for damages should any sort of accident occur.

It is not a suitable route for these sort of events even if they had been granted permission, which of course they did not have.

I understand charges are able to be brought, as there has been intention to mislead the Licencing Committee, myself, the community and the Parish Council, I believe in this case they should be applied.

I request all licencing for any business connected with Bury Farm Slapton to be subject to a suitable access being available.

If more information is required please let me know.

Regards

Emma Griffin

Director of Buffalo Lodge Retreat Ltd

Owner and resident of Buffalo House, Mill Road, Slapton, LU7 9BT

████████████████████



ENCs

HMLR title deed BM275159 for Buffalo House showing the driveway in the land title owner Emma Griffin dated – See no registered rights of access permitted to anyone.

Transfer document for sale of the driveway to Buffalo Lodge Retreat Ltd for purposes of access to a relaxation centre

Solicitor Letter serving 28 days notice to Interguide advising no right of access for any vehicle especially festival use.

Solicitor Letter Offer to meet with Interguide/Buy Farm Events after the event.

Tony Flynns email asking to buy the access road for Interguide Ltd

Bury Farm Event plan 2022 showing location of my farm house to the festival site (marked 'Quantum Energy')

DecibelX Noise level readout 110DB from my Iphone

From: [Tony Flynn](#)
To: [REDACTED]
Subject: New Beginnings
Date: 28 January 2022 13:25:27
Attachments: [image001.jpg](#)
Importance: High

Good Afternoon Emma,

Apologies for not emailing you earlier but my days have just got away from me since I was with you. Anyway thank you again for taking the time to have a conversation with me and I hope this can be the start of a much healthier and happier relationship for all of us. As we agreed this email is too put in writing what we have discussed.

First of all I will say that nothing in this email should be taken as an admission as to who does or doesn't own the driveway or reflect any existing right of access shared or not. I think these legal ramblings should be left with solicitors and I'm certainly not qualified or in a position to make any kind of judgement.

This email is more importantly about all us trying to find a way to work together by outlining 2 possible scenarios that could hopefully end any further disputes and lead us to a happy and harmonious relationship going forward.

1. As per your previous enquiry with Alan Dugard our first suggestion is that you consider selling the driveway in its entirety to us, this would need to either include the trees so that we could maintain them so that the driveway is kept clear so that no visiting vehicles could be damaged, or alternatively an agreement with you, that, with appropriate notice given to yourself that we can cut back and maintain the trees as an when necessary. If this is something you would be interested in could you please let me know what remuneration you would be looking for. If you choose this is your preferred route we would of course have it legally agreed in the sale that you and your visitors would have unrestricted / unencumbered access to the entrance of your home. Again I think we can get the legal people to ensure that this is properly written so that there are no disputes in the future.
2. The second option is that we will spend up to £2000.00 on improving the drive way / your border in a mutually agreeable way with the aim to enhance the driveway/your border line. We have discussed a number of different ideas which I have listed below
 - a) install speed bumps along the drive way to further deter all vehicles from speeding
 - b) plant low level trees or bushes below the current trees to provide privacy screening
 - c) Improve the driveway
 - d) We have also offered to repair your fence at the beginning of the drive way as an additional gesture of goodwill.
 - e) Anything above this amount would need to be agreed and paid for by yourself ,however we do not expect this to go above this level

Again we would need to get a legal agreement in place agreeing that we would have unrestricted / unencumbered access along with an agreement giving us with appropriate notice permission to cut back and maintain the trees with the sole purpose again to prevent damage to any visiting vehicles.

I look forward to hearing your thoughts or counter proposal/ideas.

Again nothing in the above is an admission of liability.

I hope this email continues to extend an olive branch and we can hopefully move forward together.

Kind Regards,

Tony Flynn
Group Financial Controller
Mobile: 07956 868322
Interguide Head Office: 03333 660 698

IG-Logo Only



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Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Leave blank if not yet registered.

When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.

Insert address, including postcode (if any), or other description of the property transferred. Any physical exclusions, such as mines and minerals, should be defined.

Place 'X' in the appropriate box and complete the statement.

For example 'edged red'.

For example 'edged and numbered 1 in blue'.

Any plan lodged must be signed by the transferor.

Remember to date this deed with the day of completion, but not before it has been signed and witnessed.

Give full name(s) of all of the persons transferring the property.

Complete as appropriate where the transferor is a company.

Enter the overseas entity ID issued by Companies House for the transferor pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in [practice guide 78: overseas entities](#).

1	Title number(s) out of which the property is transferred: BM275159
2	Other title number(s) against which matters contained in this transfer are to be registered or noted, if any:
3	<p>Property:</p> <p>Land and buildings on the north west side of Mill Road, Slapton, Leighton Buzzard LU7 9BT</p> <p>The property is identified</p> <p><input checked="" type="checkbox"/> on the attached plan and shown: coloured green</p> <p><input type="checkbox"/> on the title plan(s) of the above titles and shown:</p>
4	Date: 12th May 2023
5	<p>Transferor: Emma Griffin</p> <p><u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix:</p> <p><u>For overseas entities</u> (a) Territory of incorporation or formation:</p> <p>(b) Overseas entity ID issued by Companies House, including any prefix:</p> <p>(c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:</p>

Give full name(s) of all the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with HM Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Enter the overseas entity ID issued by Companies House for the transferee pursuant to the Economic Crime (Transparency and Enforcement) Act 2022. If the ID is not required, you may instead state 'not required'.

Further details on overseas entities can be found in [practice guide 78: overseas entities](#).

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 12.

Place 'X' in any box that applies.

Add any modifications.

6	Transferee for entry in the register: Buffalo Lodge Retreat Ltd
	<u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: 14734623
	<u>For overseas entities</u> (a) Territory of incorporation or formation: (b) Overseas entity ID issued by Companies House, including any prefix: (c) Where the entity is a company with a place of business in the United Kingdom, the registered number, if any, issued by Companies House, including any prefix:
7	Transferee's intended address(es) for service for entry in the register: Buffalo House, Mill Road, Slapton, Leighton Buzzard, England LU7 9BT
8	The transferor transfers the property to the transferee
9	Consideration <input checked="" type="checkbox"/> The transferor has received from the transferee for the property the following sum (in words and figures): Eight thousand pounds (£8,000) <input type="checkbox"/> The transfer is not for money or anything that has a monetary value <input type="checkbox"/> Insert other receipt as appropriate:
10	The transferor transfers with <input checked="" type="checkbox"/> full title guarantee <input type="checkbox"/> limited title guarantee The Transferor transfers the Property with full title guarantee

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register *unless*:

- an 'X' is placed:
 - in the first box, or
 - in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, *or*
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership* and *practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

Use this panel for:

- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

11 Declaration of trust. The transferee is more than one person and

- they are to hold the property on trust for themselves as joint tenants
- they are to hold the property on trust for themselves as tenants in common in equal shares
- they are to hold the property on trust:

12 Additional provisions

1. Definitions

In this Transfer:

Accessway means the private roadway forming part of the Property.

Plan means the plan annexed to this Transfer;

Retained Land means the land comprised in the Title Number (excluding the Property) shown edged red on the Plan;

Service Media means the conduits and equipment used for the reception, generation, passage and/or storage of Utilities;

Utilities means electricity, gas, water, foul water and surface drainage, signals, electronic communications and all other utilities.

2. Transfer

The Property is transferred together with the rights set out in Schedule 1 excepting and reserving to the Transferor the rights set out in Schedule 2.

3. Restrictive covenants

- 3.1. The Transferee so as to bind the Property and each and every part of it (but not so as to be personally liable for breach of a restrictive covenant arising after the Transferee has parted with all interest in the Property) covenants with the Transferor to benefit the Retained Land that the Transferee will at all times

observe and perform the following restrictive covenants:

- 3.1.1. not to do or permit any act or thing on the Property which will be or might grow to be an annoyance or nuisance or cause damage or disturbance to the Transferor and/or any owner or occupier for the time being of the Retained Land;
- 3.1.2. not to do or permit to be done on the Property anything likely to cause damage or injury to or prevent access to any Service Media and to take all reasonable precautions to prevent any such damage or injury;
- 3.1.3. not to obstruct the Accessway or deposit any waster, rubbish, soil or other material on any part of the Accessway or in any other way interfere with, or disturb, the exercise of the rights set out at Schedule 2;
- 3.1.4. not to obstruct or interfere with the flow of light or air to the windows, doors or other openings in the buildings currently situated on the Retained Land;
- 3.1.5. not to fell or lop the trees along the boundary between the Property and Retained Land without the written consent of the owner of the Retained Land (not to be unreasonably withheld) and to replace any tree that dies to the satisfaction of the owner of the Retained Land (acting reasonably).

4. Positive covenants

4.1. The Transferee covenants with the Transferor for the benefit of the Retained Land:

- 4.1.1. to maintain the Accessway in good repair and to maintain, replace, renew and clean the Accessway;
- 4.1.2. to keep in good repair and condition maintain and where necessary renew those parts of the Service Media included in the Property and to keep them clean and unobstructed at all times.

4.2. The Transferee covenants:

- 4.2.1. to procure that a restriction in the following form is entered in the proprietorship register of the Property:

'No disposition of the registered estate (other than a charge) by the proprietor of the registered estate, or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by the proprietor for the time being of the estate registered under title number

BM275159 or their conveyancer that the provisions of clause 4.2.2 to a transfer dated 12th May 2023 made between (1) Emma Griffin and (2) Buffalo Lodge Retreat Ltd have been complied with (Form M)';

4.2.2. that if it wishes to dispose of its interest in the Property or any part of it the Transferee will procure that each and every disponee shall, at the same time as it takes such disposition, enters into covenants with the Transferor:

4.2.2.1. to observe and perform (whilst the Property or any part of it is vested in it) the covenants set out in clause 4.1 of a transfer dated 12th May 2023 made between (1) Emma Griffin and (2) Buffalo Lodge Retreat Ltd so far as they relate to the property being disposed of;

4.2.2.2. in like form mutatis mutandis as this clause 4.2;

and deliver those covenants to the Transferor.

5. Section 62

Section 62 of the Law of Property Act 1925 does not apply and except as expressly granted the Transferee is not entitled to any right of light or air or any other easement right or privilege which would restrict or interfere with the free use of the Retained Land or any part of it for building or other purposes.

6. Third parties

The parties to this Transfer do not intend that any term of this Transfer shall be enforceable solely by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person who is not a party.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Schedule 1 - Rights granted

1. The Transferor transfers the Property together with the following rights and easements, which are granted to the Transferee and the owners and occupiers of each and every part of the Property:

1.1. the right with or without employees and workmen at all reasonable times and on reasonable notice to enter onto the Retained Land for the purposes of repairing, cleaning, maintaining and constructing or renewing any part of the Property where those works cannot otherwise be conveniently or effectively carried out, the person or persons exercising any of these rights causing as little inconvenience and damage as possible and making good any damage caused as soon as reasonably practicable; and

1.2. the right of support and protection for the Property from

the Retained Land.

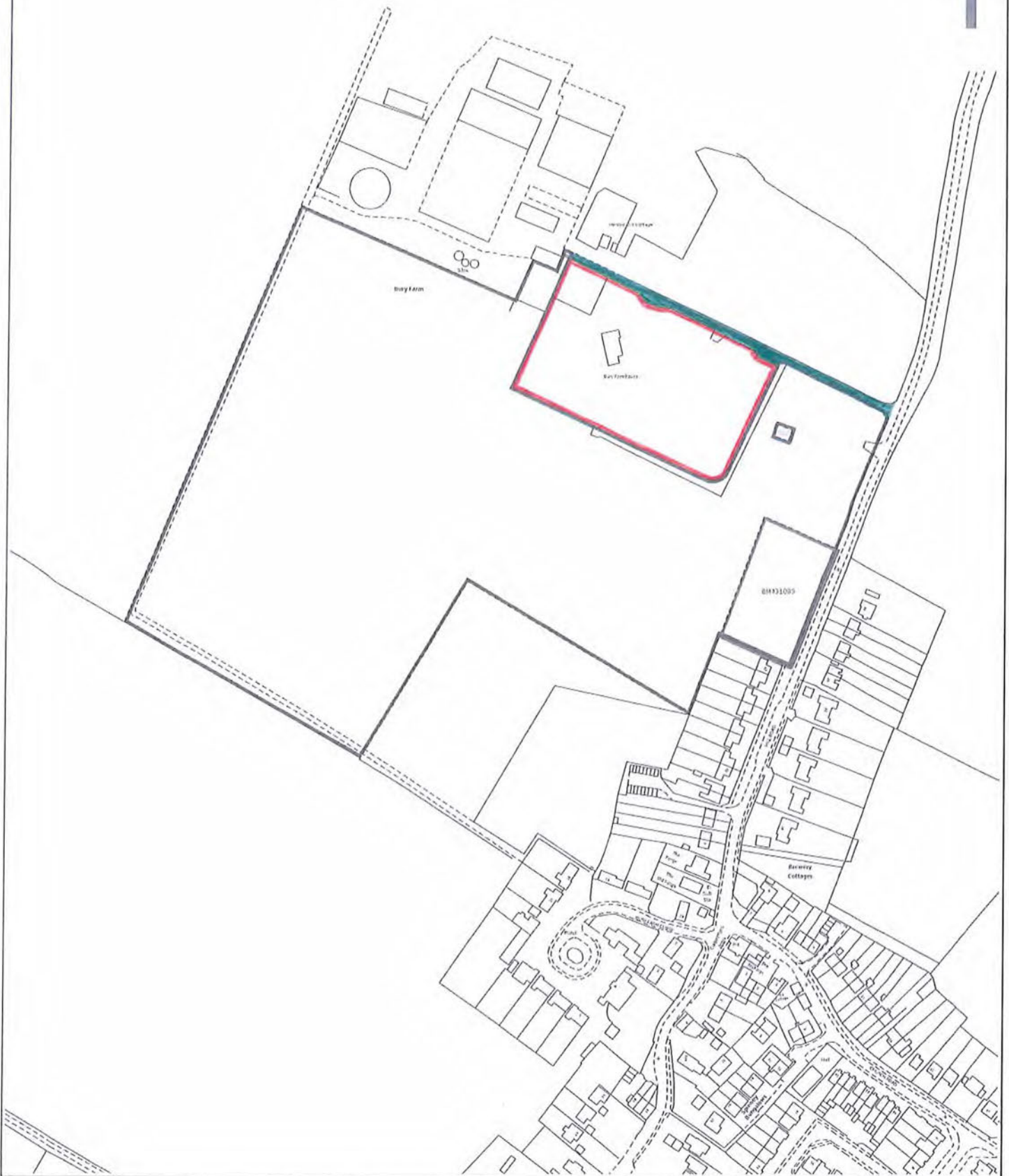
Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Schedule 2 - Rights reserved

1. The Transferor excepts and reserves to the Transferor and the owners and occupiers of each and every part of the Retained Land and all persons properly authorised by them the following rights:
 - 1.1. the right for the Transferor and its successors in title and those authorised by it or them in common with the Transferee to pass with or without vehicles, at all times, over and along the Accessway for all purposes connected with the reasonable use and enjoyment of the Retained Land;
 - 1.2. the right of passage of Utilities through the Service Media serving the Retained Land which are installed on in over or under the Property;
 - 1.3. the right to connect into any Service Media at the Property which serve the Retained Land which are in existence at the date of this transfer or are installed or constructed after the date of this transfer;
 - 1.4. the right with or without employees and workmen at all reasonable times and on reasonable notice to enter onto the Property for the purposes of:
 - 1.4.1. repairing, cleaning, maintaining and constructing or renewing any part of the Retained Land where those works cannot otherwise be conveniently or effectively carried out; and
 - 1.4.2. repairing and maintaining the Service Media serving the Retained Land and connecting to any additional Service Media installed on in over or under the Property,the person or persons exercising any of these rights causing as little inconvenience and damage as possible and making good any damage caused as soon as reasonably practicable;
 - 1.5. the right of support and protection for the Retained Land from the Property;
 - 1.6. the right to build on develop and/or alter all or any part of the Retained Land even if that building or development reduces the access of light or air to the Property.
 - 1.7. In the event the Transferee is in breach of clause 4.1.1, the Transferor may enter the Property and carry out the works needed and the costs incurred by the Transferor doing such works (and any professional fees and VAT in respect of those costs) shall be a debt due from the Transferee to the Transferor and payable on demand.



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The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 11 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to Joint property ownership and practice guide 24: private trusts of land for further guidance.

Examples of the correct form of execution are set out in practice guide 8: execution of deeds. Execution as a deed usually means that a witness must also sign, and add their name and address.

Remember to date this deed in panel 4.

13 Execution

EXECUTED as a deed by the parties and delivered on the date set out at the beginning of this deed.

Signed as a deed by **EMMA GRIFFIN** in the presence of:

[Redacted signature]

Emma Griffin

Signature of witness

[Redacted signature]

Name (in BLOCK CAPITALS)

[Redacted name]

Address

[Redacted address]

Occupation

Executed as a deed by **BUFFALO LODGE RETREAT LTD** acting by a director in the presence of:

[Redacted signature]

Director

Signature of witness:

[Redacted signature]

Name (in BLOCK CAPITALS)

[Redacted name]

Address

[Redacted address]

Occupation

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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title plan

Title number **BM297543**
Ordnance Survey map reference **SP93215W**
Scale **1:2500**
Administrative area **Buckinghamshire**



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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



Interguide Group Limited
New Bury Farm
Mill Road
Slapton
Leighton Buzzard
LU7 9BT

Date: 2 June 2023
Our Ref: SRDR/LGL
Your Ref: KI/kd/INTERGUIDE/I083-9
Direct No: 01223 431098
Direct Fax: 01223 323370
Email: Sheree.Richardson@ashtonslegal.co.uk
Dept: Dispute Resolution

By First Class Post and Special Delivery

Dear Sirs

Our Client: Buffalo Lodge Retreat Limited

We act on behalf of Buffalo Lodge Retreat Limited.

Our client has recently purchased an access road registered under Title Number BM275159. Please find enclosed a plan showing the land purchased by our client, coloured green ('the Access Road').

We understand that you are using, and permitting others to use, the Access Road for access to and egress from your property known as Bury Farm Equestrian Centre, New Bury Farm and registered under HMLR Title number BM316249 ('Bury Farm'). The parties you are authorising to use the Access Road includes persons to whom you have leased parts of Bury Farm to and their staff, visitors and customers.

We further understand from your website, <https://www.buryfarmevents.com/>, that you are advertising various events at Bury Farm, including a Summer Festival on 15-16 July 2023 and an event called "Fields of Thunder" on 21-23 July 2023. We understand that historically you have permitted exhibitors to use the Access Road for these and other events.

You have no right to use the Access Road and must immediately cease using the same. Any use of the Access Road, by you or anyone with your permission, is trespass and our client reserves all of its rights in relation to any claim it may have in relation to the same.

We hereby put you on notice that our client intends to permanently close access to the Access Road 28 days after the date of this letter. Whilst you must cease using the Access Road immediately, access will be completely restricted from this date. You should immediately notify anyone you are permitting to use the Access Road not to use it and make alternative arrangements for access to and from Bury Farm.

Registered Office:
Ashtons Legal LLP
The Long Barn
Fornham Business Court
Fornham St Martin
Bury St Edmunds
Suffolk
IP31 1SL

Acting Office: Cambridge
T: 01223 363111
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Please also notify any event organisers and exhibitors in relation to any upcoming events.

Yours faithfully

Ashtons Legal

Ashtons Legal LLP

HM Land Registry
Official copy of
title plan

Title number **BM297543**
Ordnance Survey map reference **SP9321SW**
Scale **1:2500**
Administrative area **Buckinghamshire**



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Measurement Report

Name: Record 17

Duration: 40s

Time: Jul 23, 2023 At 11:08 Am

Location: Leighton Buzzard

Device: iPhone 12 Pro Max, iOS 16.1.1

Notes:

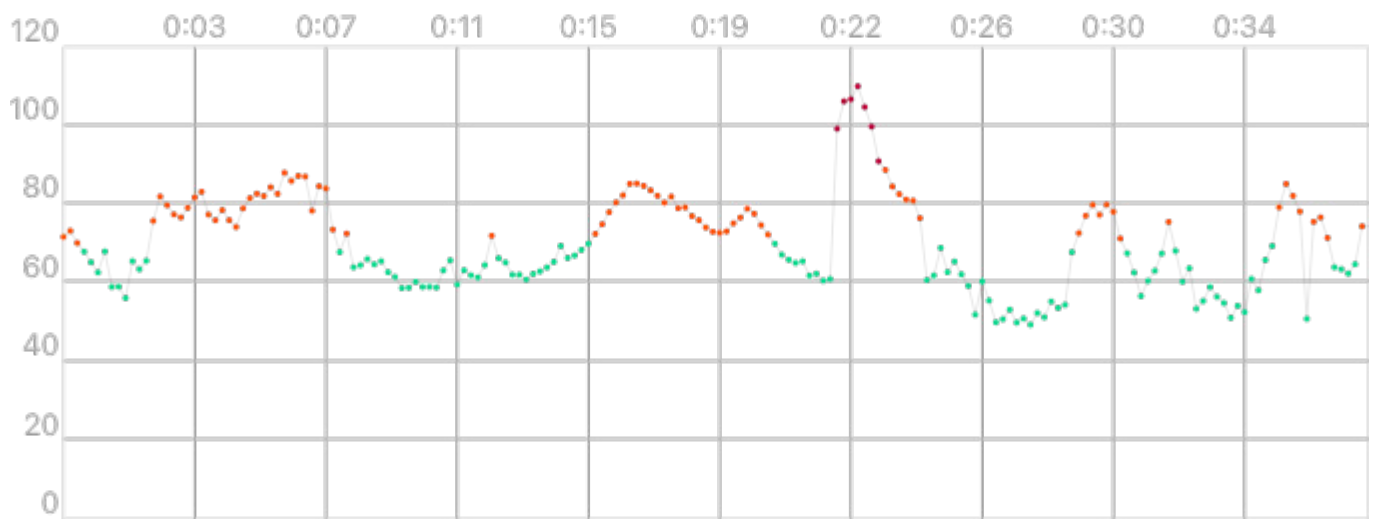
Measurement configurations

Frequency weighting	A
Response time	Fast (0.2s)
Calibration	+0.0 dB
Avg/Leq	91.1 dB
Min	49.4 dB
Max	110.0 dB
Peak	112.9 dB

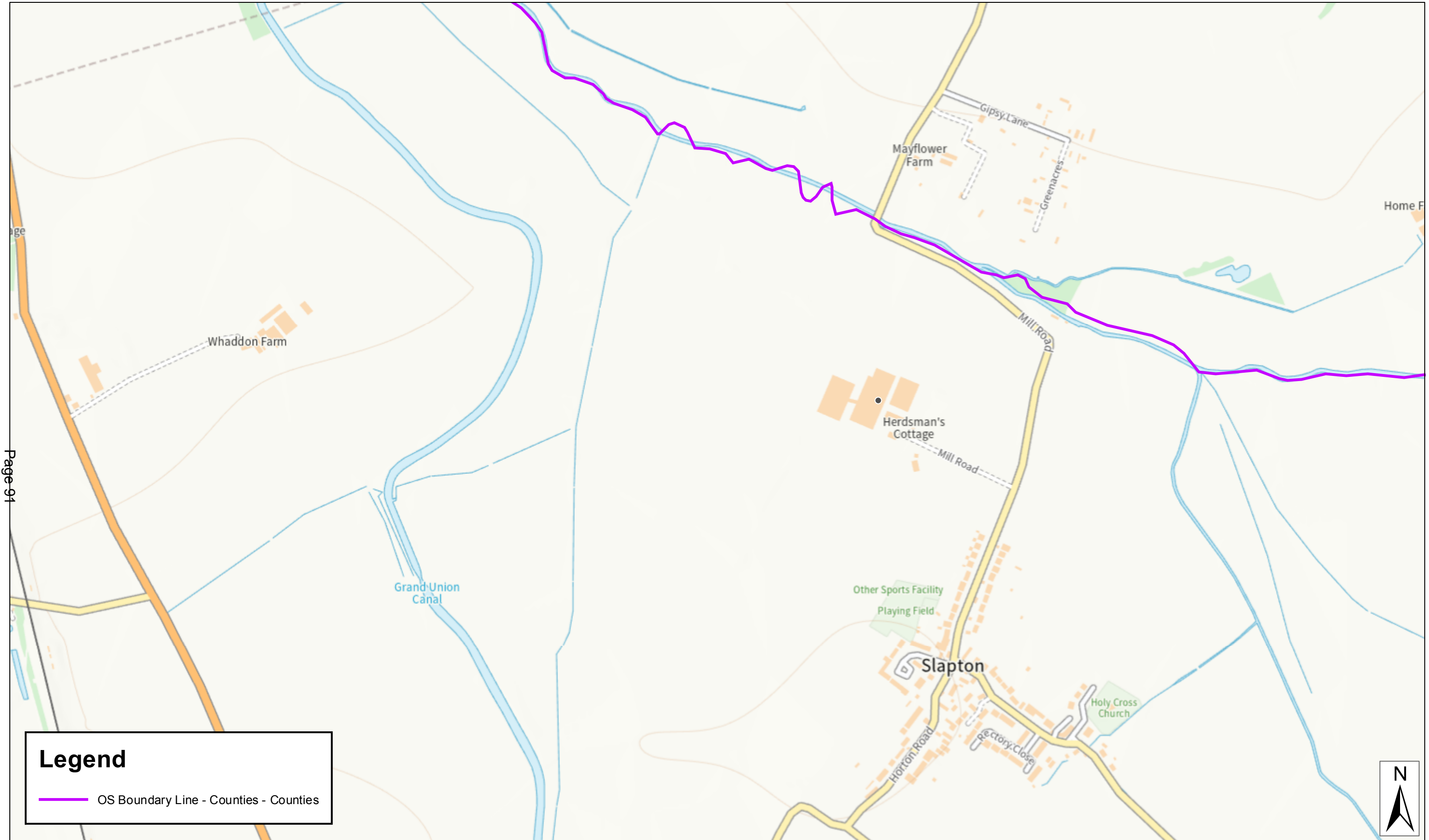
Measurement results

Standard	NIOSH
Threshold	85 dB
Exchange rate	3 dB
TWA	62.3 dB
Dose	0.5 %
Projected dose	409.2 %

Graph



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Legend

— OS Boundary Line - Counties - Counties



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From: [Hooper, Trevor \(C5686\)](#)
To: [Licensing Mailbox](#)
Subject: [EXTERNAL] TVP Application Response - Other Application for Bury Farm, Mill Road, Slapton, LU7 9BT: NO OBJECTION
Date: 24 October 2023 11:52:51

On 24/10/2023, we received a Other Application application relating to Bury Farm, Mill Road, Slapton, LU7 9BT

=====
 Review of licence by Emma Griffin
 =====

Based on the supplied information, the Thames Valley Police response is: *** NO OBJECTION ***

 This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an emergency, please call 999. Thank you.

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From: [Olivia Stapleford](#)
To: [Kerryann Ashton](#)
Cc: [Adam Pegley](#)
Subject: FW: [EXTERNAL] Review of premises licence, New Bury Park Events Ltd, New Bury Farm. Mill Road, Slapton, LU7 9BT
Date: 20 October 2023 16:00:29
Attachments: [11_01971_APP-APPROVED-1051302.pdf](#)
[Letter to AVDC 13 05 2018.pdf](#)
[L to Bucks C 29 10 2020.pdf](#)
[image001.png](#)
[image002.png](#)

Hi Kerryann,

I am not sure whether Planning have come back to you, but I am able to give you the following information regarding the planning position at this site.

Permission has been granted, subject to conditions for

Continued use of farm as an equestrian centre with 3 indoor arenas, erection of a fourth arena (Retrospective), conversion of agricultural buildings to livery barns and other uses including vets practice, saddlery and ancillary operations (Retrospective) including retention and extension of manège, change of use of barn to shop including mezzanine floor (Retrospective) and provision of mechanical horse walker (Retrospective)

Condition 8 is the pertinent condition which restricts the use of the buildings and land:

- 8 Notwithstanding the provisions of Part 4 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no non-equestrian related commercial functions or events shall take place anywhere within the buildings hereby permitted or within existing buildings, unless specified on the approved plans, or elsewhere within the site.

Therefore, there may be conflicts with the granting of a licence at this site. However, what the outcome of that conflict is (if any), is for the Licensing Authority to determine.

Many thanks,

Olivia Stapleford

Planning Enforcement & Monitoring Team Leader

(North, Central and Minerals & Waste)

Planning, Growth & Sustainability

Buckinghamshire Council

Direct Line: 01296 585144

To report an alleged breach of planning control please visit [Planning compliance and enforcement | Buckinghamshire Council](#)

Internal colleagues can report breaches via the form [here](#)

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environmentalhealth@buckinghamshire.gov.uk

01494 732058

www.buckinghamshire.gov.uk

Licensing Authority
Buckinghamshire Council
The Gateway
Gatehouse Road
Aylesbury
Buckinghamshire
HP19 8FF

Dealt with by: Mr A Godman
Direct Line: 01494 732934
Your Ref: PR0844/PR202309-331542/LC201711-4115
Date: 12/10/2023
Our Ref: PR202310-332089
Email: Andrew.Godman@Buckinghamshire.gov.uk

BY EMAIL

Dear Sir/Madam

Licensing Act 2003**Re: Review of Premises Licence – Bury Farm Equestrian Centre, New Bury Farm, Mill Road, Slapton, Leighton Buzzard, LU7 9BT (review reference: PR202309-331542)**

Thank you for notifying the Strategic Environmental Health Protection Team regarding the above.

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 of the Council's statutory functions associated with the minimisation or prevention of risks associated with pollution to the environment or harm to human health. The scope of my role broadly encompasses the *prevention of public nuisance* licensing objective as described in Section 4(2)(c) of the Licensing Act 2003.

As a representative of a Responsible Authority with a particular focus on the prevention of public nuisance licensing objective I consider it appropriate that I make the following representation in connection with this review:

Comments on Mrs Griffin's application for review of premises licence

Mrs Griffin's grounds for review, as cited in her application form, make explicit reference to the following three licencing objectives:

- (a) the prevention of crime and disorder
- (b) public safety
- (c) the prevention of public nuisance

The applicant also submitted a 9 page email to the Licensing Authority setting out her views as to why the current premises licence for New Bury Farm is not fit for purpose – see summary over page.

- The granting of planning permission regarding New Bury Farm was inappropriate
- The ownership of a single track driveway running between Mill Road and New Bury Farm is in dispute and use of it by the licence holder and festival attendees amounts to trespass
- Loss of residential amenity due to event traffic (i.e. noise associated with motorcycles and inhibited access to her property)
- Misleading information was submitted in connection with a number of premises licence applications regarding New Bury Farm
- Damage to trees
- Non-conformity with the 2023 Event Management Plan as regards traffic routes as regards the Fields of Thunder event *et al*
- The general unsuitability of the driveway as regards festival traffic
- Members of the public looking into her residential property whilst using the driveway
- Event music noise
- Inadequate communication from the event organisers
- Liability arising from use of the driveway

Many of these points are, in my opinion, beyond the scope of the Licensing Act 2003 and so I focus on the following areas that *may* have a relevance to the prevention of public nuisance licensing objective:

Loss of residential amenity/access to a property

The concept of residential amenity is largely associated with town and country planning legislation and the decision making of the Local Planning Authorities. The Licensing Act 2003 makes no reference to the term *amenity* but does harnesses the principle of public nuisance in connection with one of its licensing objectives.

Guidance issued by the Secretary of State under Section 182 of the Act states that the use of the term public nuisance in the context of local authority licensing retains its broad common law meaning. In this case I have been guided by the Attorney-General v PYA Quarries 1957 judgement and, in particular, the comments of Lord Denning in that case:

“I prefer to look to the reason of the thing and to say that a public nuisance is a nuisance which is so widespread in its range or so indiscriminate in its effect that it would not be reasonable to expect one person to take proceedings on his own responsibility to put a stop to it, but that it should be taken on the responsibility of the community at large.”

In my opinion the Licensing Act 2003 and supporting statutory guidance make clear that licensing authorities should have regard to *public* rather than *private* nuisances in their decision making. Having visited the site on a number of occasions over the past few years (including both the festivals this year) I appreciate that use of the single track driveway adjacent Mrs Griffin’s property as the main access/egress route for festival-goers and event staff is likely to result in noise (which is likely to be audible within the curtilage of her property) and inhibit her access/egress in connection with her dwelling/business; such an interference may, if repeated, amount to a private common law nuisance. However, due to the limited number of households

subject to that interference I do not believe that it could reasonably be described as a public nuisance having regard to its definition above. (NB: the Council has not received any other complaint concerning noise arising from the events at New Bury Farm in 2022 or 2023).

However, event related traffic congestion and associated noise impacting the wider community could conceivably amount to a public nuisance and therefore I believe that this supports the need for an appropriate regulatory control (i.e. the agreement of a traffic management plan in connection with a premises licence) – the current New Bury Farm premises licence contains such a provision.

Noise from regulated entertainment (music) at two festivals

I attended one festival last year and both this year at New Bury Farm to monitor off-site noise levels arising from regulated musical entertainment. The noise levels that I witnessed did not exceed those set out in the agreed Event Management Plan (the element relating to 'Noise management planning and controls') for those events. These control levels reflect the contents of the Noise Council's *Code of Practice on Environmental Noise Control at Concerts* – a nationally recognised guidance document for such events.

Infringement of privacy

The Board of Trustees of the Tate Gallery v Fearn and others 2023 Supreme Court judgement established that visual intrusion could amount to a common law nuisance. Again, due to the limited number of persons impacted by the intrusion cited by Mrs Griffins I do not believe that the infringement of privacy associated with the use of the driveway as the main vehicular route to/from the event ground amounted to a public nuisance.

Conclusion

It is obviously a matter for the Licensing Sub-committee to decide whether the representations made in connection with this review contain material that falls within the scope of the prevention of public nuisance licensing objective and, if so, what measures are necessary in order to promote it in practice.

Nonetheless, I would respectfully suggest that the current premises licence contains adequate control measures as regards these risks flowing from events at New Bury Farm. The Licensing Authority has a number of enforcement options associated with a demonstrable breach of a premises licence condition, such as the failure to comply with an agreed traffic routing plan (as I believe was the case with the Fields of Thunder event) and therefore the ability to hold the licensee to account already exists.

For future festivals I suggest that the Licensing Authority and relevant Responsible Authorities carefully consider how the New Bury Farm event ground is accessed by both the public and organisers and that contingency arrangements (reflecting inclement weather etc.) are incorporated within any agreed Event Management Plan so that there is no repeat of the problems experienced by Mrs Griffin.

Yours faithfully,



Mr A Godman
Environmental Health Officer

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From: [ISD Alcohol Licensing](#)
To: [REDACTED]; [Licensing AV Mailbox](#)
Subject: [EXTERNAL] RE: Fwd: Request for Review of Licence for Bury Farm Equestrian Centre, Bury Farm Events and associated companies
Date: 02 October 2023 16:19:15

Good afternoon,

Thank you for providing your submission on the above premises. Having searched our databases, we can find no recent record of any Immigration offences in relation to the above premises, therefore Immigration Enforcement will not be making any representations at this time.

Regards

Alcohol and LNR Team
 Interventions & Sanctions Directorate
 Immigration Enforcement

From: Emma Griffin [REDACTED]
Sent: 26 September 2023 17:25
To: ISD Alcohol Licensing <Alcohol@homeoffice.gov.uk>
Subject: Fwd: Fwd: Request for Review of Licence for Bury Farm Equestrian Centre, Bury Farm Events and associated companies

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Resent as advised new email address

----- Forwarded Message -----

Subject: Fwd: Request for Review of Licence for Bury Farm Equestrian Centre, Bury Farm Events and associated companies

Date: Tue, 26 Sep 2023 14:34:18 +0100

From: Emma Griffin [REDACTED]

To: licensing@thamesvalley.police.uk, WDC-SBDCfiresafety@bucksfire.gov.uk, avdc-cdc-fire-safety@bucksfire.gov.uk, environmentalhealth@buckinghamshire.gov.uk, planningenforcement@buckinghamshire.gov.uk, devcontrol.av@buckinghamshire.gov.uk, tsd@buckinghamshire.gov.uk, publichealth@buckinghamshire.gov.uk, alcohol@homeoffice.gsi.gov.uk, 'Slapton Parish Clerk' <ParishClerk@Slapton-PC.org>, Peter Brazier (Cllr) <Peter.Brazier@buckinghamshire.gov.uk>

CC: Simon Gallacher <Simon.Gallacher@buckinghamshire.gov.uk>, Mark Winn (Cllr) <Mark.Winn@buckinghamshire.gov.uk>, Neil Green <neil.green@buckinghamshire.gov.uk>

Dear Sirs

In requesting a review of a licence, I am required to also serve copies to the relevant authorities

Please find attached details of the review request and supporting documentation to the reasons for requesting the review.

I have also served notice via recorded delivery to Interguide, the parent company of Bury Farm Equestrian Centre and associated companies.

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Buckinghamshire Council

12th October 2023

Dear Sirs

Review of Site Licence Bury Farm Events Limited Mill Road Slapton LU7 9BT

Bury Farm Events Limited has staged Festivals in Slapton, one in 2021 and two in 2022. The two Festivals held in 2022 resulted in all event traffic being routed through the village via Mill Road to access the site via a private road. Slapton village cannot accommodate high volumes of traffic and the ensuing noise generated.

At a meeting of Slapton Parish Council held on Wednesday 11th October 2023, the Council agreed to recommend that the following additions to the Traffic Management Plan be incorporated in the Licence conditions.

1. Access

The only access to the Festival site to be allowed is from the "S" bends on Horton Road Slapton. The route being to leave Horton Road on the crown of the "S" bend and continue into the field (currently behind the wooden fence). It is submitted that a one way system is used around the perimeter of the field.

Temporary trackway should be laid capable of sustained use by high volumes of traffic and impervious to all weather conditions.

2. Routing

The only approved access to be via Horton Road Slapton using the B488. AA Traffic signs required

Additionally, traffic signs stating "No Access to Event Traffic" to be sited as follows

a. B440 Leighton Road Northall. The turn into Slapton Lane

b. B440 Leighton Road Billington. The turn into Slapton Road Little Billington

c. Supplementary signage should direct all traffic to the B488 to access Horton Road

3. Stewarding.

The Council submits that sufficient stewards should be employed to ensure that Event Traffic uses only the approved route.

Yours sincerely

Bridget Knight
Slapton Parish Clerk

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From: [Keith Hutchinson](#)
To: [Licensing Mailbox](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Review of premises licence, New Bury Park Events Ltd, New Bury Farm. Mill Road, Slapton, LU7 9BT
Date: 17 October 2023 15:57:16
Attachments: [11_01971_APP-APPROVED-1051302.pdf](#)
[Letter to AVDC 13 05 2018.pdf](#)
[L to Bucks C 29 10 2020.pdf](#)

You don't often get email from keith@hutchinsons-planning.co.uk. [Learn why this is important](#)

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

Dear Sirs

We are instructed by Mrs E. Griffin of Buffalo Lodge farmhouse, which adjoins the New Bury Farm site at Mill Road and have been asked by her to provide planning information for consideration in connection with the licence review.

Most importantly, we would refer you to the retrospective planning permission granted to Interguide Group Ltd. in January 2012 (Ref 11/01971 copy attached) in connection with the use of the farm as an equestrian centre. We would draw your attention in particular to Condition 8 of the permission, which specifically precludes the use of the land or buildings for “*non-equestrian related commercial functions or events.*” The recent events carried on at the premises constitute a clear and direct breach of that planning condition, which is actionable by your Council, acting as Local Planning Authority. In such circumstances it would seem entirely inappropriate for an events licence to be granted.. Furthermore, condition 1 of the permission required improvements to the access to be carried out within 2 months, but, as far as we are aware, no such improvements have ever been undertaken.

The 2012 retrospective application included the driveway also serving Buffalo Lodge, but no Notice was served on our client who owns it. However, this error was rectified in an application for 17 dwellings and a village hall submitted by Interguide in 2018, but only after we had pointed this out to the Planning Officer (copy of our letter dated 13th May 2018 attached). Unfortunately, a similar situation arose in 2020 when an application for the use of two barns for B2/B8 purposes was submitted and was only amended after we had pointed out the obvious error (copy of our letter dated 29th October 2020 attached).

It is clear that, over the years, the owners of New Bury Farm have quite deliberately flouted planning regulations and their continuing operations have seriously impacted on our client's residential amenities. We request therefore that you take the above additional information into account and do not grant the premises licence. We would be pleased to receive acknowledgement of receipt of these representations and the result of your Council's deliberations in due course.

Yours faithfully

Keith Hutchinson

Partner

HUTCHINSONS

Tel: 01480 861469

Mob: 07802 718960

Email: keith@hutchinsons-planning.co.uk

Hutchinsons, Planning & Development Consultants.
15 Castle Gardens, Kimbolton, Cambs. PE28 0JE

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Planning & Development Consultants

Email: office@hutchinsons-planning.co.uk

Web: www.hutchinsons-planning.co.uk

15 Castle Gardens
Kimbolton
Cambridgeshire
PE28 0JE

Our Ref: KRH/1160.01/L0001
Your ref: 18/00283/AOP
13 May 2018

Tel: 01480 861469

Mr S Hackner
Planning Officer
Aylesbury Vale District Council

By email

Dear Mr Hackner

Proposed residential development of 17 dwellings and village hall, Bury Farm Equestrian Centre, Bury Farm, Mill Road, Slapton (Ref 18/00283/AOP)

We refer to our previous email correspondence and would confirm that we are instructed by Mrs E Griffin who owns and resides at Buffalo House, which was formerly the farmhouse serving Bury Farm, now an Equestrian Centre.

Our client has now been served with a Notice, because, as indicated to you previously, she is also the owner of the existing single track roadway, which provides access to her property, the Equestrian Centre and both the proposed residential development and the proposed village hall. However, we wish to make it clear that the notification came only as a result of our last email to you and our client has not given her permission for the use of the roadway resulting from these proposals and, in fact, she has never been consulted on the matter by the Interguide Group or their agents.

The Equestrian Centre already generates a significant number of traffic movements in the form of horseboxes and other large vehicles visiting the site and we are concerned that the Transport Statement accompanying the planning application takes no account of weekend traffic, particularly when the numerous events take place. These movements, and the general disturbance caused, seriously affect our client's quiet enjoyment of her property.

We note that the proposals include improvements to the access at the junction with Mill Road, but from our research of site history we understand that the original planning permission for the Equestrian Centre in 2011 required improvements to the access, which were never carried out. We therefore request the Council to investigate this breach of condition and we would point out that this earlier application also included the access roadway, but no Notice was served.

We have studied the submitted Planning Statement supporting the planning application and we are concerned about various assertions, omissions and interpretations. In Section 2 the current operations and uses already on the site are described, which include “*a retail shop for the sale of equine merchandise, a café and restaurant together with two bars which are open to the local community and visitors*” (Parag.2.4) and “*a number of residential flats.*” (Parag. 2.6). However, the 2011 planning permission, which regularised a number of developments which had been carried out without planning permission on the site, contained conditions limiting the use of the shop and café. We are not aware of any permission granted for bars or flats. Understandably, our client is concerned that even more unauthorised developments will continue to take place on the site, which, coupled with the residential and village hall proposals, will further affect her amenities.

Turning to the sections on planning policy, we would emphasise that the starting point for the determination of all planning applications is the statutory development plan, which in this case comprises the Aylesbury Vale District Local Plan, which was adopted in 2004. The emerging Vale of Aylesbury Local Plan has been submitted to the Secretary of State and the Examination is due to take place in July. In such circumstances the policies contained within it are a material consideration of some weight. Even more importantly, the independent examiner’s report into the Slapton Neighbourhood Plan has now been accepted by the District Council and the referendum will take place on 5th Jul 2018. Accordingly, the policies contained in that document should be given considerable weight, even though it has not yet been “made.”

The submitted Planning Statement accepts that the proposals are outside the built-up area of the village, where new housing development will be restricted, but suggests that the proposals are acceptable because the development constitutes the effective use of brownfield land in similar circumstances to a case allowed on appeal involving land where a stable was to be replaced. However, the particular case referred to in Parags. 8.2 to 8.4 of the Statement related only to a single dwelling replacing an existing stable. In this application the development relates to the erection of 17 dwellings on a considerable portion of paddock land, which cannot be considered as brownfield and is certainly not comparable to the erection of a single dwelling replacing an existing building. Of course, there is simply no justification in this respect for the erection of the proposed village hall, the siting of which is entirely greenfield in nature.

The Planning Statement also accepts that the Council can demonstrate a 5-year supply of deliverable housing sites, so the second part of Parag. 49 of the NPPF does not apply, but, even if the housing supply policies of the adopted Local Plan are deemed to be out of date, because of their perceived inconsistency with the NPPF, there are other policies of the Local Plan, which remain. The Statement makes no mention of Policy RA.1 of the Local Plan, which gives priority to the need to protect the countryside for its own sake and confirms that development within it will not be permitted unless it is connected with agriculture etc. In our opinion there is clear conflict with this countryside policy.

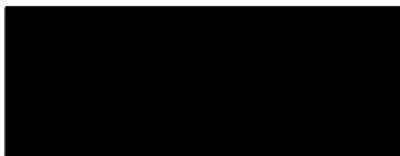
The emerging submission version of the Vale of Aylesbury Local Plan focuses development on the strategic settlements and identifies Slapton as a “smaller village” where there will be no allocations and where sites will come forward through neighbourhood plans or individual windfall applications. These proposals, which do not represent a logical extension to the built-up area of the village, are clearly contrary to Policy S3, which is concerned with the settlement hierarchy and cohesive development.

Of particular significance, is the fact that these proposals conflict with specific policies of the Slapton Neighbourhood Plan. The Plan defines a settlement boundary to the village beyond which development will be restricted to essential developments such as rural workers' dwellings or developments positively contributing to the landscape (Policy SLP1). The Plan also contains a policy for the village hall (SLP3), the first requirement for which is that the land adjoins the defined settlement boundary. The proposals are clearly contrary to both these policies.

The Planning Statement indicates that, in accordance with the NPPF, the development provides sustainable development and therefore there should be a presumption in its favour. However, in our opinion the proposals do not constitute sustainable development, because they do not fulfil the economic, social and environmental roles required. From an economic viewpoint, any housing scheme in any location would contribute towards the Council's housing supply and the application makes no provision for affordable housing in terms of putting forward at least a draft s106 agreement to secure such provision; from a social viewpoint, the site is divorced from the village and the new village hall is poorly sited to provide a proper social centre for the village; and from an environmental viewpoint, the proposals constitute an unwarranted and illogical extension of built form into the countryside, entirely separate from the village.

We consider the proposed development conflicts with national and local planning policy and is unsustainable for the reasons we have set out above. The access roadway is totally unsuitable to cater for further traffic, and, in any event it is owned by our client, who has given no permission for its use and who strongly objects to the proposals, because of the impact on her amenities. In the circumstance we therefore request the District Council to refuse planning permission.

Yours sincerely



KEITH HUTCHINSON

Partner

Email: keith@hutchinsons-planning.co.uk

Mobile: 07802 718960

AYLESBURY VALE DISTRICT COUNCIL

Town and Country Planning Act 1990

11/01971/APP

Sheena Foy
 Foy Planning Consultancy
 Crabtree Farmhouse
 IVINGHOE ASTON LU7 9DP

Interguide Group Ltd
 Mill Road
 SLAPTON LU7 9DP

Subsequent to your application that was valid on the **7th September 2011** and in pursuance of their powers under the above mentioned Act and Orders, Aylesbury Vale District Council as Local Planning Authority **HEREBY PERMIT:**

Continued use of farm as an equestrian centre with 3 indoor arenas, erection of a fourth arena (**Retrospective**), conversion of agricultural buildings to livery barns and other uses including vets practice, saddlery and ancillary operations (**Retrospective**) including retention and extension of manège, change of use of barn to shop including mezzanine floor (**Retrospective**) and provision of mechanical horse walker (**Retrospective**)

AT:

New Bury Farm Mill Road Slapton LU7 9BT

Approved Drawing Numbers: KS/11032/G&F
 1207/1A
 1207/2A
 1207/3
 1207/3A
 1207/4
 1207/4A
 1207/5A
 1207/6A
 1207/7A
 1207/8A
 1207/9
 1207/9A
 C4 Rev. A
 2208-2
 2208-1

Subject to the following conditions and reasons:

- 1 Within 2 months of the date of this permission the means of access shall be sited and laid out in accordance with the approved drawings and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access within Highway Limits" 2001.

- Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with PPG13.
- 2 The (tack) shop use hereby approved shall not be used for any retail purpose/use other than in connection with equine related activities.
- 2 To ensure a satisfactory appearance to the development and in accordance with Aylesbury Vale District Local Plan policies RA4, GP35 and GP81.
- 3 Within 2 months of the date of this permission a scheme for the disposal of dung, faecal matter, soiled straw or other bedding material shall be submitted for the written approval of the Local Planning Authority. The disposal of dung, faecal matter, soiled straw or other bedding material shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interests of the visual amenities of the area and in accordance with the Aylesbury Vale District Local Plan policy GP95.
- 4 The riding school use hereby approved shall only operate on Mondays between 14:00 and 19:00 hours, between 15:00 and 19:00 hours on Tuesdays, between 14:00 and 20:00 hours on Wednesdays, between 11:00 and 20:00 hours on Thursdays, between 12:00 and 20:00 hours on Fridays, between 09:00 and 16:00 hours on Saturdays and between 10:00 and 16:00 hours on Sundays.
- Reason: For the avoidance of doubt and in accordance with the Aylesbury Vale District Local Plan policy GP8.
- 5 Any dressage, one day event, training, pony club or show jumping events or competitions shall only operate between the hours of 09:30 and 18:00.
- Reason: For the avoidance of doubt and in accordance with the Aylesbury Vale District Local Plan policy GP8.
- 6 The café use hereby permitted within Building 3, as shown on plans numbered 1207/3 and KS/11032/G&F shall only be used as ancillary to Bury Farm Equestrian Village and for no other purpose.
- Reason: To ensure that inappropriate uses do not take place in this locality and in accordance with the Aylesbury Vale District Local Plan policy RA4 and GP77.
- 7 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and these areas shall not thereafter be used for any other purpose.
- Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and in accordance with guidance contained in PPG13.

8 Notwithstanding the provisions of Part 4 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no non-equestrian related commercial functions or events shall take place anywhere within the buildings hereby permitted or within existing buildings, unless specified on the approved plans, or elsewhere within the site.

Reason: For the avoidance of doubt and in accordance with the Aylesbury Vale District Local Plan policy GP77 and guidance contained in PPS1 and PPS4.

9 Within 2 months of the date of this permission full details of any external public address system shall be submitted to and approved in writing by the Local Planning Authority. The details shall include their location and details of the units themselves including volume of output. The works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and in accordance with the Aylesbury Vale District Local Plan policy GP95.

The justification for making this decision is:

The proposal is in accordance with the Aylesbury Vale District Local Plan policies GP8, GP17, GP24, GP35, GP38, GP77, GP78, GP95, RA4 and RA11 and with the guidance contained in PPS1, PPS4 and PPG13. There are no other material planning considerations of such weight to lead to a decision contrary to those policies.

INFORMATIVE

The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact the Area Manager at the following address for information:

Bucks CC Transportation, Aylesbury Vale Area Office, The Winslow Centre
Park Road, Winslow, MK18 3RB. Tel 01296 383400

Your attention is drawn to the notes on the back of this form.



For and on behalf of the District Council
13th January 2012

HUTCHINSONS

Planning & Development Consultants

Email: office@hutchinsons-planning.co.uk

Web: www.hutchinsons-planning.co.uk

15 Castle Gardens
Kimbolton
Cambridgeshire
PE28 0JE

Tel: 01480 861469

S. Bambrick, Esq
Service Director of Planning
Buckinghamshire Council (Aylesbury Vale)

Our Ref: 1160.01
29 October 2020

By Email

Dear Mr Bambrick

Conversion of two adjoining barns, used for equestrian purposes, to B2/B8 uses, New Bury Farm, Mill Road, Slapton, Buckinghamshire, LU7 9BT (Ref 20/03496/APP)

We refer to the above application by the Interguide Group Ltd. We act for Mrs E Griffin, who lives next to the site and also owns the access road, which serves New Bury Farm and her own dwelling.

Various planning applications have been submitted by Interguide Group over the years, including: an application to regularise the equestrian use and buildings in 2011 (Ref11/01971/APP); variation of operating hours in 2012 (Ref 12/00526/APP); and, more recently, in 2018 a residential development and village hall (Ref 18/00283/AOP). All of these applications were submitted with an incorrect ownership certificate, indicating that Interguide Group owned all the land, including the access road, which they did not.

We pointed out the error in 2018 and the application was amended. However, the latest application also has an incorrect ownership certificate and no notice has been served on our client, even though the applicant and agent remain the same. Whilst we understand that an error may have been made in 2012, there is simply no excuse for the incorrect certification being submitted yet again. As you are aware, the deliberate falsification of ownership certificates is a criminal offence and we should be pleased if you would contact the applicants informing them of this fact.

We will be writing to you a formal objection to the application in due course, but in the meantime we request that no further action is taken in connection with the determination of the application until this serious error is corrected.

We would appreciate an acknowledgement of receipt of this letter

Yours sincerely



KEITH HUTCHINSON

Partner

Email: keith@hutchinsons-planning.co.uk

Mobile: 07802 718960

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FULCHERS

S O L I C I T O R S



15 COVE ROAD, COVE, FARNBOROUGH, HAMPSHIRE GU14 0EH
DX. 59565 FARNBOROUGH

For the attention of Kerryann Ashton
Licensing Officer
Buckinghamshire Council
The Gateway
Gatehouse Road
Aylesbury
Buckinghamshire HP19 8FF

TEL: (01252) 522475
FAX: (01252) 522523
E-mail: info@fulchers-solicitors.co.uk
Website: www.fulchers-solicitors.co.uk

Our Ref: KI/a/INTERGUIDE/I083-9

25th October 2023

Dear Sirs/Madam,

Application for Review of a Premises Licence – New Bury Park Events, Mill Road, Slapton, LU7 9BT

We are instructed by the Licence holder to object to the application for review of the Licence relating to the Bury Farm Equestrian Centre made by Emma Griffin on behalf of Buffalo Lodge Retreat Ltd dated 22nd September 2023.

This application is an abuse of process and is made in circumstances where Emma Griffin seeks through the licencing system, at no cost to herself, a remedy which she has failed to secure through Court action, and which is made in the following circumstances: -

1. As the current owner of Buffalo House and recent former owner of the access way shared by Buffalo House and New Bury Farm, she sought to extort £1,300,000 from our client for the benefit of the rights of way over the shared access, or alternatively £2,200,000 for our client to purchase Buffalo House including the right of way (a value far in excess of its worth).
2. Threatened with legal proceedings by our client, Emma Griffin appears to have sold the shared access way to a company of which she is the sole director, and we believe sole shareholder, for £8000. This appears to be an attempt to avoid liability for any costs award made in those proceedings against her as it seems that Buffalo Lodge Retreat Ltd has no or no substantial assets. One might question why any company would wish to pay £8000 for an access way which must be always kept clear and unobstructed and for which the company will incur liability as an owner, including liability for maintenance and for damages for personal injury from any person injured as a result of the lack of maintenance.
3. New Bury Farm was sold to our clients by the former owner Nicholas Griffin (before he was married to Emma Griffin), and the plan attached to the transfer which showed edged red the land being sold to our client included the access way, and was annotated to show who had rights of way over different sections of it and who was responsible for its maintenance.

Since completion of the transfer of this land to our clients on 24th February 2006 the access way has been used by our clients and maintained by them at their sole cost.

4. While it is true that the Land Registry have failed to include the access way in our client's title, and that it is now included in the title passed from Emma Griffin to Buffalo Lodge Ltd such that Buffalo Lodge Retreat Ltd is now the registered proprietor of the access way, our client claims the right to have the register rectified to reflect what was sold to our client by Mr Nick Griffin. Alternatively, our clients claim full vehicular and pedestrian rights over the access way, and for those rights to be included in the register at the Land Registry to reflect the common intention of the parties at the time of the sale to our client on the basis that the right of way was in existence and continuous and apparent as referred to in Wheeldon -v- Burrows, or alternatively our clients rely on s62(2) of the Law of Property Act 1925 which provides as follows:-

“A conveyance of land, having houses or other buildings thereon, shall be deemed to include and shall by virtue of this Act operate to convey, with the land, houses, or other buildings, all outhouses, erections, fixtures, cellars, areas, courts, courtyards, cisterns, sewers, gutters, drains, ways, passages, lights, watercourses, liberties, privileges, easements, rights, and advantages whatsoever, appertaining or reputed to appertain to the land, houses, or other buildings conveyed, or any of them, or any part thereof, or, at the time of conveyance, demised, occupied, or enjoyed with, or reputed or known as part or parcel of or appurtenant to, the land, houses, or other buildings conveyed, or any of them, or any part thereof.”

5. In Mrs Griffin's exceedingly lengthy and repetitive submissions, she complains variously of the following matters: -
 1. Alleged trespass over the access way leading to her property and our client's property. There can be no trespass. Our clients claim ownership which will be the subject of litigation, but even if unsuccessful, our client has full rights of way over the land and there is no trespass.
 2. That access to an event was rerouted at the last minute. This did occur and was done in conjunction with Police in the particular circumstances relevant on the day and with no opportunity for consultation.
 3. Loss of residential amenity by reason of noise from traffic, the volume of that traffic, and associated allegations related to public safety and prevention of nuisance. Our clients have full rights of way over the access way and are not restricted in relation to the volume or type of traffic. We are not aware of any complaints to the Police, Environmental Health, or others from any person other than Emma Griffin, and are not aware of any intervention by either Police, Environmental Health, or others as a result of the behaviour of persons using the access way.
 4. Damage to her conifer trees. These trees had been regularly trimmed by our clients as part of the maintenance of the right of way to which they are entitled.
 5. Irregularities on the licence application form relating to two issues: -
 - a) access, and

b) whether there was a failure to refer to houses within a quarter of the mile of the event.

There is nothing in either of these complaints. The event organisers enjoy rights of way over the access for all purposes and at all times. The property owned by Emma Griffin even if it is within a quarter of a mile of the event as alleged it is not solely in residential use, it is a commercial property.

We attach the following for your information: -

1. A copy of the transfer to our client from Nick Griffin dated 24th February 2006.
2. A copy of our letter to Messrs Ashtons Solicitors, solicitor for both Emma Griffin and Buffalo Lodge Ltd, dated 11th July 2023 (written at a time when we had not seen the transfer to Buffalo Lodge Retreat Ltd).

We would respectfully suggest that for the purposes of our clients' Premises License, the position is sufficiently clear that our clients have a right of way over the access leading to our clients' premises. Indeed, to suggest otherwise is ludicrous.

We will be pleased to assist further should you require further information from us.

Yours faithfully,


FULCHERS

Enc.

1. Stamp Duty

Place "X" in the appropriate box or boxes and complete the appropriate certificate.

It is certified that this instrument falls within category in the Schedule to the Stamp Duty (Exempt Instruments) Regulations 1987

It is certified that the transaction effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds the sum of

It is certified that this is an instrument on which stamp duty is not chargeable by virtue of the provisions of section 92 of the Finance Act 2001

2. Title number(s) out of which the Property is transferred *Leave blank if not yet registered.*
BM297543

3. Other title number(s) against which matters contained in this transfer are to be registered, if any

4. Property transferred *Insert address, including postcode, or other description of the property transferred. Any physical excludions, e.g mines and minerals, should be defined. Any attached plan must be signed by the transferor.*

Land and buildings on the northwest side of Mill Road Slapton Leighton Buzzard LU7 9BT as shown edged red on the attached plan

The Property is defined: *Place "X" in the appropriate box.*

on the attached plan and shown *State reference e.g. "edged red".*
edged red

on the Transferor's title plan and shown *State reference e.g. "edged and numbered 1 in blue".*

5. Date 24/02/2006

6. Transferor *Give full name(s) and company's registered number, if any.*
Nicholas Edward Griffin

7. Transferee for entry on the register *Give full name(s) and company's registered number, if any. For Scottish companies use an SC prefix and for limited liability partnerships use an OC prefix before the registered number, if any. For foreign companies give territory in which incorporated.*

Interguide Investment Holding Limited of SPW, Gables House, 239 Regent's Park Road, London, N3 3LF

Altered on 15/11/06 by [Signature] as per Statute 12(1) of the Land Registration Act 2003

Altered on 15/11/06 by [Signature] under Rule 130 of the Land Registration Rules 2003

Unless otherwise arranged with Land Registry headquarters, a certified copy of the Transferee's constitution (in English or Welsh) will be required if it is a body corporate but is not a company registered in England and Wales or Scotland under the Companies Acts.

8. Transferee's intended address(es) for service (including postcode) for entry on the register *You may give up to three addresses for service one of which must be a postal address but does not have to be within the UK. The other addresses can be any combination of a postal address, a box number at a UK document exchange or an electronic address.*
As panel 7

9. The Transferor transfers the Property to the Transferee

10. Consideration Place "X" in the appropriate box. State clearly the currency unit if other than sterling. If none of the boxes applies, insert an appropriate memorandum in the additional provisions panel.

The Transferor has received from the Transferee for the Property the sum of *In words and figures.*

Insert other receipt as appropriate. £1,200,000.00 (One Million Two Hundred Thousand Pounds)

The transfer is not for money or anything which has a monetary value

11. The Transferor transfers with Place "X" in the appropriate box and add any modifications.

full title guarantee limited title guarantee

12. Declaration of trust Where there is more than one Transferee, place "X" in the appropriate box.

The Transferees are to hold the Property on trust for themselves as joint tenants

The Transferees are to hold the Property on trust for themselves as tenants in common in equal shares

The Transferees are to hold the Property *Complete as necessary.*

13. Additional provisions

Use this panel for:

- *definitions of terms not defined above*
- *rights granted or reserved*
- *restrictive covenants*
- *other covenants*
- *agreements and declarations*
- *other agreed provisions.*

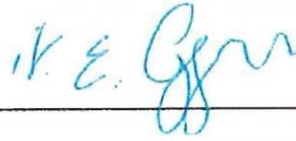
The prescribed subheadings may be added to, amended, repositioned or omitted.

The land edged green is retained by the Seller from this title

14. Execution *The Transferor must execute this transfer as a deed using the space below. If there is more than one Transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains Transferee's covenants or declarations or contains an application by the Transferee (e.g. for a restriction), it must also be executed by the Transferee (all of them, if there is more than one).*

Signed as a deed by NICHOLAS EDWARD GRIFFIN in the presence of:

Sign here



N. E. Griffin
SOLICITOR

HILLIERS SOLICITORS
THE OLD VICARAGE
BEDFORD ROAD, KEMPSTON
BEDS MK42 8BQ

Signature of witness

Name (in BLOCK CAPITALS) NICHOLAS EDWARD GRIFFIN

Address

Signed as a deed by INTERGUIDE INVESTMENT HOLDING LIMITED acting by a director and its secretary

Sign here

Director

Secretary

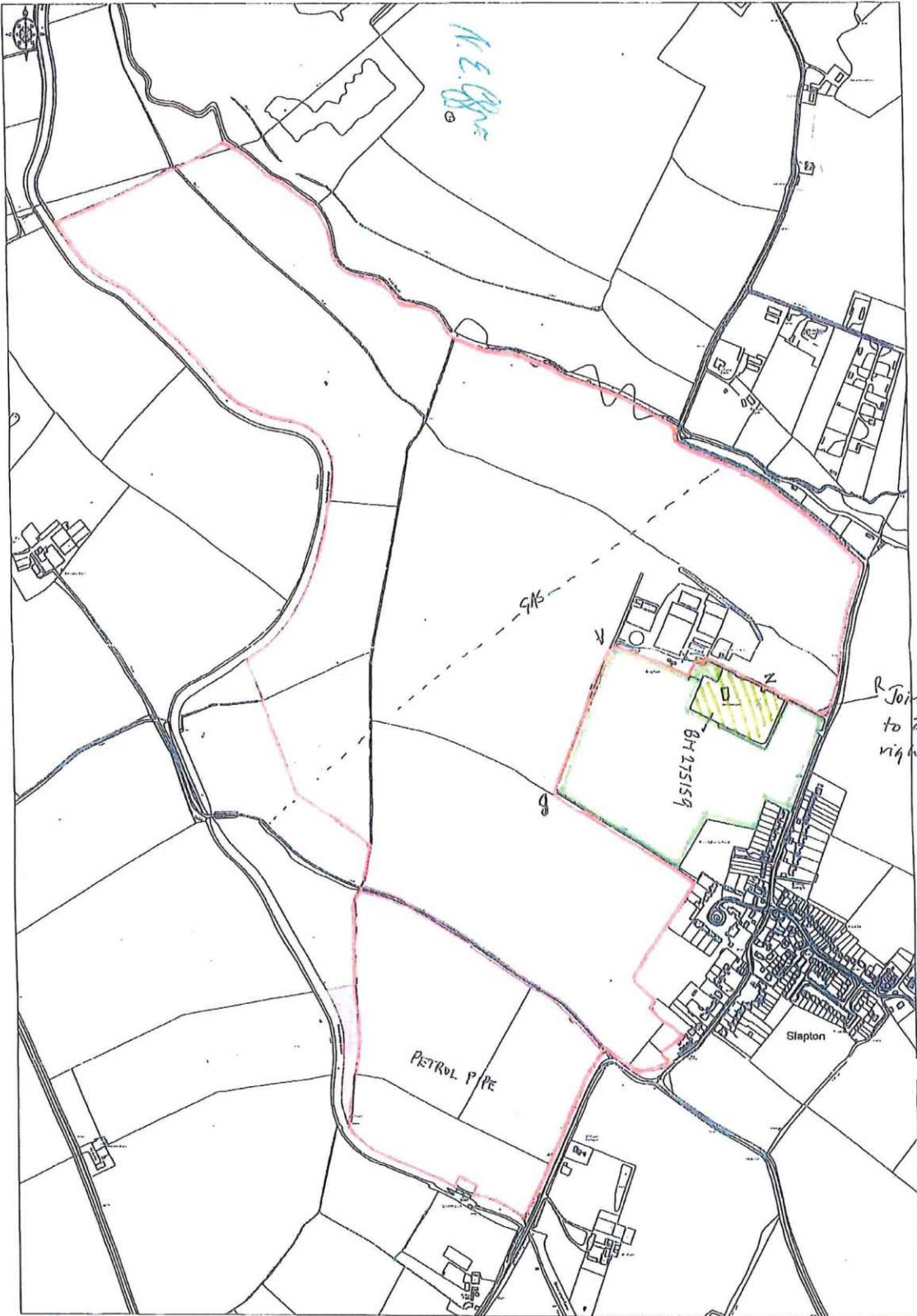
BT 275159 (rivers)
The Property - unregistered
Retained Land

The Property to be sold 107.96 Ha (266.76 Acres)
BM 297543

N.E. Griffin to A Dugard

Bury Farm
Slapton

A-B = Seller to fence within 3 months
R-Z-X = Access road currently in
title BM 275159



Joint maintenance
to Z + full
right of way

FULCHERS

S O L I C I T O R S

15 COVE ROAD, COVE, FARNBOROUGH, HAMPSHIRE GU14 0EH
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Ashtons Legal,
The Long Barn,
Fornham Business Court,
Fornham St. Martin,
Bury St. Edmunds, Suffolk.
IP31 1SL
Sheree.Richardson@ashtonslegal.co.uk;
Kirsteen.Durrant@ashtonslegal.co.uk

Your Ref: SRDR/LGL
Our Ref: KI/sjw/INTERGUIDE/I083-9
11th July, 2023

Dear Sirs,

Your Client: Buffalo Lodge Retreat Limited
Our Client: Interguide Group Limited

Thank you for your email and attached letter dated 20th June.

We are well aware who your client is and we are also aware that your client's Director and shareholder is Emma Griffin for whom you acted and as far as we are aware still do act. We will not repeat what has been said to you in relation to Emma Griffin leaving you to consider your own file.

You are obviously not in possession of a suitably clear plan attached to the Transfer dated 24th February 2006. The Plan in our possession clearly shows the green edging not encroaching onto the Access Road and the red edging covering the entire Access Road with the exception of the passing place and another entrance to the land owned by your client Emma Griffin. The plan also contains a clear endorsement, "joint maintenance to Z and full right of way". Point "Z" appears to be the entrance to the land owned by your client Emma Griffin.

The Access Road is labelled R-Z-X.

The Transfer states that the land edged red is transferred to Interguide Investments Holding Limited and therefore the sensible interpretation is that rights of way were reserved in favour of Emma Griffin over that portion of the Accessway marked Z-R on the basis that it will be jointly maintainable and that she should have full rights of way.

The only error on the TP1 was the omission of the second title number.

If for arguments sake your clients position is correct and that title to the Accessway did not pass to Interguide Investment Holdings Limited then we would suggest that the interpretation of the annotations on the Transfer Plan is that the Accessway R-Z-X was to provide rights of way to both Emma Griffin's land and the land passing to Interguide Investments Holding Limited as otherwise

Partners: Kevin Izod ACIS Solicitor Advocate, Noelle Dimmick LLB (Hons) Solicitor,
Associates: Shellee Miller LLB (Hons) Solicitor, Varinder Bhandal LLB (Hons) Solicitor, Marina Phillips LLB (Hons) Solicitor Advocate
Regulated by the Solicitors Regulation Authority: Registration No. 441925

why would Interguide Investments Holding Limited be responsible for the joint maintenance of the section Z-R and why would Interguide maintain the entire length of the Accessway X-Z-R and the passing place at their expense including doing works to the trees over many years?

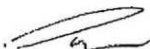
To suggest otherwise is ludicrous.

While you assert that your client is the owner of the land we have seen no evidence of that . We invite you to send a copy of the Transfer dated 12th May 2023 which we assume is in the course of registration.

If the Transfer from your client Emma Griffin to your client Buffalo Lodge Retreat Limited has taken place then both Emma Griffin and your Company client were aware of the claim by our client to title to the Roadway or alternatively to entitlement to rights of way over the roadway and passing place and the Transfer to your Company client must be subject to those rights. If your Company client takes steps to interfere with our clients rights on instructions from Emma Griffin then claims will be made for any damages suffered including claims for the costs of the actions to be paid personally by Emma Griffin. Both the damages and the costs will be significant.

We note that the matter has been reported to the police and we will be interested to know the outcome of their investigation.

Yours faithfully



FULCHERS
Solicitors

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