Licensing Authority:

APPENDIX 1

Temporary Event Notice

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

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

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

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

		of Premises User (P	riease read note 1)	
1. You	r name			
Title	Forenames		Surname	
Miss	Sophie		Matcham	
2. Previous names (if rele		elevant)		
3. You	r date of birth			
4. You	r place of birth		Southampton	
5. Nati	ional Insurance N	lumber		
	i r current addres : espondence box b		to correspond with you unless you complete the separate	
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7. Oth Teleph Daytin Evenin	espondence box be liverdale Road, er contact details none numbers	pelow) Hove, BN3 6FE	to correspond with you unless you complete the separate	
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2 out of 10		
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8. Alternative address for corres different to the previous addres	spondence (Address for correspondence associated with this a	pplication,
9. Alternative contact details (if	applicable)	
Telephone numbers	,	
Daytime		
Evening (optional)		
Mobile (optional)		
Fax number (optional)		
E-Mail address (optional)		
2. The Premises		
address please select the street not (including ordnance Survey reference Higginson Park, High Street		ation
Does a premises licence or club pof the premises)? If so, please er	premises certificate have effect in relation to the premises (or an other the licence or certificate number below.	y part
Premises licence number		
Additional address information		
Do you intend to use the whole of (If no, please give a description as	the premises at this address (Please read note 3) and details below)	Yes N
outlined in TEN area plan. Christmas in the Park is a bringing festive activitie	area of 'Christmas in the Park' in Higginson Pa in innovative, exciting, and high-quality Christ is to the local area. These include a Christmas a mini fairground and The Mistletoe Market.	mas eve
Please describe the nature of the	premises below. (Please read note 4)	
The premises is an open, g	rassland, public park.	
Please describe the nature of the	event below. (Please read note 5)	
This area is at the entran to shop, grab a bite to ea music. This area will be o	for in this application is The Mistletoe Market are of the event site and offers visitors the open to the public from 15:00 to 22:30, with livervals of background music) between these hours.	portunit and live e music

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Licensing Authority: Wycombe District Council Ref:

Licensing Additionty: Wycombe District Council				
3. The Licensable Activities				
Please state the licensable activities that you intend to carry on at the premilicensable activities you intend to carry on - either double click with the mourelevant field). (Please read note 6)	ses (please ma se, or press th	rk an "X" next t e space bar in t	to the he	
The sale by retail of alcohol				X
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club				
The provision of regulated entertainment				X
The provision of late night refreshment				
Are you giving a late temporary event notice? (Please read note 7)				
Please state the date and times on which you intend to use these premises note 8) Please give times in 24 hour clock. eg. 19:00. (Please read note 9)	s for licensable)	e activities. (Ple	ease read	t
Start Date 15/12/2022 Time 15:00 End Date 21/	/12/2022	Time 22:	45	
Please state the maximum number of people at any one time that you intent at the premises during the times when you intend to carry on licensable ac staff, organisers or performers. (Please read note 10)	nd to allow to be tivities, including	pe presenting any	499)
If the licensable activities will include the supply of alcohol, please	On the prem	nises only		
state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box).	Off the prem	nises only		
(Please read note 11)	Both			X
Please state if the licensable activities will include the provision of relevant times during the event period that you propose to provide relevant entertain not applicable			tate the	

4. Personal Licence Holders (Please read note 13)				
			Yes	No
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)				
If "Yes" please provide the details of your personal licence below.				
Issuing licencing authority	New Forest District Council			
Licence number	1735/2			
Date of issue 24/12/2010				
Date of expiry	n/a			
Any further relevant details				

5. Previous Temporary Event Notices you have given (Please read note 14)				
	Yes	No		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	X			
(Please mark an "X" in the box that applies to you)				
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	•	4		
	Yes	No		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or	X			
b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)				

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Licensing Authority: Ref:

6. Associates and business colleagues (Please read note 15)				
Has any associate of yours given a temporary event notice for an event in the same calendar	Yes	No		
year as the event for which you are now giving a temporary event notice?		X		
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year				
Has any associate of yours already given a temporary event notice for the same premises in which the event period:				
a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No		
(Please mark an "X" in the box that applies to you)		X		
Has any person with whom you are in business carrying on licensable activities given a	Yes	No		
temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)				
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.				
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:				
a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No		
(Please mark an "X" in the box that applies to you)		X		

7. Condition (Please read note 16)

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

eclaration B. Declarations (Pleas	se read note 17)	
3. Declarations (Pleas	se read note 17)	
3. Declarations (Pleas	se read note 17)	
8. Declarations (Pleas	se read note 17)	
o. Declarations (Pleas	se read noie 17)	
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	d in this form is correct to the best of my knowledge and belief.	
I understand that it is an o		
	ssly make a false statement in connection with this temporary event notice a summary conviction for such an offence to a fine of any amount; and	ınd
,	,	
	ised licensable activity to be carried on at any place an that a person is liable	
on summary conviction fo exceeding six (6) months,	or any such offence to a fine of any amount, or to imprisonment for a term n	ot
	,	
Please tick the box if you	agree with the declarations above.	
Date	20/10/2022	
	Sophie Matcham	
Name of Person signing		
or completion by the Lice	ensing Authority	
9. Acknowledgement	t (Please read note 18)	
9. Acknowledgement	t (Please read note 18) this temporary event notice.	
9. Acknowledgement	t (Please read note 18)	
9. Acknowledgement	t (Please read note 18) this temporary event notice.	
9. Acknowledgement	t (Please read note 18) this temporary event notice.	
9. Acknowledgement I acknowledge receipt of t SIGNATURE	t (Please read note 18) this temporary event notice.	
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9. Acknowledgement I acknowledge receipt of t SIGNATURE	t (Please read note 18) this temporary event notice.	
9. Acknowledgement I acknowledge receipt of t SIGNATURE	t (Please read note 18) this temporary event notice.	
9. Acknowledgement I acknowledge receipt of t SIGNATURE Name of Officer Signing	this temporary event notice. DATE On behalf of the Licencing Authority	
9. Acknowledgement I acknowledge receipt of t SIGNATURE	t (Please read note 18) this temporary event notice.	

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Page 6 out of 1	w

Licensing Authority: Wycombe District Council

Ref:

NOTES

General

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

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

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

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

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

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

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

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

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

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

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

Licensing Authority: Wycombe District Council

Ref:

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

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

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

Note 1

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

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

Note 2

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

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

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

Page 8 out of 10

Licensing Authority: Wycombe District Council

Ref:

Note 3

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

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

Note 4

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

Note 5

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

Note 6

The licensable activities are:

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

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

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

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

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

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

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

Page 9 out of 10

Licensing Authority: Wycombe District Council

Ref:

Note 7

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

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

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

Note 8

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

Note 9

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

Note 10

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

Note 11

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

Note 12

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

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

Note 13

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

Note 14

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

Page 10 out of 10

Licensing Authority: Wycombe District Council

Ref:

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

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

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

Note 15

An "associate" of the proposed premises user is:

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

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

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

Note 16

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

Note 17

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

Note 18

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

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Licence Case Type	New		
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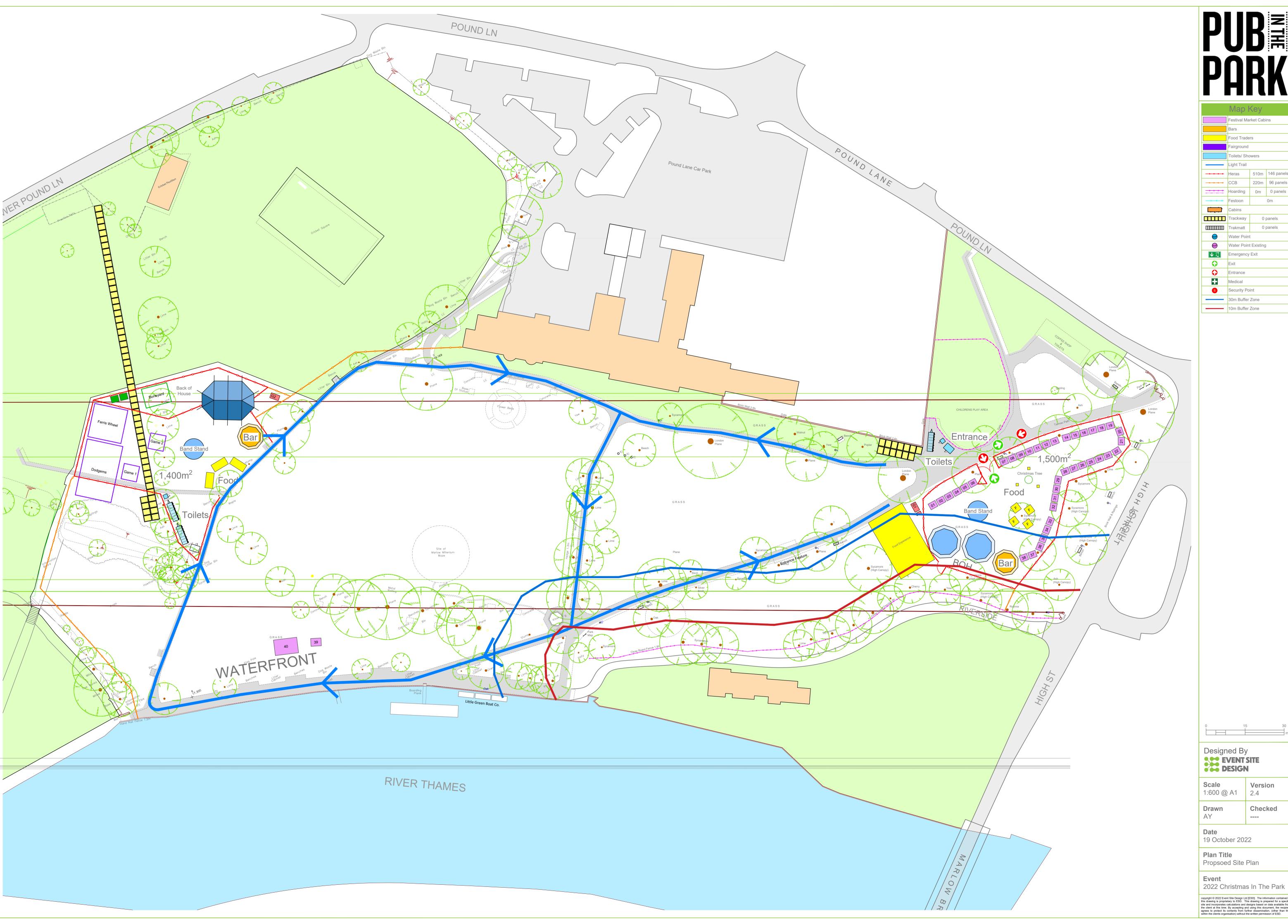
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Applicant Email	sophiem@brandevents.co.uk
Current Date	20/10/2022 17:15:10 Date From
Form data set reference	Sophie, Matcham
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Has been E-Signed	
Date/Time Submitted to main server	Data Validation Reference
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Form Database	
Primary Record ID	Secondary Record ID
Department Name	Form Status
Department Classification	
User Classification	
Department Case Reference	
User Record Id	
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Form History	
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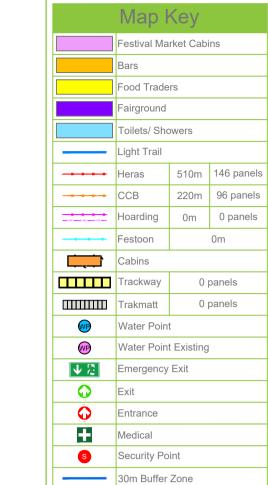


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Pages with forced error checking Pages that override forced error checking Last visible page: Unregistered users 10 Registered users: 10 Expert users: 10 Default branding file: UK Revenues & Benefits Branding (1.0) e.g. 'UK Revenues & Benefits Branding (1.0)	Overide for TXT version 10 evenues & Benefits Branding (1.0)' ria Forms UK Government Data (1.0)' Page no for thumbnail

Page 1 - Start Page					
Temporary Event Notice					
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Office opening hours					
Monday to Thursday 8.45am to 5.15p Friday 8.45am to 4.45pm	m				
Please click the Next button to continu	ue				
FOR OFFICIAL USE ONLY	Form Filename				
Title Customer Name Miss Sophie, Matcham	Form Reference	Sophie, Matcham			
DOB NINO	Notes Caps Reference				
TEL					
Email sophiem@brandevents.co.uk Customer Address					
27 Silverdale Road, Hove, BN3 6FE					
Date Form Started 20/10/2022 17:06:13					
Date of E-signing					
Date Submitted Data Validation Ref					
Occupancy type					
Advisor Name (who started form)					
Advisor Department					





Scale	Version
1:600 @ A1	2.4
Dressure	Chaakad

Checked

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Designed By

EVENT SITE

DESIGN

1:600 @ A1 2.4

Version Checked

Plan Title

2022 Christmas In The Park

Form Name: Application Temporary Event Notice (1.2).wdf Form Reference: Sophie, Matcham Record ID: 247036 Date Exported: 20/10/2022 17:15:00



Form Name: Application Temporary Event Notice (1.2).wdf Form Reference: Sophie, Matcham Record ID: 247036 Date Exported: 20/10/2022 17:15:00

Additional notes to support TENs application

The site plan (V2.4) provided shows the entire event site. The area in which the licence is being applied for is outlined in the document titled: TEN area 1 - The Mistletoe Market.

As requested by the SAG, this TENs is being submitted with the clause: The organisers shall make all reasonable efforts to manage and work to the controls and arrangements laid out within the relevant ESMP, so far as is reasonably practicable.

Initial Event Safety Management Plan, Traffic Management Plan and Noise Management plan were submitted to the SAG for review and feedback on 03/10/2022.

Follow up documents, as requested by the SAG, are being drawn up and will be submitted as soon as possible.

Sophie Matcham

20/10/2022