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12 April 2010

To: Chairman – Councillor A Riley
Members of the Licensing (2003 Act) Sub-Committee – Councillors
Richard Barrett and Mervyn Loynes

Applicant: Mr M Radford, Burwash Manor Farm, Barton, Cambridge CB23 7BD

Representee(s): See attached list (for attendees at the hearing only)

Dear Sir/Madam

Please find below the agenda, and attached the relevant papers, for the hearing by the **LICENSING (2003 ACT) SUB-COMMITTEE** of the application for a premises licence at the Secret Garden Marquee, Burwash Manor, New road, Barton. The hearing will be held in the **MONKFIELD ROOM, FIRST FLOOR** meeting room at South Cambridgeshire Hall on **TUESDAY, 20 APRIL 2010 at 9.30 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

	PAGES
1. LIST OF REPRESENTEEES	1 - 2
The list of representees is restricted to attendees at the hearing	
2. INTRODUCTIONS / PROCEDURE	3 - 4
The Chairman of the Sub-Committee will introduce the members of the Panel and the officers in attendance at the hearing.	
A copy of the Licensing (2003 Act) Committee procedure is attached.	
3. DECLARATIONS OF INTEREST	
4. APPLICATION FOR PREMISES LICENCE, SECRET GARDEN MARQUEE, BURWASH MANOR, NEW ROAD, BARTON	5 - 36

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

While the District Council endeavours to ensure that visitors come to no harm when visiting South Cambridgeshire Hall, those visitors also have a responsibility to make sure that they do not risk their own or others' safety.

Increased hygiene at South Cambridgeshire Hall

In light of the swine flu pandemic, we have intensified our usual cleaning routines in council buildings. We have also introduced hand gel dispensers throughout the offices, including public areas. When visiting South Cambridgeshire Hall you are encouraged to use these facilities if and when required to help limit the spread of flu.

Security

Members of the public attending meetings in non-public areas of the Council offices must report to Reception, sign in, and at all times wear the Visitor badges issued. Before leaving the building, such visitors must sign out and return their Visitor badges to Reception.

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

- **Do not** use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If someone feels unwell or needs first aid, please alert a member of staff.

Access for People with Disabilities

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee, sub-committee or other sub-group of the Council or the executive.

Banners, Placards and similar items

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

Smoking

Since 1 July 2008, the Council has operated a new Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

Mobile Phones

Visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings or are switched off altogether.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
LICENSING (2003 ACT) COMMITTEE**

HEARING PROCEDURE

1. Introduction

- The Chairman of the sub-committee will welcome and introduce everyone present, giving explanations of roles where necessary, and outline the procedure to be followed.
- The hearing will take the form of a discussion to be led by the sub-committee.
- Members of the sub-committee will be able to ask questions of any party, or the Licensing Officer, at the hearing. They will try, so far as possible, to ask their questions at the conclusion of each party's submission.
- The sub-committee will consider any requests for permission to ask questions of other parties. It will decide if questions are required in order for it to consider the case properly. If permission is given to one party, it will usually be given to all other parties.
- The Chairman may ask any person behaving in a disruptive manner to leave and may refuse to permit that person(s) to return or may permit them to return with specified conditions. Such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.
- Members of the sub-committee will be asked to make any Declaration of Interests.

2. Witnesses

The sub-committee will consider any requests from any of the parties to call witnesses.

3. New evidence/information

The sub-committee will consider any requests for permission to present new evidence or information not previously disclosed to all the parties and the sub-committee prior to the hearing. The general rule is that such information or evidence must not be considered unless all parties at the hearing agree to it being considered on the day of the hearing. A request may be made for a short adjournment to allow time for everyone to receive copies of the extra information and time to read it.

4. Allocation of time

Each party will be asked for a time estimate for the presentation of their case. The sub-committee will hear all estimates and then allocate each party an equal amount of time to speak.

5. Licensing Officer's report

The Council's Licensing Officer will outline details of the application and representations received by the council. No recommendation to members will be made.

6. Applicant's case

The applicant will present their case first. They have a right to:

- address the sub-committee on any points of clarification the council has sought;
- address the committee generally; and
- call any witnesses that they have been given permission to call. Witnesses may be cross-examined if permission is granted. If this happens, the time taken for questions will count towards the allocated time of the party asking the questions, not the party answering them.

Members of the sub-committee may ask questions of the applicant.

7. Police representations

The Police will make any representations about the application, with the same rights as listed at s.6. Members of the sub-committee may ask questions of the police representative.

8. "Responsible authorities" representations

Other "responsible authorities" (Police/Fire/Environmental Health Officer/Social Services/Trading Standards/Planning Directorate) will then make representations, with the same rights as listed at s.6.

Members of the sub-committee may ask questions of those authorities represented.

9. Any other representations

Anybody else making representations will go last, with the same rights listed at s.6.

Members of the sub-committee may ask questions of any person who has made a representation.

10. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked to outline any relevant legal guidance.

11. Decision-making

The sub-committee will remain in the room to make its decision. The Council's Legal Officer and Democratic Services Officer will also remain with members to advise where necessary and take notes of the decision. All other persons present will vacate the room.

12. Notification of decision

Depending on the nature of the application, a determination of the case will either be made at the conclusion of the hearing, or within 5 working days. In most cases, all parties will be notified of the decision in writing.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing (2003 Act) Sub-Committee 20 April 2010
AUTHOR/S: Executive Director, Operational Services / Principal Environmental Health Officer

**APPLICATION FOR PREMISES LICENCE:
SECRET GARDEN MARQUEE, BURWASH MANOR, NEW ROAD, BARTON**

The Application

1. The application (**APPENDIX A**) for premises known as Secret Garden, Burwash Manor Farm, Barton was received by the licensing section on the 1 March 2010. The requirements for advertising and displaying relevant notices were carried out in accordance with the Licensing Act 2003, and to the satisfaction of the Licensing Officer.

Background

2. The premises is a permanently erected "T" shaped marquee measuring 60ft by 20ft and the leg of the "T" being a further 20ft by 20ft. The outside part of the application is within the walled garden within the grounds of Burwash Manor Farm. Burwash Manor Farm itself is a private building occupied by Mr Radford with a number of outbuildings that have been converted for use as office and retail space predominantly used during normal office hours. There are residential properties bordering the boundary of the farm (see **APPENDIX B**). There is car parking available in an adjacent field to the premises, which is accessible via an entrance from New Road.
3. Mr Radford has had previous events at the marquee as referred to in a number of representations, some of which were covered by Temporary Events and some which appeared to be unlicensed. Following complaints during 2009, Mr Radford was contacted by the Licensing section and advised that to continue to hold events without either a Temporary Events Notice or a premises Licence would result in a report being filed with a view to prosecution under the Licensing Act 2003 (**APPENDIX C**). This has led to the application being submitted as outlined in this report.
4. The application is for: -
 - **To allow the provision of Plays (Indoors & Outdoors)**
Monday to Sunday 16.00 hours to Midnight
 - **To allow for the provision of Films (Indoors & Outdoors)**
Monday to Sunday 16.00 hours to Midnight
 - **To allow Live Music (Indoors & Outdoors)**
Monday to Sunday 10.00 hours to Midnight
 - **To allow Recorded Music (Indoors & Outdoors)**
Monday to Sunday 10.00 hours to Midnight
 - **To allow Performance of Dance (Indoors & Outdoors)**

- Monday to Sunday 16.00 hours to Midnight
- **To allow Anything of a Similar Description to (e), (f) or (G) (Indoors & Outdoors)**
Monday to Sunday 12.00 hours to Midnight
- **To allow the Provision of Facilities for Dancing (Indoors & Outdoors)**
Monday to Sunday 12.00 to Midnight
- **To allow Provision of facilities for entertainment of a similar description falling within (i) or (J) (Indoors & Outdoors)**
Monday to Sunday 12.00 hours to Midnight
- **To allow Late Night Refreshment (Indoors & Outdoors)**
Monday to Sunday 23.00 hours to 01.00 am
- **To allow the Supply of Alcohol (On the Premises)**
Monday to Sunday 10.00 hours to 00.30 hours (Midnight +30 Mins)
- **To allow Premises Open to Members of the Public**
Monday to Sunday – 08.00 to 02.00

Relevant Representations

5. Representations had been received from:

Local Residents
Environmental Health
Letters attached as (**APPENDIX D**)

Officer's Views

6. When considering the application, the Sub-Committee should be aware that they must consider the individual merits and where representations have been made it is only the representations that relate to one of the four licensing objectives that may be taken into consideration, namely:-
- Prevention of public nuisance.
 - Prevention of crime and disorder.
 - Public safety.
 - Protection of children from harm.

Each objective is of equal importance

7. The Sub-Committee is also reminded they have three options when determining the application:
1. Reject the application
 2. Approve the application
 3. Modify the application in respect of times, activities or conditions, or any variation as they deem appropriate and proportionate.
8. When considering the application, regard should be given to the particular characteristics of the premises, in this case a marquee rather than a brick built building and the differing impact it may have on the local community.

9. When considering the application the Sub-Committee are guided to the guidance issued by Central Government under S.182 and South Cambridgeshire's Licensing Policy

Policy Considerations

10. Guidance issued under section 182 of the Act outlines a number of conditions that may be used to promote the four objectives. Whilst this list is not exhaustive it is an indication to applicants of the conditions that may be considered appropriate in individual cases.
11. It should be noted that in addition to any relevant conditions placed on a premise that it is unlawful under the 2003 Act:
- 1) To knowingly sell or supply or attempt to sell or supply alcohol to a person who is drunk
 - 2) To knowingly allow disorderly conduct on licensed premises
 - 3) for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
 - 4) To allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol.

Conditions enforcing these arrangements will therefore be unnecessary

Conditions relating to the prevention of public nuisance.

- a) *Consideration may be given to conditions that ensure that:*
- 1) *Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties*
 - 2) *Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.*
 - 3) *The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in the surrounding areas are restricted.*
 - 4) *The placing of refuse - such as bottles- into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.*
 - 5) *Noxious smells from the licensed premises are not permitted (subject to existing legislation not providing adequate measures) so as to cause a nuisance to nearby properties and the premises are properly vented.*
 - 6) *Flashing or particularly bright lights on or outside licensed premises (any such condition must be balanced against the benefits of providing lighting to promote the prevention of crime and disorder).*
- b) *Hours*

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or club premises certificate for the prevention of public nuisance:

- 1) *Conditions may be placed on premises restricting (other than where they are protected by the transitional provisions of the Act) the hours during which premises are permitted to be open to the public or to members and their guests.*
- 2) *Restrictions may be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times*
- 3) *Restrictions may be necessary on parts of a premise used for certain licensable activities at certain times.*

2. Conditions relating to Crime and Disorder

a) Door Supervisors (registered with the Security Industries Authority)

The Local Authority recognises that in applications where door supervisors are referred to in the operating schedule conditions relating to door supervisors are mandatory. Where conditions are attached relating to the provision of door supervisors and security they may be valuable in:

1. preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
2. keeping out excluded individuals (subject to court bans or bans imposed by licence holder);
3. Searching and excluding those suspected of carrying illegal drugs or carrying offensive weapons and;
4. maintaining orderly queuing outside venues

Where door supervisors are to be a condition of a licence they are required to be licensed through the Security Industries Authority in line with the Securities Industry Act 2000.

b) Bottle bans

It is recognised that glass vessels (ie bottles and glasses) may be used as weapons inflicting serious harm during incidents of disorder. Conditions may include:

1. No bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar
2. No customer carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

In appropriate circumstances conditions may exempt bottles containing wine or similar sold for consumption with a table meal by customers who are seated in a separate area from the bar.

c) CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions may include:

1. The need to have CCTV cameras on the premises
2. The precise positioning of each camera
3. The requirement to maintain cameras in good working order
4. The requirement to retain recordings for an appropriate period.

d) *Other conditions that may be considered relevant to promote the reduction of crime and disorder may include:*

1. Restriction on drinking areas
2. Capacity limits
3. Proof of age cards
4. Crime prevention notices
5. Signage at or immediately outside the premises
6. Use of plastic containers and toughened glass

Conditions Relating to Public Safety (including fire safety)

Conditions relating to public safety will be those that are necessary to promote the objective of public safety for individual premises or clubs. They should not duplicate other legal requirements. Equally the attachment of conditions to a premises licence or club premises certificate will not relieve employers of the statutory duty to comply with the requirements of Health and Safety legislation and the requirements under the management of Health and Safety at Work regulations 1999 and the Fire Precautions (Workplace) regulations 1997 to undertake risk assessments.

Conditions enforcing these arrangements will therefore be unnecessary.

Where existing legislation does not provide adequately for the safety of the public consideration may be given to conditions covering:

a) *Disabled people*

- 1) ***Adequate arrangements to enable their safe evacuation in the event of an emergency.***
- 2) ***Disabled people on the premises are made aware of those arrangements***

b) *Escape routes*

- 1) ***All exit doors are easily openable without the use of a key, card, or similar means***
- 2) ***Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.***
- 3) ***Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff***
- 4) ***All fire doors are maintained effectively self closing and shall not be held open other than by approved devices (For example, electromagnetic releases operated by smoke detectors).***
- 5) ***Fire resisting doors to ducts, service shafts, and cupboards shall be kept locked shut.***
- 6) ***The edges of treads of steps and stairways are maintained so as to be conspicuous.***

c) *Safety Checks*

- 1) ***Safety checks are carried out before the admission of the public and details of such checks are kept in a log book.***

d) *Curtains, Hangings, Decorations and upholstery*

- 1) ***Hanging, curtains and temporary decorations are maintained in a flame-retardant condition***
- 2) ***Any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1, and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990.***
- 3) ***Curtains, hangings and temporary decorations are arranged so as not to obstruct exits, fire safety signs, or fire fighting equipment.***
- 4) ***Temporary decorations are not used without prior notification to the Licensing Authority/Fire Authority.***

e) *Accommodation limits*

- 1) ***Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate are not exceeded***
- 2) ***The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and required to inform any authorised person on request.***

f) *Fire action notices*

- 1) ***Notices detailing the actions to be taken in the event of a fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration***
- 2) ***In the case of an outbreak of fire the fire brigade must be called at once to any outbreak, however slight and the details recorded in a Fire Log Book – to be kept available for inspection by the Council or an authorised officer***
- 3) ***The local Fire Control Centre is notified as soon as possible if the water supply to any fire extinguishing equipment is cut off or restricted.***

g) *Access for emergency vehicles and first aid.*

- 1) ***Access for emergency vehicles is kept clear and free from obstruction.***
- 2) ***Adequate and appropriate supply of first aid equipment and materials is available on the premises***
- 3) ***At least one suitably trained first-aider shall be on duty when the public are present and if more than one suitably trained first-aider that their respective duties are clearly defined.***

H *Lighting*

- 1) ***In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present***
- 2) ***Fire safety signs are adequately illuminated***
- 3) ***Emergency lighting is not altered***
- 4) ***Emergency lighting batteries are fully charged before the admission of the public, guests and members***
- 5) ***In the event of failure of normal lighting where the emergency lighting has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged. If the emergency lighting battery has a capacity of***

three hours the appropriate period by the end of which the public should have left is one hour.

K) *Alterations to premises*

1) ***Alterations that make it impossible to comply with an existing condition to premises should be notified to the Local Authority***

2) ***The holder of the premises licence should apply for a variation to the existing licence should any alterations make it impossible to comply with any existing condition.***

Conditions relating to the protection of children from harm

a) **Age Restrictions – specific**

1. The hours of day during which age restrictions may or may not apply. For example, the fact that adult entertainment may be present at premises in the evening does not mean that it would be necessary to impose age restrictions for earlier parts of the day.
2. Types of event or activity where consideration for age restrictions may be appropriate include “Happy Hours” or drinks promotion nights or activities of an adult nature.

b) **Age Restrictions – Cinemas**

1. That when films are classified, by either the Film Classification Body as specified in the licence or the Licensing Authority they will be classified in the following way:
 - U – Universal, suitable for audiences four years and over
 - PG – Parental Guidance. Some scenes may be unsuitable for young children.
 - 12A – Passed only for viewing by persons aged over 12 years or older or persons younger than 12 years when accompanied by an adult.
 - 15 – Passed only for viewing by persons aged 15 years and over
 - 18 – Passed only for viewing by persons aged 18 years of age and over
2. Conditions may require that immediately before any exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited for at least 5 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the board or, as regards a trailer advertising a film, of the statement approved by the board indicating the classification of the film.
3. Conditions that where the Local Authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises to make people aware of the classification attached to any film or trailer.

c) **Conditions relating to Children`s access to Theatres and performances especially for children.**

- 1) Types of event or activity where consideration for age restrictions may include activities of an adult nature.
- 2) Conditions may require a sufficient number of adult staff on the premises to ensure the well being of children on the premises during any emergency
- 3) Where performances are presented especially for unaccompanied children in theatres and cinemas, conditions requiring an attendant be stationed in any area occupied by the children, in the vicinity of each exit or subject to a minimum of one attendant per 50 children on each level occupied by children.

d) Children in performances

- 1) Venue – The backstage facilities should be large enough to accommodate safely the number of children taking part in any performance
- 2) Fire safety – All chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.
- 3) Special effects – It may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights which may trigger adverse reactions especially with regard to children.
- 4) Care of Children- Children performing at such premises should be kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises.

e) Proof of Age cards

Conditions may be attached to premises where alcohol is sold requiring the production of proof of age cards before any sale of alcohol takes place.

The Portman Group operates a code of practice on the naming, packaging and promotion of Alcoholic Drinks. The code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years or older. Via its website and in the trade press it issues bulletins notifying retailers of products that breach this code and asks them not to re-stock or display any such product or point of display material until such time as the code is complied with.

In certain circumstances it may be necessary to attach conditions requiring premises to comply with the Portman Group Code of Practice.

Legal Implications

12. All parties will maintain a right of appeal to a Magistrates Court after the determination of this committee.

Contact Officer: Myles Bebbington – Licensing officer
Telephone: (01954) 713024

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

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/we MICHAEL RADFORD..... apply for a premises licence under section 17 of
(Insert name(s) of applicant)
**the Licensing Act 2003 for the premises described in Part 1 below (the premises)
and I/we are making this application to you as the relevant licensing authority in
accordance with section 12 of the Licensing Act 2003**

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>SECRET GARDEN MARQUEE, BURLWASH MANOR, NEW ROAD, BARTON</u>	
Post town <u>CAMBRIDGE</u>	Post code <u>CB23 7ED</u>

**APPROVED FOR
PAYMENT**

Telephone number at premises (if any)	<u>01223 263423</u>
Non-domestic rateable value of premises	<u>£4950.0</u>

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

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- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT_(if applicable)

Mr Mrs Miss Ms Other title
 (for example, Rev)

Surname

First names

Please tick
 ✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

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

Day	Month	Year

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

Please give a general description of the premises (please read guidance note 1)

THE PREMISES CONSIST OF A PERMANENTLY ERECTED 'T' SHAPED MARQUEE (60' x 20'; THE LEG OF THE 'T' BEING A FURTHER 20' x 20') SET IN A SECLUDED WALLED GARDEN IN THE GROUNDS OF BURWASH MANOR.

THE MARQUEE IS ATTACHED TO A BRICK BUILDING WHICH HOUSES THE KITCHEN, BAR AND LAVATORIES, AND IS PARTIALLY HIDDEN BEHIND A BRICK WALL.

THE GARDEN ITSELF IS LOCATED WHOLLY IN THE GROUNDS OF BURWASH MANOR, SOME 300 YARDS FROM NEW ROAD IN BARTON, DOWN A PRIVATE DRIVE.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon	16.00	24.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>	
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4) THE USE OF THE MARQUEE FOR THIS PURPOSE IS LIKELY TO BE VERY RARE		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon	16.00	24.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4) THE USE OF THE MARQUEE FOR THE THE SHOWING OF FILMS IS LIKELY TO BE VERY RARE		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list.</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y]</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

			<u>Both</u>	

			<u>Please give further details here</u> (please read guidance note 3)	

			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	

			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon	10.00	24.00	Please give further details here (please read guidance note 3) WHEN PLAYED OUTDOORS IT WILL NEARLY ALWAYS BE UNAMPLIFIED, EG. JAZZ QUARTET	Both	<input checked="" type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4) PRINCIPALLY DURING SUMMER MONTHS AND ALMOST ENTIRELY ON SATURDAYS (THE MARQUEE IS A WEDDING VENUE)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) MAXIMUM 6 EVENTS BETWEEN MARCH AND SEPTEMBER		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon	10.00	24.00	Please give further details here (please read guidance note 3) WHEN PLAYED OUTDOORS THE MUSIC WILL BE LIGHTLY AMPLIFIED 'BACKGROUND' MUSIC	Both	<input checked="" type="checkbox"/>	
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4) PRINCIPALLY DURING SUMMER MONTHS AND ALMOST ENTIRELY ON SATURDAYS (THE MARQUEE IS A WEDDING VENUE)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) MAXIMUM 6 EVENTS BETWEEN MARCH AND SEPTEMBER		
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y]. (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	16.00	24.00	Please give further details here (please read guidance note 3) THIS WILL NOT, AT ANYTIME, INCLUDE DANCE OF A SALACIOUS NATURE (SUCH AS STRIPTease, LAP-DANCING)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4) USE OF THE MARQUEE FOR THIS PURPOSE IS LIKELY TO BE VERY RARE		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing MAGIC SHOWS FASHION SHOWS PUPPET SHOWS		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y]. (please read guidance note 2)	Indoor	
	12.00	24.00		Outdoor	
Mon				Both	<input checked="" type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) USE OF THE MARQUEE FOR THESE PURPOSES IS LIKELY TO BE RARE		
Fri					

Sat				<p>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Sun				

<p>Provision of facilities for making music Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the facilities for making music you will be providing</p>							
			<p>Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</p>	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Day	Start	Finish	<p>Please give further details here (please read guidance note 3)</p>							
Mon										
Tue										
Wed										
Thur										
Fri										
Sun										
			<p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p>							
			<p>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>							

<p>Provision of facilities for dancing Standard days and timings (please read guidance note 6)</p>			<p>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</p>						
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Indoors		Outdoors		Both	<input checked="" type="checkbox"/>
Indoors									
Outdoors									
Both	<input checked="" type="checkbox"/>								
Day	Start	Finish	<p>Please give a description of the facilities for dancing you will be providing</p>						
	12.00	24.00							

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4) THIS ACTIVITY WILL BE RELATED ENTIRELY TO ITS USE AS AS A WEDDING VENUE, IE. IN GENERAL ON SATURDAYS ONLY
Thur			
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing KARAOKE	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
	12-00	24-00		Outdoor
Mon				Both ✓
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4) THIS ACTIVITY WILL BE RELATED ENTIRELY TO ITS USE AS A WEDDING VENUE, IE. IN GENERAL ON SATURDAYS ONLY	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	23:00	01:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue					
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4) <i>THIS ACTIVITY WILL BE ALLIED SOLELY TO ITS USE AS A WEDDING VENUE</i>	
Thur					
Fri					
Sat				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)	
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon	10:00	24:30	State any seasonal variations for the supply of alcohol (please read guidance note 4) <i>ALCOHOL WILL BE SUPPLIED MAINLY IN ASSOCIATION WITH THE PREMISES USE AS A WEDDING VENUE IE. ALMOST ENTIRELY ON SATURDAY AFTERNOONS AND EVENINGS</i>	Both	
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					

Sun					
-----	--	--	--	--	--

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

Name... MICHAEL RADFORD

Address... BURLWASH MANOR FARM, BARTON, CAMBRIDGE

Postcode... CB23 7BD

Personal Licence number (if known)

Issuing licensing authority (if known).....

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	8-00	02-00	
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

P

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

TOTAL NUMBER OF EVENTS TO BE RESTRICTED TO 6 PER YEAR.
MOST EVENTS WILL OCCUR ON SATURDAYS, WITH A FEW ON FRIDAYS.
TOTAL ATTENDANCE WILL NOT BE ABOVE 180.

b) The prevention of crime and disorder

THE VENUE IS SOME 300 YARDS FROM THE ROAD AND CAN ONLY SENSIBLY BE ACCESSED BY CAR. THE AREA IS WELL LIT AND COULD BE COVERED BY CCTV (BUT CONSIDERED UNNECESSARY AT PRESENT) THE PREMISES ARE USED AS A WEDDING VENUE - WE DO NOT HAVE DRINKS PROMOTIONS ETC. CAPACITY IS LIMITED TO 180 PEOPLE, WE HAVE 1 CHAIR PER 2 GUESTS.
PROOF OF AGE POLICIES ARE APPLIED.

c) Public safety

A FIRE RISK ASSESSMENT HAS BEEN SUBMITTED SEPARATELY.
3 STAFF MEMBERS ARE FIRST-AID TRAINED.
EMERGENCY NUMBERS ARE DISPLAYED
CAPACITY NUMBERS ARE STRICTLY ADHERED TO

d) The prevention of public nuisance

A SOUND LEVEL LIMITOR IS IN PLACE ON AMPLIFICATION EQUIPMENT. REGULAR PATROLS ARE CARRIED OUT TO ENSURE THAT NOISE LEVELS REMAIN ACCEPTABLE. PRIOR WARNING OF EVENTS IS GIVEN TO LOCAL RESIDENTS. THE CONTACT NUMBER FOR THE DPS IS GIVEN TO LOCAL RESIDENTS. A LOG OF COMPLAINTS IS KEPT. SIGNS REQUESTING QUIET LEAVING WILL BE POSTED.

e) The protection of children from harm

BBFC CLASSIFICATION WILL BE FOLLOWED. GOVERNMENT GUIDELINES ARE FOLLOWED IN RESPECT OF THE SALE OF ALCOHOL INCLUDING PROOF OF AGE AND ACCOMPINEMENT BY AN ADULT. THE PREMISES ARE DESIGNED AS A WEDDING VENUE AND SO WILL NOT BE USED FOR EVENTS UNSUITABLE FOR CHILDREN.

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature [Handwritten Signature]

Date 28-2-10

Capacity OWNER

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

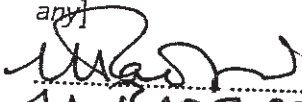
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any) <u>07774 186 486 / 01223 263423</u>	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) <u>info@burwashsecretgarden.co.uk</u>	

Part A

Consent of individual to being specified as premises supervisor

MICHAEL RADERD [full name of prospective premises supervisor]
 of BURWASH MANOR FARM, BARTON, CAMBS
 CB23 7BD [home address of prospective premises supervisor]
 hereby confirm that I give my consent to be specified as the designated premises
 supervisor in relation to the application for premises licence [type of application]
 by Michael RADERD [name of applicant]
 relating to a premises licence [number of existing licence, if any]
 for SECRET GARDEN MARQUEE, BURWASH MANOR
 [name and address of premises to which the application relates]
 and any premises licence to be granted or varied in respect of this application made
 by Michael RADERD [name of applicant]
 concerning the supply of alcohol at THE SECRET GARDEN MARQUEE,
 BURWASH MANOR [name and address of premises to which application relates].
 I also confirm that I am applying for, intend to apply for or currently hold a personal
 licence, details of which I set out below.

Personal licence number [insert personal licence number, if any]
 Personal licence issuing authority
 [insert name and address and telephone number of personal licence issuing authority, if
 any]

 signed
 M. RADERD name (please print)
 26.2.10 dated

PART B

Consent of premises licence holder to transfer

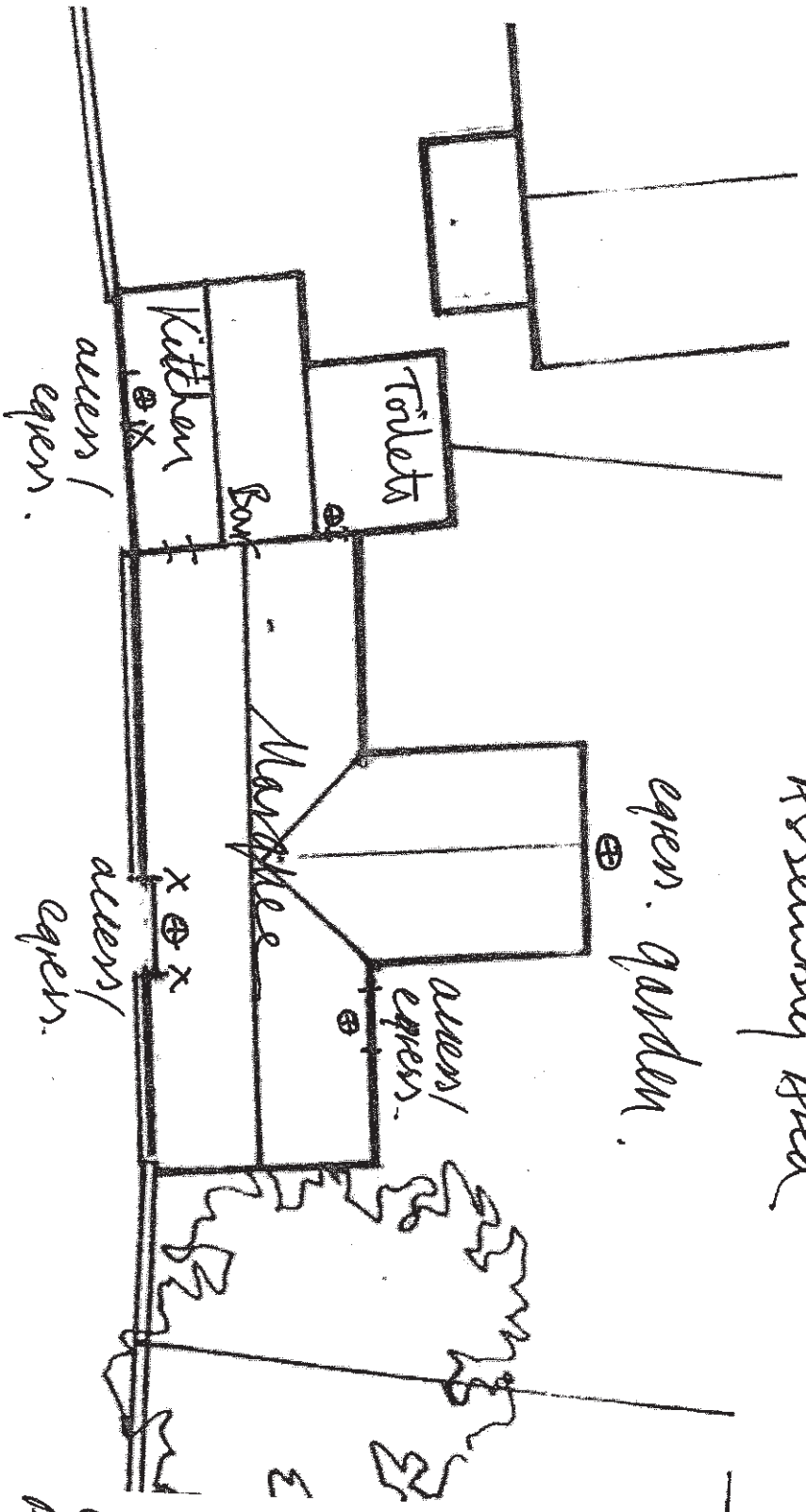
I/we [full name of premises licence holder(s)]
 the premises licence holder of premises licence number [insert
 premises licence number] relating to
 [name and address of
 premises to which the application relates] hereby give my consent for the transfer of
 premises licence number [insert premises licence number]
 to [full name of transferee].

..... signed
 name (please print)
 dated

HAZARD	PERSONS AT RISK	LEVEL OF RISK	REASON FOR LEVEL OF RISK	EXISTING PRECAUTIONS	REVISION
Kitchen/cooker	Catering staff	Low	Food served, not cooked. Small, uncomplex, unobstructed space, large simple exit	Running man, extinguisher blanket, self opening doors	To be revised annually or at such time as a new hazard arises
Marquee - lighting	Guests	Low	Low energy bulbs on dim. Small, uncomplex space, 3 large exits, low numbers - usually <100	Running man, 2 x extinguisher blanket	To be revised annually or at such time as a new hazard arises
Marquee - electrics	Guests	Low	Backed by RCB trips, low kw demand. Small, uncomplex space, 3 large exits, low numbers - usually <100	Running man, 2 x extinguisher blanket	To be revised annually or at such time as a new hazard arises
Marquee - music, equipment	DJ, musicians	Low	Low amperage, separated from guests. Easy access to 2 large exits	Running man, 2 x extinguisher blanket	To be revised annually or at such time as a new hazard arises
Quiet area	Catering staff, guests, musicians	Very Low	No sources of ignition	Running man	To be revised annually or at such time as a new hazard arises
Marquee	Guests	Very low	Smoking only allowed outside. Large open area	Ashtrays left out to stop guests throwing cigarette ends near the marquee	To be revised annually or at such time as a new hazard arises

- There are three emergency escape routes from the marquee (excluding the kitchen door, as the kitchen is considered to be the most likely source of ignition). The maximum capacity of the marquee is 180. The greatest distance from an emergency exit is less than 50feet/15 metres.
- In view of the simple layout and small size of the venue, a shouted warning, in the event of fire, will be the quickest and most effective.
- Two water filled extinguishers are placed adjacent to the main entrance doors, in the body of the marquee. A further dry powder extinguisher and a fire blanket are provided in the kitchen.
- Illuminated 'running man' signs provided at all exits including those from the public conveniences and the kitchen (5 in all)
- 4 members of staff are trained in fire fighting techniques, one of whom is on duty at all times (usually 2). These staff members are responsible for alerting guests to fire, for ensuring their safe egress from the premises and for fighting the fire where deemed sensible or necessary to assist egress of guests
- Seating is so arranged as to allow easy and quick access at all times to one of the three available exits
- Fire retardation certificates are available for both the external cladding and the internal drapes of the marquee
- In general no naked flame or other source of ignition is permitted within the marquee
- 2 safe assembly areas have been designated within easy reach of, but clear of, the principal exit points: one, to the rear on the lawn, the other, at the front, in the car park

Basic Room
Assembly Area



Why are hiersable activity
no fixed structures
no stage
no steps etc

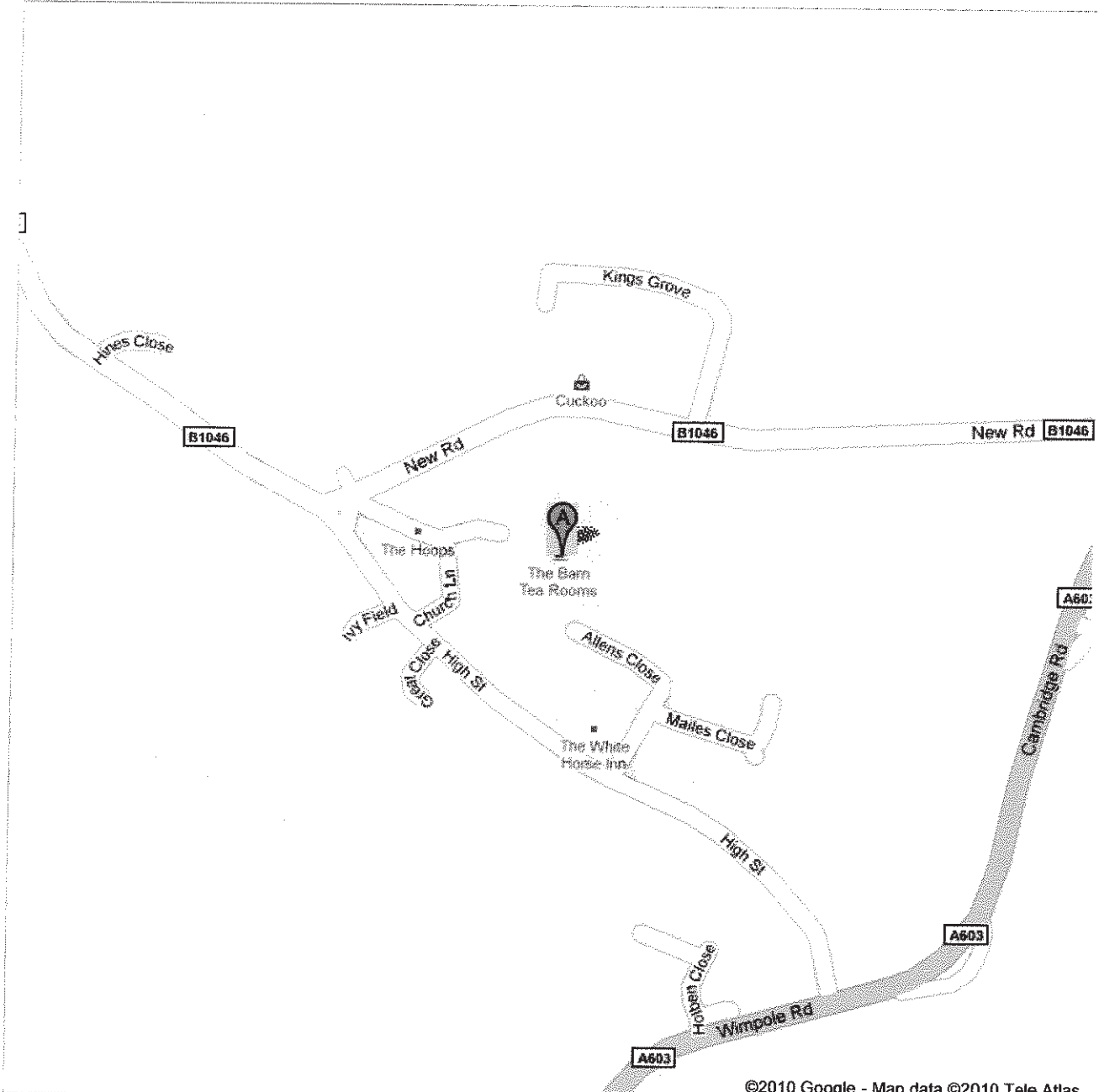
Car Park
Assembly Area
⊕ numbering
X extinguish

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Address Burwash Manor Farm
New Rd
Barton, Cambridge CB23 7EY, UK

B



Burwash Manor



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Scale 1/3008

Date 31/3/2010

Centre = 540768 E 265725 N

South Cambridgeshire Hall
 Cambourne Business Park
 Cambourne
 Cambridge
 CB23 6EA

t: 08450 450 500
 f: 01954 713149
 dx: DX 729500 Cambridge 15
 minicom: 01480 376743
 www.scambs.gov.uk



South
 Cambridgeshire
 District Council

Environmental Health Department
 Contact: Juli Stallabrass
 Direct Dial: 01954 713024
 Direct email:juli.stallabrass@scambs.gov.uk

Mr S J Radford
 Burwash Manor Barns
 Barton
 Cambridge
 CB23 7BD

Date 4th August 2009

Dear Mr Radford

Licensing Act 2003 – Temporary Event Notices, Burwash Manor Barns, Barton, Cambridge.

It is with regret that I have to write again regarding events that have been held and are planned to be held at the above premises without the appropriate licences being in place.

In total you have listed 14 events starting in May 2009 to September 2009. I am aware that events have taken place in the "Secret Marquee" where both alcohol has been sold and entertainment has taken place.

Under the Licensing Act 2003 you do not currently hold a licence for regulated activities. A regulated activity is classified as :-

- 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 the club.
- The provision of regulated entertainment.
- The provision of late night refreshment.

A regulated entertainment is defined as:-

1. A performance of a play
2. An exhibition of a film
3. An indoor sporting event
4. A boxing or wrestling entertainment
5. A performance of live music
6. Any playing of recorded music
7. A performance of dance
8. Entertainment of a similar description to that falling within paragraph 5, 6, or 7.

Where the entertainment takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose of entertaining that audience

The Act also defines provision of entertainment facilities as the facilities for enabling persons to take part in entertainment consisting of :-

- Making Music
- Dancing
- Entertainment of a similar description.

This definition includes for example the provision of a dance floor or supply of instruments to make music.

The Act also clearly defines Late Night Refreshment as the supply of hot food or drink to members of the public between the hours of 23.00 and 05.00.

I must advise that should you continue to breach the requirements of the Licensing Act 2003 you may subject yourself to a fine of up to £20,000 and/or 6 Months imprisonment.

For the purpose of determining whether an individual is responsible under the Act, any person who in the view of the licensing authority is concerned in the organisation or management of the entertainment or is paid by or on behalf of some or all of the persons for whom the entertainment is, or those facilities are provided, may be considered for enforcement action which may result in prosecution as referred to in this letter.

Please be aware that the Council has a strict policy on licensing enforcement and will monitor events held at the above premises.

I enclose information and forms relating to obtaining the relevant licences or notices to hold licensable events.

Yours sincerely

MYLES BEBBINGTON

LICENSING OFFICER