

**NOTICE OF HEARING
BY THE LICENSING SUB-COMMITTEE
under the
LICENSING ACT 2003**

**APPLICATION FOR A PREMISES LICENCE –
NEW FOREST FAIRY FESTIVAL, LAND AT BURLEY PARK,
CHAPEL LANE, BURLEY, BH24 4DJ –
26 & 27 SEPTEMBER 2020**

Date and Time: MONDAY, 14 SEPTEMBER 2020, AT 10.00 AM

Place: SKYPE MEETING - ONLINE

Enquiries to: E-mail: andy.rogers@nfdc.gov.uk
Tel: 023 8028 5070

These papers are also available on audio tape, in Braille, large print and digital format

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1. **APPLICATION FOR A PREMISES LICENCE - NEW FOREST FAIRY FESTIVAL,
LAND AT BURLEY PARK, CHAPEL LANE, BURLEY, BH24 4DJ -
26 & 27 SEPTEMBER 2020 (Pages 3 - 76)**

THE RELEVANT PAPERS ARE ATTACHED

To: Members of the Sub-Committee:

Cllr Steve Clarke
Cllr Barry Dunning

Cllr Neil Tungate
Cllr Steve Davies (Substitute)

Parties to the Hearing:

Ms H Norman - Applicant
Mr J Payne - Solicitors for the Applicant
Mrs S Lawrence - Objector
Mr C Hobbs - Objector
Mrs C Hobbs - Objector
Cllr M Steele - Objector

Copies for Information:

Cllr M Levitt – Local Member
Burley Parish Council
Licensing – Christa Ferguson
Legal – Amanda Wilson

NEW FOREST DISTRICT COUNCIL – VIRTUAL MEETINGS

Background

This meeting is being held virtually with all participants accessing via Skype for Business.

A live stream will be available on YouTube to allow the press and public to view meetings in real time and can also be found at the relevant meeting page on the Council's website.

Principles for all meetings

The Chairman will read out Ground Rules at the start of the meeting for the benefit of all participants. All normal procedures for meetings apply as far as practicable, as the new Government Regulations do not amend any of the Council's existing Standing Orders.

The Ground Rules for all virtual meetings will include, but are not limited to, the following:-

- All participants are reminded that virtual public meetings are being broadcast live on YouTube and will be available for repeated viewing. Please be mindful of your camera and microphone setup and the images and sounds that will be broadcast on public record.
- All participants are asked to mute their microphones when not speaking to reduce feedback and background noise. Please only unmute your microphone and speak when invited to do so by the Chairman.
- Participants in attendance can make a request to speak during the meeting by typing "RTS" (Request to Speak) in the Skype chat facility. Requests will be managed by the Chairman with support from Democratic Services. The Skype chat facility should not be used for any other purpose.
- All participants should note that the chat facility can be viewed by all those in attendance.
- All participants are asked to refer to the report number and page number within the agenda and reports pack so that there is a clear understanding of what is being discussed at all times.

Technology

The Chairman will adjourn the meeting if technical issues cause the meeting to be inquorate, the live stream technology fails, or continuing is not practical.

Participation

In order to speak at a virtual meeting, you must have the facility to join a Skype for Business Meeting. Joining instructions will be sent to all parties to the hearing in advance of the me

LICENSING SUB-COMMITTEE – 14 SEPTEMBER 2020

APPLICATION FOR A PREMISES LICENCE FAIRY FESTIVAL, BURLEY

1. INTRODUCTION

- 1.1 The purpose of the report is to provide Members with information at the hearing to determine an application for a new premises licence made under section 17 of the Licensing Act 2003 ('the Act') in respect of the Fairy Festival, Burley

2. THE APPLICATION

- 2.1 An application has been received for a new, time limited premises licence for the Fairy Festival on 26 and 27 September 2020 on the field in Burley between the Burley Manor Hotel and Chapel Lane ('the Site').
- 2.2 The application seeks permission for the following on the two days of the event:
- sale of alcohol and
 - live and recorded music between 10:00 to 18:00 on both days.
- 2.3 The Fairy Festival is a family event which includes amplified music and a main stage, for bands to play acoustic sets of music of a folk genre. There will also be several workshops and one bar. A copy of the application form and plan are attached to the report as **Appendix 1**.
- 2.4 The Site is a popular event site in the village of Burley. A plan showing the site location is attached as **Appendix 2**.
- 2.5 Members may note that the deregulation of some forms of regulated entertainment in April 2015 now permits amplified or non-amplified live and recorded music to be played from 08:00 to 23:00 daily on any premises licensed for the sale of alcohol for consumption on the premises where the audience is no more than 500 people. Therefore Members do not need to consider the music element of the event.
- 2.6 Public consultation as required by the Licensing Act 2003 has been correctly carried out and the application has been advertised both on the site and in the local newspaper.

3. BACKGROUND INFORMATION

- 3.1 The event had been held at the Site for the past 7 years under short term premises licences, however since 2019, a premises licence was granted which permits the licensable activities to take place each year on the second weekend in August. A copy of the existing premises licence is attached as **Appendix 3**. The current application mirrors the licensable activities permitted by the existing premises licence with the exception of the date that the event is to take place.
- 3.2 During the current Coronavirus/ Covid 19 pandemic, the Government placed restrictions on public gatherings, which initially prevented many activities including outdoor events from taking place. The organiser of the Fairy Festival, therefore, decided that the event would not take place in August as it had done in previous years (and in accordance with the existing premises licence).

- 3.3 The Health Protection (Coronavirus Restrictions) (No.2) (England) Regulations 2020 came into force on 4 July 2020 and relaxed the restriction on gatherings where:
- (i) the gathering has been organised by a business;
 - (ii) the person responsible for organising the gathering has carried out a risk assessment which would satisfy the requirements of regulation 3 of the Management of Health and Safety at Work Regulations 1999; and
 - (iii) the gathering organiser has taken all reasonable measures to limit the risk of transmission of the coronavirus, taking into account their risk assessment. (Regulation 5)
- 3.4 Following this change, the Applicant submitted the premises licence application which is to be determined.

4. REQUIREMENTS FOR A HEARING

4.1 In accordance with section 18 of the Act, the Licensing Authority must hold a hearing to determine a premises licence application where relevant representations addressing the licensing objectives are made. These are:

- 1) The prevention of Crime and Disorder;
- 2) Public safety;
- 3) The prevention of public nuisance;
- 4) The protection of children from harm.

4.2 Members are referred to statutory guidance issued by the Home Office under section 182 of the Act dated April 2018, in particular the section on the licensing objectives.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

4.3 In determining the application, the Licensing Sub-Committee must give appropriate weight to:

- 1) The steps that are appropriate to promote the licensing objectives;
- 2) The relevant representations presented by all the parties;
- 3) The Home Office guidance;
- 4) The Council's own Statement of Licensing Policy

5. REPRESENTATIONS RECEIVED

5.1 During the representation period, the Licensing Authority received four representations against the application. Three of the letters of objection were from residents in the village of Burley and one was from Councillor Mark Steele (a New Forest District Council Ward Councillor for Burley who sits also on the Burley Parish Council). These are provided in **Appendix 4**.

5.2 The representations, in the main, refer to the impact of the event in relation to the current Coronavirus pandemic, under the public safety licensing objective. They also highlight concerns under the prevention of crime and disorder and public nuisance, based on the volume of traffic entering the village and parking issues, creating overcrowding and reduced access for emergency vehicles.

- 5.3 The statutory guidance issued by the Home Office under section 182 of the Act and linked at paragraph 4.2 above states the following regarding public health and the public safety licensing objective:

'Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation' (paragraph 2.7)

- 5.4. In respect of whether a representation is to be considered a relevant representation, the statutory guidance states the following:

'A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives' (paragraph 9.4)

- 5.5 It goes on to state that:

'It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.' (paragraph 9.9)

- 5.6 In supporting a transparent and robust application process, all of the representations have been included for Members to consider. Members may wish to consider the weight they give to these objections, in line with legal guidance.
- 5.7 No representations have been received from any of the Responsible Authorities consulted during this premises licence application process.

6. SAFETY ADVISORY GROUP

- 6.1 In addition to the premises licence application, the Applicant submitted an event notification to the Safety Advisory Group ('SAG').
- 6.2 The SAG consists of the following members; the Police (Operations and Licensing), New Forest District Council Environment Health (Environmental Protection and Food and Health and Safety), Hampshire County Council Public Health, Hampshire Fire and Rescue and Hampshire County Council Highways and provides a forum for discussing and advising on public safety at an event.
- 6.3 SAG members received the following documents to review and were able to ask any supplementary questions or request further information where required, to outline the safety measures that would be carried out prior to and during the event:
- (i) An event management and operating plan;
 - (ii) Covid 19 risk assessment
 - (iii) Noise management plan and
 - (iv) Location plan and site layout plan.

(See **Appendix 5** for a summary of the control measures which has been prepared by the Licensing Manager)

- 6.4 The documents provided by the Applicant detail controls to address the requirements for a risk assessment under the Management of Health and Safety at Work Regulations 1999, and demonstrate measures to limit the risk of transmission of the coronavirus as required by the The Health Protection (Coronavirus Restrictions) (No.2) (England) Regulations 2020, as set out at paragraph 3.3 above.
- 6.5 There are no outstanding comments or actions that the SAG requires the Applicant to address. However, it should be noted that the SAG is a non-statutory body and therefore is not empowered to approve or prohibit an event from taking place.

7. PUBLIC HEALTH REVIEW

- 7.1 The Health Protection (Coronavirus, Restrictions)(England) (No.3) Regulations 2020 give Public Health at Hampshire County Council new powers to give a direction imposing prohibitions, requirements or restrictions in relation to the holding of an event in its area should the three conditions in the Regulations be met. These conditions are:
- (a) that giving such a direction responds to a serious and imminent threat to public health,
 - (b) that the direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the local authority's area, and
 - (c) that the prohibitions, requirements or restrictions imposed by the direction are a proportionate means of achieving that purpose. (Regulation 3)
- 7.2 Public Health at Hampshire County Council have reviewed the documentation specifically in relation to control measures identified in the Covid 19 assessments.
- 7.3 On 21 August 2020, Hampshire County Council Public Health (Health Protection) emailed the Applicant to state that they had considered the documents covering Covid 19 mitigations submitted for the Fairy Festival event. It was confirmed that based on the information submitted in the application and in any subsequent dialogue, the event would not be escalated for consideration for control under the Director of Public Health powers and the event could go ahead in the context of Covid19 mitigations. A copy of this email is attached as **Appendix 6**.

8. TEMPORARY EVENT NOTICE

- 8.1 In accordance with section 100 of the Act, where an individual is temporarily carrying on a licensable activity during a period not exceeding 168 hours, which is not authorised by a premises licence, the person wishing to hold the event can give notice to the Licensing Authority of the event. This is known as a Temporary Event Notice ('TEN'). It is intended as a light touch process and does not have to be authorised by the Licensing Authority on an application.
- 8.2 This TEN must also be served on the chief of police for Hampshire Constabulary and Environmental Health at New Forest District Council.

- 8.3 The system of permitted temporary activities gives the police and Environmental Health the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives. If they believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the Licensing Authority and premises user an objection notice within 3 working days of receipt of the TEN.
- 8.4 Following the expiry of the consultation period on the premises licence application, on 17 August 2020, the Applicant was informed by the Licensing Manager that relevant representations had been received against the premises application and that a hearing would be held in order for the application to be determined.
- 8.5 On 20 August 2020, the Applicant submitted a TEN to cover the sale of alcohol at the event (**See Appendix 7**) There were no objections from the Police or Environmental Health and therefore the TEN was processed to cover the event. The event organiser has reduced the number of attendees to assist with social distancing for this event based on the current climate, and as set out at paragraph 2.5 above, the other musical and workshop activities do not require a licence under the Licensing Act 2003.
- 8.6 The event, as applied for in the premises licence application, can accordingly take place on the 26 and 27 September 2020 in accordance with the TEN. However, the Applicant has not withdrawn the premises licence application and, therefore, it remains to be determined.

9. LEGAL IMPLICATIONS

- 9.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. Hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs it taking place in public.
- 9.2 The Applicant and those parties making representations have been invited to this meeting and have been provided with this report and the procedures to be followed at the meeting.
- 9.3 The Applicant and those who have made relevant representations are entitled to address the Sub-Committee and to ask questions of the other party, with the consent of the Sub-Committee.

10. RIGHT OF APPEAL

- 10.1 It should be noted that the Applicant and those who have made relevant representations may appeal the decision made by the Licensing Sub-Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.
- 10.2 In the event of an appeal being lodged, the decision made by the Licensing Sub-Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.

11. CONCLUSION

11.1 The Licensing Sub-Committee must, having regard to the application and any relevant representations, take such steps as are appropriate for the promotion of the licensing objectives. Those steps are:

- (a) to grant the licence subject to:
 - (i) the conditions set out in the operating schedule of the application modified to such extent as they consider appropriate for the promotion of the licensing objectives
 - (ii) any condition which must be included in the licence in accordance with the Act;
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application

12. RECOMMENDATION

12.1 That the Licensing Sub-Committee determines the application.

13. APPENDICES

Appendix 1 Application form, list of conditions and site plan

Appendix 2 Location plan

Appendix 3 Existing licence

Appendix 4 Representations

Appendix 5 Summary of the control measures prepared by the Licensing Manager

Appendix 6 Email from Public Health following review of documentation

Appendix 7 TEN

Further information:

Christa Ferguson
Licensing Manager – Environmental and Regulation
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk

Joanne McClay
Service Manager
Environmental and Regulation



**New Forest
Application for a premises licence
Licensing Act 2003**

For help contact
licensing@nfdc.gov.uk
Telephone: 023 8028 5505

* required information

Section 1 of 21

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

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

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

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

Applying as an individual

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

Applicant Business

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

Is your business registered outside the UK? Yes No

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

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

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

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

- Yes
- No

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

First name

Family name

Is the applicant 18 years of age or older?

- Yes
- No

Continued from previous page...

Current Residential Address

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

Yes No

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

Building number or name	WOODLANDS COTTAGE
Street	WISTON
District	
City or town	HAVERFORDWEST
County or administrative area	PEMBROKESHIRE
Postcode	SA62 4PJ
Country	United Kingdom

Applicant Contact Details

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

Yes No

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

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/>
	dd mm yyyy
* Nationality	BRITISH
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 26 / 09 / 2020
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end 28 / 09 / 2020
dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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

FLAT GRASS FIELD, SITUATED BETWEEN THE BURLEY MANOR HOTEL AND CHAPEL LANE

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes

No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes

No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AMPLIFIED MUSIC ON MAIN STAGE, BANDS AND ACOUSTIC SETS OF A FOLK GENERE

State any seasonal variations for the performance of live music

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

Continued from previous page...

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

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

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

MUSIC WHICH IS RECORDED WILL BE USED FOR WORKSHOP AND THEATRE AREAS INCLUDING PERFORMING ARTS

State any seasonal variations for playing recorded music

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

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

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

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="18:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

BELLY DANCING, BURLESQUE AND HOOPING DEMONSTRATIONS

State any seasonal variations for the performance of dance

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

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

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

Continued from previous page...

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

See guidance on regulated entertainment

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

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

TALKS ON A SPIRITUAL THEME INCLUDING NON CONTACT WORKSHOPS

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

TALKS ON A SPIRITUAL THEME INCLUDING NON CONTACT WORKSHOPS

State any seasonal variations for entertainment

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

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

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

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

State any seasonal variations

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

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

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

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

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

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

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

ALL ACTIVITIES AT THE NEW FOREST FAIRY FESTIVAL ARE CHILD AND FAMILY FRIENDLY

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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

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

Continued from previous page...

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

PLEASE FIND PDF ATTACHMENT

b) The prevention of crime and disorder

PLEASE FIND PDF ATTACHMENT

c) Public safety

PLEASE FIND PDF ATTACHMENT

d) The prevention of public nuisance

PLEASE FIND PDF ATTACHMENT

e) The protection of children from harm

PLEASE FIND PDF ATTACHMENT

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

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

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

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

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

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

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

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

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

Continued from previous page...

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

Section 21 of 21

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

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

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

DECLARATION

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

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

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

* Full name

* Capacity

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Continued from previous page...

* Date / /
dd mm yyyy

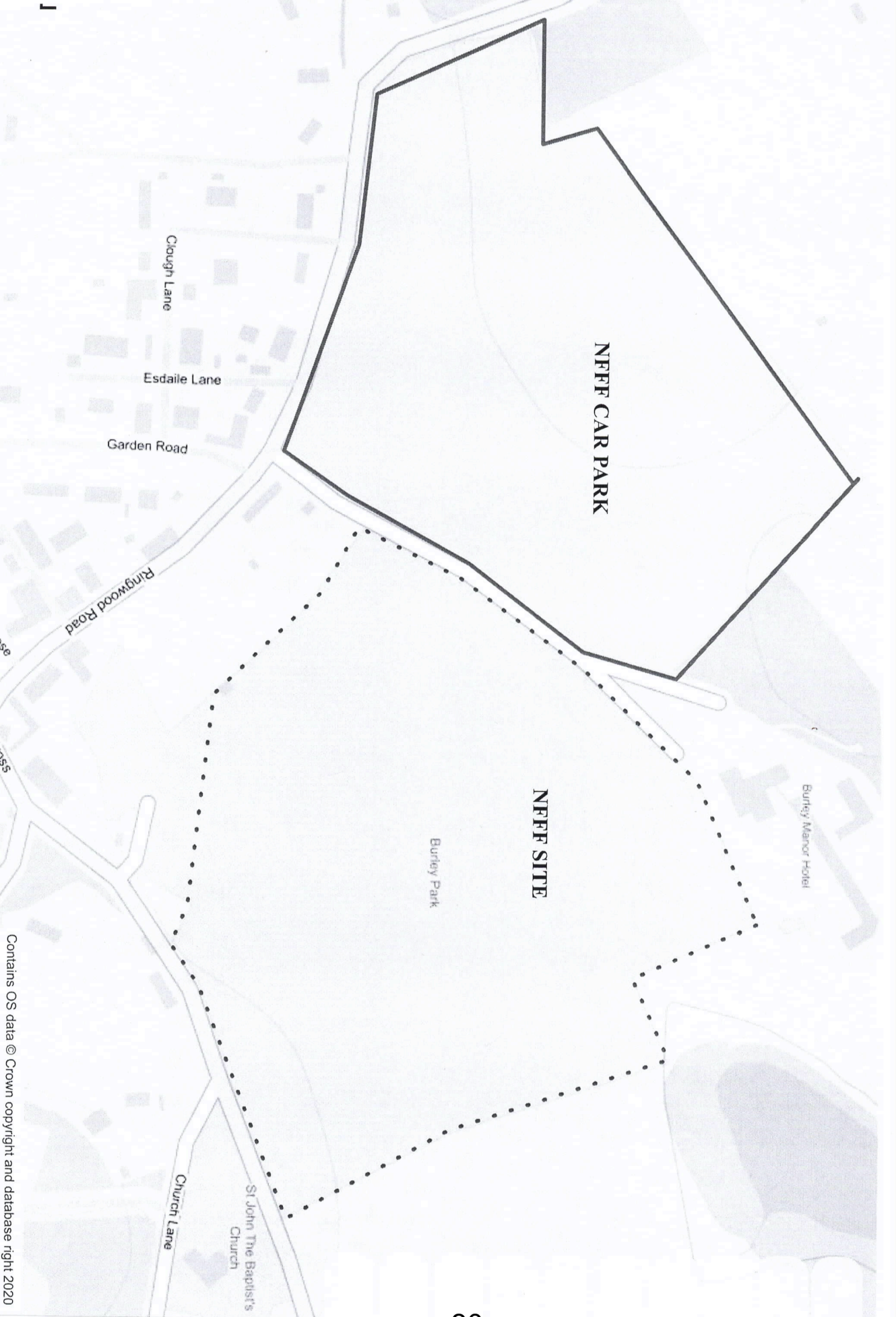
Once you're finished you need to do the following:

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

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

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

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



NFFF CAR PARK

NFFF SITE

Burley Park

Burley Manor Hotel

St John The Baptist's Church

Church Lane

Garden Road

Esdaile Lane

Clough Lane

Ringwood Road

NEW FOREST FAIRY FESTIVAL FOUR LICENSING OBJECTIVES.

Prevention of Crime and Disorder.

Door Staff or Stewards will be employed at the event to supervise admissions and customers inside the event.

Security will be on site for the duration of the Festival which are licenced to the SIA, Security Industry Authority and SIA badges will be clearly displayed when working.

All Staff or Stewards will be clearly identified by either wearing uniform or will be wearing high vis Jackets.

Daily staff briefing and debriefing will enable the event to improve working practices at the premises.

A Risk assessment will be under taken by the Event Organiser which will be forwarded and submitted with New Forest District Council.

Drinking vessels made from plastic or polycarbonate will be used in the bar area. Collection of such vessels will be done on a regular basis and recycled into relevant bins.

A lost and found policy will be in place in relation to lost/found property at the Event. This will be held in our welfare tent. The policy will include logging of property. Passports and any other ID found will be handed into the police station.

Staff training will be given to Bar staff as agreed by DPS on the effects of alcohol and how to spot early signs of customers becoming intoxicated, His staff will also be aware of the responsibilities under the licensing act 2003 and be able to recognise appropriate 'cut off' points for serving intoxicated customers to reduce anti social behaviour.

Drink Aware posters will be used around the site to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.

Our Customers are coming to a family fun and friendly festival. A small minority drink at this festival. SO we are at very low risk of Antisocial behaviour , However the policies above will be put in place to make sure that the Festival continues to be a safe place.

PUBLIC SAFETY

A Full risk assessment will take into account public safety and will be carried out to identify potential hazards posed to staff, customers, contractors, artists, performer and exhibitors. Precautions will be put into place for potential hazards.

All Persons working for the festival will be made aware of the risk assessment and precautionary measures therein.

A Copy of the risk assessment will be kept at the event and will be made available for inspection.

First Aid boxes will be available at the Welfare tent / Lost Children tent and maintained with sufficient in date stock. Collingwood Medical will be in attendance at the Festival with Ambulance. Collingwood Medical will be on duty at all times of the festival working hours. An accident book will be kept in order to record all accidents or incidents and will be made available for inspection.

PREVENTION OF PUBLIC NUISANCE

A noise management policy will be in place that sets out sound measures and to control music. We are working closely with a acoustic consultancy company to control music noise.

Sound engineers will be onsite who are independent to any band, Acoustic set and will work closely with our sound control.

All bands and acoustic sets, contractors and Sound engineers will be made aware of the Noise management policy.

The stage and Speakers will be set to the furthest point away from the road and speakers will direct sound to the Audience.

Monitoring Sound will be measured using sound measuring equipment and will be done on a regular basis. A log book will be kept. The logbook will be available for inspection by the licensing authority.

A Contact telephone number will be put in place made available to the local residents and businesses which they can use to report noise disturbance. This number will be available to use between the hours of 10am -6pm both days of the festival.

PROTECTION OF CHILDREN FROM HARM

Admission to children into the festival will only be permitted if accompanied by an Adult, Parent or Guardian.

Our DPS will be operating a strict NO ID -NO SALE policy. A Challenge 25 Scheme will be carried out at the Festival. Anyone looking under 25 will be asked for ID. Only photographic driving licenses and passports will be accepted.

Posters will be up around the festival to promote the scheme and make our customers aware. Display proof of ages signs at point of sale will be displayed.

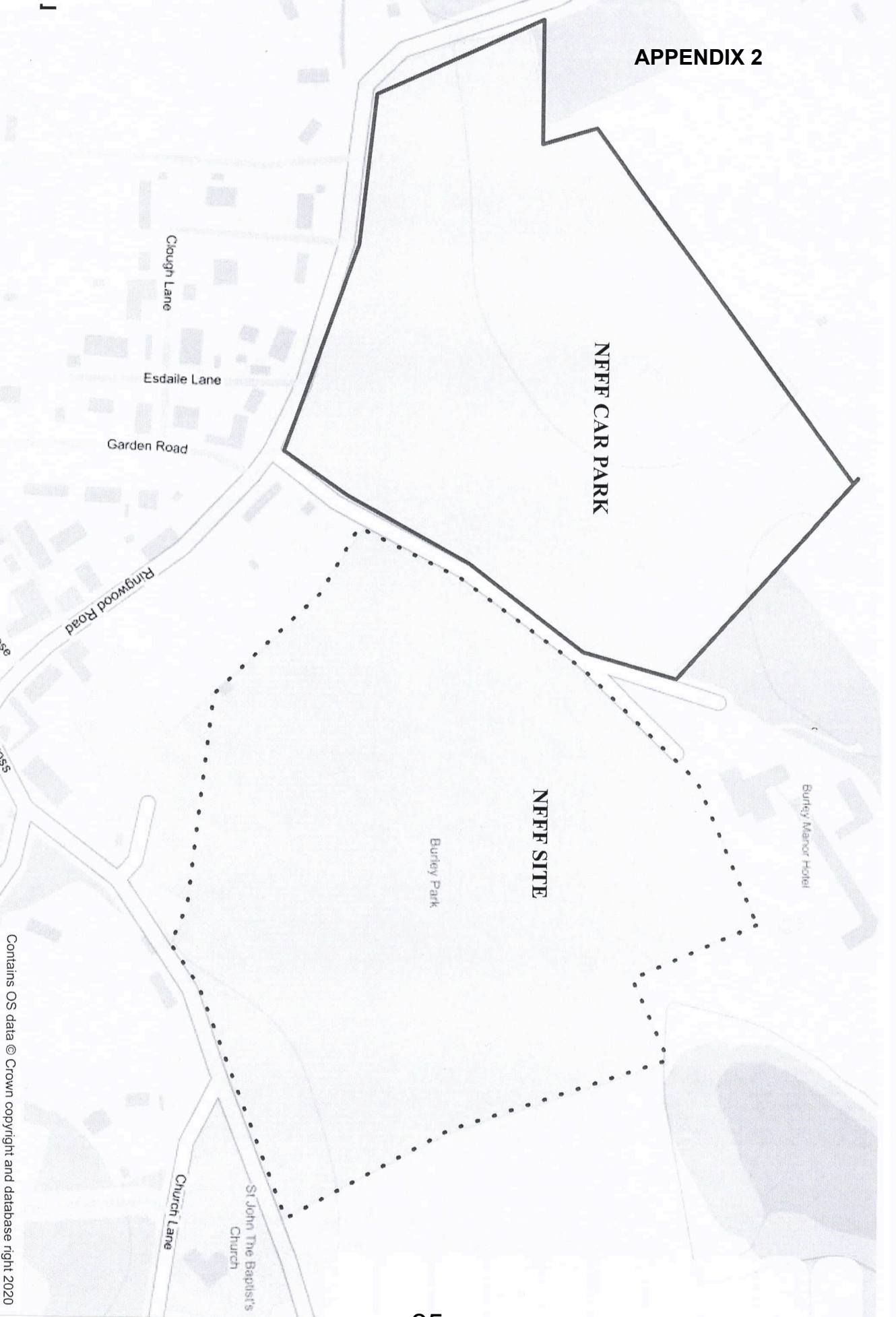
A Refusal book will be kept by the DPS and will be completed whenever a sale is refused to a person who cannot prove they are over the age of 18.

The Refusal book will contain the date and time of the incident, a description of the customer and the name of the staff member who refused the sale and finally the reason the sale was refused.

The Refusal book will be available to police and authorised council officers on request.

Staff training will be given to BAR TEAM in the ages related sections of the licensing act 2003. This includes the ability to competently check customers identification where necessary. A Record will be kept by DPS of the name and date of persons trained.

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Clough Lane

Esdaile Lane

Garden Road

Ringwood Road

Church Lane

St John The Baptist's Church

Burley Park

Burley Manor Hotel

NFFF CAR PARK

NFFF SITE

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**Environment & Regulation**

Executive Head: Colin Read

Ms H K Norman
 New Forest Fairy Festival
 Coven Of Witches
 The Cross
 Burley
 Hampshire
 BH24 4AA

Our Ref: CF/LICPR/18/00183

Your Ref:

19 June 2019

Dear Ms Norman

LICENSING ACT 2003 - Variation Premises Supervisor (S37)

**New Forest Fairy Festival, LAND AT BURLEY PARK, CHAPEL LANE, BURLEY,
 BH24 4DJ**

Licence No: 1709/2

Please find enclosed, the Premises Licence in respect of the above named premises.

This premises licence will last indefinitely unless it is surrendered or revoked, but will lapse in the event of the death of the premises licence holder or upon the licence holder becoming mentally incapable or financially insolvent.

It is important to note that this licence does not override any planning consent restrictions the premises may have. If you operate outside the consent granted for these premises, this may result in action being taken against you. Should you wish to amend these conditions please contact the planning department for advice at planning@nfdc.gov.uk

FIRE RISK ASSESSMENT – REQUIREMENT

The Regulatory Reform (Fire Safety) Order 2005 places upon any person, who has some level of control in a premises, to take reasonable steps to reduce the risk from fire and to ensure people can safely escape in the event of a fire. This may be done as part of the general health and safety risk assessment, which is already required under the Management of Health & Safety at Work Regulations 1992 (amended 1999), or as a separate and specific fire risk assessment. Where five or more persons are employed, the significant findings of the assessment must be recorded.

Cont/d...

2
19 June 2019
New Forest Fairy Festival

Continuation of this licence requires payment of an annual fee, based on the rateable value of the premises. This is due on the anniversary of the grant of the licence and we will issue an invoice and covering letter for the required amount prior to this date.

Please note that failure to pay the annual fee will result in suspension of the licence.

Please check this licence carefully and report any discrepancies to this office within 21 days.

It is a legal requirement to display the Summary part of the licence on the premises.

Should you wish to make changes to the licence, an appropriate application must be made to this Licensing Authority. Forms and guidance can be found on the Council's website at www.newforest.gov.uk.

Yours sincerely

Christa Ferguson

Licensing Manager
Licensing Services
c.c. Police

Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk

((n))

Licensing Act 2003

Time Limited Premises Licence

Issued under Section 24 of the above Act

Premises Licence Number	1709/2
--------------------------------	---------------

Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description	
New Forest Fairy Festival Land At Burley Park Chapel Lane Burley BH24 4DJ	Map Ref (E): 421257.957195238 Map Ref (N): 103233.398475363 UPRN: 10090351867
Telephone Number:	

Where the licence is time limited the dates
This licence permits the activities stated to take place on the second weekend of August each year only.

Licensable activities authorised by the licence
E) Performance of Live Music F) Playing of Recorded Music G) Performance of Dance H) Anything of a similar description to that falling within (e), (f), (g) J) Sale or Supply of Alcohol

The times the licence authorises the carrying out of licensable activities				
E - Performance of Live Music	Performance of live music may take place:		Indoors	Y
			Outdoors	
			Both	
Day	Start	Finish		
Sat	10:00	18:00	Further details: Amplified music on main stage. Bands consist of a Folk Genre Acoustic sets/individuals - unamplified in tent. Seasonal variations: Non standard timings:	
Sun	10:00	18:00		

F - Playing of Recorded Music			Playing of recorded music may take place:	Indoors	
				Outdoors	
				Both	Y
Day	Start	Finish			
Sat	10:00	18:00	Further details: Music which is recorded will be used for workshops and dance demos. Some in workshops in Gazeboos Seasonal variations: Non standard timings:		
Sun	10:00	18:00			

G - Performance of Dance			Performance of dance may take place:	Indoors	
				Outdoors	Y
				Both	
Day	Start	Finish			
Sat	10:00	18:00	Further details: Belly Dancing, Hoop Dance and Burlesque Dance Workshops Seasonal variations: Non standard timings:		
Sun	10:00	18:00			

H - Anything of a similar description to that falling within (e), (f), (g)			This entertainment may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish			
Sat	10:00	18:00	Description of the type of entertainment being provided: Holistic workshops and talks on a spiritual theme. Further details: Holistic workshops and talks on a spiritual theme will be held in tent. Seasonal variations: Non standard timings:		
Sun	10:00	18:00			

J - Sale or Supply of Alcohol		
Day	Start	Finish
Sat	10:00	18:00
Sun	10:00	18:00

Further details:

Seasonal variations:

Non standard timings:

The opening hours of the premises		
L - Opening Hours		
Day	Start	Finish
Sat	10:00	18:00
Sun	10:00	18:00

Seasonal variations:

Non standard timings:

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:
 Alcohol is supplied for consumption ON premises only

Part 2

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

Holly Kate Norman
 New Forest Fairy Festival
 Coven Of Witches
 The Cross
 Burley
 Hampshire
 BH24 4AA

Telephone:

Email: [REDACTED]

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

[REDACTED]

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

Joshua Jack Pugh
 6 Woodbury Lane
 Salisbury
 SP2 8FE

Telephone:

Email: [REDACTED]

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

2104/2
 New Forest District Council

The licence is granted by New Forest District Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date licence issued: 19/06/2019

Date licence commences: 18/06/2019

Date first licence came into force: 07/02/2018

Colin Read

Executive Head of Environment & Regulation
(Authorised Officer)

Annex 1 - Mandatory conditions

(Additional Conditions with effect from 1 October 2014)

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml;
 - (b) these measure 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.

Where licence authorises door supervision:

- (1) Each individual at the premises to carry out a security activity must:
 - Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;
 - or
 - Be entitled to carry out that activity by virtue of section 4 of that Act.

Where licence authorises supply of alcohol:

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

(Additional Condition with effect from 28 May 2014)

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1 -
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula -

$$P = D + (D \times V)$$
 where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating schedule

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

b) The prevention of crime and disorder

Door staff or stewards will be employed at the event to supervise admissions and customers inside the event.

Security will be on site for the duration of the festival which are licensed to the SIA, Security Industry Authority and SIA badges will be clearly displayed when working.

All staff or stewards will be clearly identified by either wearing uniform or will be wearing high viz jackets.

Daily staff briefing and debriefing will enable the event to improve working practices at the premises.

A risk assessment will be undertaken by the Event Organiser which will be forwarded and submitted with New Forest District Council.

Drinking vessels made from plastic or polycarbonate will be used in the bar area. Collection of such vessels will be done on a regular basis and recycled into relevant bins.

A lost and found policy will be in place in relation to lost/found property at the Event. This will be held in our welfare tent. The policy will include logging of property. Passports and any other ID found will be handed into the Police Station.

Staff training will be given to bar staff as agreed by DPS on the effects of alcohol and how to spot early signs of customers becoming intoxicated. The staff will also be aware of the responsibilities under the Licensing Act 2003 and be able to recognise appropriate 'cut off' points for serving intoxicated customers to reduce anti-social behaviour.

Drink Aware posters will be used around the site to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.

Our customers are coming to a family fun and friendly festival. A small minority drink at this festival, so we are at very low risk of anti-social behaviour. However, the policies above will be put in place to make sure that the festival continues to be a safe place.

c) Public safety

A full risk assessment will take into account public safety and will be carried out to identify potential hazards posed to staff, customers, contractors, artists, performer and exhibitors. Precautions will be put into place for potential hazards,

All persons working for the festival will be made aware of the risk assessment and precautionary measures therein.

A copy of the risk assessment will be kept at the event and will be made available for inspection.

First Aid boxes will be available at the Welfare tent/Lost Children tent and maintained with sufficient in date stock. Collingwood Medical will be in attendance at the festival with Ambulance. Collingwood Medical will be on duty at all times of the festival working hours. An accident book will be kept in order to record all accidents and incidents and will be made available for inspection.

d) The prevention of public nuisance

A noise management policy will be in place that sets out sound measures and to control music. We will work closely with an acoustic consultancy company to control music noise.

Sound engineers will be on site who are in dependant to any band, acoustic set and will work closely with our sound control.

All bands and acoustic sets, contractors and sound engineers will be made aware of the noise management policy.

The stage and speakers will be set to the furthest point away from the road and speakers will direct sound to the audience.

Monitoring sound will be measured using sound measuring equipment and will be done on a regular basis. A log book will be kept. The log book will be available for inspection by the Licensing Authority.

A contact telephone number will be put in place made available to the local residents and businesses which they can use to report noise disturbance. This number will be available to use between the hours of 10:00hrs to 18:00hrs both days of the festival.

At least four months prior to each event a Noise Management Plan (NMP) for the event will be submitted in writing to the Licensing Authority for approval. Noise control for the event will be undertaken in accordance with the approved document.

e) The protection of children from harm

Admission to children into the festival will only be permitted if accompanied by an adult, parent or guardian.

The DPS will be operating a strict 'No I.D. no sale' policy. A Challenge 25 scheme will be carried out at the festival. Anyone looking under 25 will be asked for I.D. Only photographic driving licences and passports will be accepted.

Posters will be up around the festival to promote the scheme and make our customers aware.

Display proof of age signs at point of sale will be displayed.

A refusals book will be kept by the DPS and will be completed wherever a sale is refused to a person who cannot prove they are over the age of 18.

The refusals book will contain the date and time of the incident, a description of the customers and the name of the staff member who refused the sale and finally the reason the sale was refused.

The refusals book will be available to police and authorised council officers on request.

Staff training will be given to the team under the DPS in the ages, related sections of the Licensing Act 2003. This includes the ability to competently check customers identification where necessary. A record will be kept by the DPS of the name and date of persons trained.

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

N/A

Annex 4 - Plans

This licence permits the licensable activities stated at the premises addressed above in accordance with the plan(s) attached.

Plan of Premises	
Plan/Drawing No:	Plan approved 7th February 2018
Date of Plan:	

((n))



Licensing Act 2003

Time Limited Premises Licence Summary

Issued under Section 24 of the above Act

Premises Licence Number	1709/2
--------------------------------	--------

Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description	
New Forest Fairy Festival Land At Burley Park Chapel Lane Burley BH24 4DJ	Map Ref (E): 421257.957195238 Map Ref (N): 103233.398475363 UPRN: 10090351867
Telephone Number:	

Where the licence is time limited the dates
This licence permits the activities stated to take place on the second weekend of August each year only.

Licensable activities authorised by the licence
E) Performance of Live Music F) Playing of Recorded Music G) Performance of Dance H) Anything of a similar description to that falling within (e), (f), (g) J) Sale or Supply of Alcohol

The times the licence authorises the carrying out of licensable activities			
E - Performance of Live Music	Performance of live music may take place:		Indoors Y
			Outdoors
			Both
Day	Start	Finish	
Sat	10:00	18:00	Further details: Amplified music on main stage. Bands consist of a Folk Genre Acoustic sets/individuals - unamplified in tent. Seasonal variations: Non standard timings:
Sun	10:00	18:00	

F - Playing of Recorded Music			Playing of recorded music may take place:	Indoors	
				Outdoors	
				Both	Y
Day	Start	Finish			
Sat	10:00	18:00	Further details: Music which is recorded will be used for workshops and dance demos. Some in workshops in Gazeboos Seasonal variations: Non standard timings:		
Sun	10:00	18:00			

G - Performance of Dance			Performance of dance may take place:	Indoors	
				Outdoors	Y
				Both	
Day	Start	Finish			
Sat	10:00	18:00	Further details: Belly Dancing, Hoop Dance and Burlesque Dance Workshops Seasonal variations: Non standard timings:		
Sun	10:00	18:00			

H - Anything of a similar description to that falling within (e), (f), (g)			This entertainment may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish			
Sat	10:00	18:00	Description of the type of entertainment being provided: Holistic workshops and talks on a spiritual theme. Further details: Holistic workshops and talks on a spiritual theme will be held in tent. Seasonal variations: Non standard timings:		
Sun	10:00	18:00			

J - Sale or Supply of Alcohol			
Day	Start	Finish	
Sat	10:00	18:00	Further details:
Sun	10:00	18:00	
			Seasonal variations:
			Non standard timings:

The opening hours of the premises			
L - Opening Hours			
Day	Start	Finish	
Sat	10:00	18:00	Seasonal variations:
Sun	10:00	18:00	
			Non standard timings:

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:
 Alcohol is supplied for consumption ON premises only

Name, (registered) address of holder of premises licence
 Holly Kate Norman
 New Forest Fairy Festival
 Coven Of Witches
 The Cross
 Burley
 Hampshire
 BH24 4AA

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

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
 Joshua Jack Pugh

State whether access to the premises by children is restricted or prohibited
 Not Restricted

Duty to Keep & Produce Licence – Premises
Licensing Act 2003

Section 57 – Duty to Keep and Produce Licence

- (1) This section applies whenever premises in respect of which a Premises Licence has effect are being used for one or more licensable activities authorised by the licence.
- (2) The holder of the Premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of –
 - (a) the holder of the licence, or
 - (b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purpose of this subsection.
- (3) The holder of the Premises licence must secure that –
 - (a) the summary of the licence or a certified copy of that summary, and
 - (b) a notice specifying the position held at the premises by any person nominated for the purpose of subsection (2),are prominently displayed at the premises.
- (4) The holder of a Premises Licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).
- (5) A constable or an authorised person may require the person who, by virtue of arrangements made for the purposes of subsection (2), is required to have the Premises Licence (or a certified copy of it) in his custody or under his control to produce the licence (or such a copy) for examination.
- (6) An authorised person exercising the power conferred by subsection (5) must, if so requested, produce evidence of his authority to exercise the power.
- (7) A person commits an offence if he fails, without reasonable excuse, to produce a Premises Licence or certified copy of a Premises licence in accordance with a requirement under subsection (5).
- (8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (9) In subsection (3) the reference to the summary of the licence is a reference to the summary issued under Section 23 or, where one or more summaries have subsequently been issued under Section 56, the most recent summary to have been so issued.
- (10) Section 58 makes provision about certified copies of documents for the purposes of this section.

Representation form for other persons

Full name	SOPHIE LAWRENCE	Title	MRS.
Home address	FOXGLOVE COTTAGE, BURLEY LAWN, BURLEY. BH24 4DL		
Email address	[REDACTED]		
Phone number	[REDACTED]		

Name of premises you wish to make a representation about	FAIRY FESTIVAL 2020 SEPT. 26 th - 29 th
Address of premises you wish to make a representation about	MANOR PARK CHAPEL LANE BURLEY

Which of the four licensing objectives does your representation relate to?	(<input checked="" type="checkbox"/>) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation. Please use separate sheets if necessary
Prevention of crime and disorder		
Public safety	<input checked="" type="checkbox"/>	With 2,500 people coming from towns & cities during each day, using the Park as a camping area, it is very likely someone will bring the Corona Virus with them - we do not want this - with alcohol (they are applying for a licence) they are very unlikely to observe any social distancing & I strongly oppose this Festival.





<p>Prevention of public nuisance</p>		<p>Ditto</p>
<p>Protection of children from harm</p>		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?
If yes - please give details below**

No alcohol licence - Better to stop the Fairy Festival - this year anyway. This Village does not have the virus at present

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?	<input checked="" type="radio"/> Yes <input type="radio"/> No
I acknowledge that my representation will form part of a public document at a hearing, (personal telephone numbers, email addresses and signatures will be redacted)	Please circle Please initial 
Signature	date
	13-8-20

Licensing Services privacy notice can be viewed on the Council's website at <http://www.newforest.gov.uk/article/18315/Licensing-Services-Privacy-Notice>

Please return this form along with any additional sheets / supporting information to : licensing@nfdc.gov.uk or post to

Licensing Manager
 Licensing Services
 Appletree Court
 Beaulieu Road
 Lyndhurst
 SO43 7PA

Phone: 023 8028 5505

Representation form for other persons

Full name	CHRISTINE HOBBS	Title	MRS.FOF
Home address	FOREST GLEN, POUND LANE, BURLEY, RINGWOOD, HAMPSHIRE, BH24 4EE		
Email address			
Phone number			

Name of premises you wish to make a representation about	Fairy Festival Burley – September 2020
Address of premises you wish to make a representation about	The Park – Burley Village

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation. Please use separate sheets if necessary
Prevention of crime and disorder	x	Traffic violation – mainly parking on all the green verges and paths around the village.
Public safety	x	We are still in the middle of the Covid 19 crisis with so many countries all over the world experiencing a second wave. Why would you allow a huge gathering of people in a small village centre. The field may be a reasonable size but the village and road are not. People from all over the country will be funnelled into a very small village centre.
Prevention of public nuisance	x	

		<p>This is a small village with livestock roaming freely in it. Large volumes of vehicles avoiding the animal and people will cause a public nuisance and be very dangerous.</p>
<p>Protection of children from harm</p>		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?
If yes – please give details below**

No

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?	Yes Please circle
I acknowledge that my representation will form part of a public document at a hearing, (personal telephone numbers, email addresses and signatures will be redacted)	Please initial CH
Signature	date
CHRISTINE HOBBS	13 TH AUGUST 2020

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Licensing Manager
Licensing Services
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

Phone: 023 8028 5505

Representation form for other persons

Full name	COLIN EDWARD HOBBS	Title	MR
Home address	FOREST GLEN, POUND LANE, BURLEY, HAMPSHIRE, BH24 4EE		
Email address			
Phone number			

Name of premises you wish to make a representation about	Fairy festival, Burley, SEPTEMBER 2020
Address of premises you wish to make a representation about	Burley Village

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation. Please use separate sheets if necessary
Prevention of crime and disorder	x	The large numbers of attendees from all over UK creates increased incidents of crime including theft, public disorder and traffic violations.
Public safety	x	This is vitally important. We are in the middle of a national emergency with covid19. It is well known that the young people who are the main attendees of this festival, have less regard for social distancing and the other safety matters as directed by HM Government. This has been made clear from recent crowding at Bournemouth beaches and other locations. Having thousands congregate in a small area

		<p>from all over the country even outside, will create serious increased transmission risk of the pandemic which will then be passed on to the older generation creating further strain on the NHS, increased illness and unnecessary deaths. Burley is an ageing community and has managed infection well so far but this will expose its residents to dangerous levels of infection for weeks or months to come.</p> <p>A second wave is predicted by NHS and is gaining momentum as is shown by shutdowns in the Midlands and North where many of the attendees will originate. New infections have increased to over 1,000 per day in England for the first time since June. It would be unforgivably irresponsible by the Council to grant permission for this event at this time.</p>
<p>Prevention of public nuisance</p>	<p>x</p>	<p>The 'invasion' of this small village by many thousands of people with vehicles unsuitable to the environment and roads available, creates substantial public nuisance and prevents residents from going about their normal business. For instance, on previous occasions it has become impossible to use local shops and even pass through the Village due to crowding during the event and for periods before and after. This also has implications for access to emergency vehicles should that become necessary.</p>

Protection of children from harm		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?
If yes – please give details below**

No.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?	YES
	Please circle

I acknowledge that my representation will form part of a public document at a hearing,

**Please initial
CEH**

(personal telephone numbers, email addresses and signatures will be redacted)	
Signature	date
COLIN HOBBS	7 TH AUGUST 2020

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Licensing Manager
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Phone: 023 8028 5505

Mr Mark Steele
160A Burley Road
Bransgore
Dorset
BH23 8DB

Licensing Department
NFDC
Appletree Court,
Beaulieu Rd,
Lyndhurst SO43 7PA

7th August 2020

Letter of Objection: Fairy Festival to be held in Burley (Burley Park) on 26th and
27th September 2020

Dear Ms Christa Ferguson, Joanne McClay, Grainne O'Rourke,

Firstly, thank you and very much appreciated for sending me copy detail for the event Fairy Festival to be held in Burley (Burley Park) on 26th and 27th September 2020

The below Government guidance is clear to me, presently any MASS GATHERING is not permitted, the core principles and ethos to protect the public, employee's, artists, performers, stall holders, participants, for the event to proceed must not be ignored. Mitigation by event risk assessment I indeed applaud, however, the local community must be a consideration, to date I have seen representation from Burley Parish Council and the replying email to Burley Parish by Holly Norman 27th July 2020

With careful consideration, of the supplied mitigation and correspondence I confirm my objection to the event with the following three Concerns and Issues

Three concerns and issues:

- 1. Gatherings -**
- 2. Public Safety – Duty of Care**
- 3. Insurance – (Negligence)**

GATHERINGS

Local authorities should avoid issuing licenses for events that could lead to larger gatherings forming and provide advice to businesses on how to manage events of this type. If appropriate, the government has powers under schedule 22 of the Coronavirus Act 2020 to close venues hosting large gatherings or prohibit certain events (or types of event) from taking place, and a power under Regulation 6 of the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 to restrict access to a public place.

Pilot testing crowds at events

We are stopping the pilots testing **the return of crowds to sporting and performing arts events**. This means planned pilots at venues such as the Sheffield Crucible, Goodwood, county cricket, and concerts and business events will not go ahead.

<https://www.gov.uk/guidance/31-july-announcement>

Pilots of larger crowds in sports venues and conference centres will not take place.

<https://www.gov.uk/government/speeches/prime-ministers-statement-on-coronavirus-covid-19-31-july-2020>

Mr Mark Steele
160A Burley Road
Bransgore
Dorset
BH23 8DB

DUTY OF CARE in English law - From Wikipedia, the free encyclopaedia

In [English tort law](#), an individual may owe a **duty of care** to another, to ensure that they do not suffer any unreasonable harm or loss. If such a duty is found to be [breached](#), a [legal liability](#) is imposed upon the [tortfeasor](#) to compensate the victim for any losses they incur. The idea of individuals owing strangers a duty of care – where beforehand such duties were only found from contractual arrangements – developed at [common law](#), throughout the 20th century. The doctrine was significantly developed in the case of [Donoghue v Stevenson](#),^[1] where a woman succeeded in establishing a manufacturer of [ginger beer](#) owed her a duty of care, where it had been negligently produced. Following this, the duty concept has expanded into a coherent judicial test, which must be satisfied in order to claim in [negligence](#).

Definition

English tort law concerns the compensation for harm to people's rights to health and safety, a clean environment, property, their economic interests, or their reputations. A "tort" is a wrong in civil,^[1] rather than [criminal law](#), that usually requires a payment of money to make up for damage that is caused. Alongside [contracts](#) and [unjust enrichment](#), tort law is usually seen as forming one of the three main pillars of the [law of obligations](#).

Insurance – Claim by Public/Employee/Stall Holders from Covid19 Infection resulting from Negligence

Given the novel nature of Covid-19 as a disease, it is not something that had been previously considered in insurance arrangements.

Therefore, both organisations and their insurers are having to consider the wording of their policies to determine whether there is cover which would respond to any losses. As Covid-19 has been formally classified as a notifiable infectious disease in the UK this can impact on insurance arrangements and the assessment of whether any claims made are payable.

Businesses/charities could face claims by individuals who allege that the business failed to exercise reasonable care in protecting them against, or warning them of, the risk of exposure to COVID-19. These types of claim may be quite hard to prove substantively, given the pervasive nature of the pandemic. That said, there may be some claims which arise where the factual issue is less difficult.

Employer's liability claims are perhaps more likely, given the current reports in the UK about shortages of personal protective equipment among front-line staff dealing with the emergency. Again, causation may give rise to difficulties, but one would expect employer's liability cover to respond to such claims.

Directors' and Officers' liability (D&O) insurance – otherwise a likely claim on the directors or officer's person and any proven resulting financial liability for compensation and costs made against their personal assets.

Mr Mark Steele
160A Burley Road
Bransgore
Dorset
BH23 8DB

In Summary.

I am very much sympathetic to all charity events being cancelled and moved to next year and as most businesses/charities are probably focusing on the revenue losses that are currently being experienced as a result of lock-downs throughout the UK, and indeed the world.

I do not wish to experience a second wave of lockdown, locally or as a nation, and I kindly ask the licencing committee and indeed the charity members and their officers to carefully consider and examine this letter of objection, thank you.

<https://www.gov.uk/government/collections/local-restrictions-areas-with-an-outbreak-of-coronavirus-covid-19>

26 towns and cities in England put on coronavirus 'watch list'

Your Sincerely

A solid black rectangular box used to redact the signature of the sender.

Cllr Mark Steele
Bransgore and Burley Ward

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Summary of Control Measures Identified in the Event Documentation

The main points covered in documents supplied by Ms Norman (Event Organiser) to support the event are as follows:-

- The New Forest Fairy Festival will be a ticketed only event only. All ticket orders are processed through a secure website. The website states No Ticket, No Entry.
- Pre event advice will be sent to each visitor prior to the event and included on the webpage and will include;
 1. Event Guidelines
 2. Floorplan highlighting hand cleaning stations and possible one way systems.
 3. Floor plan highlighting first aid and toilets
 4. Travel advice
- All contact information, including telephone numbers, addresses and email addresses for each individual visitor is securely collected, in the event that test and trace needs to be implemented.
- Visitors will be encouraged to travel by car. *(this is in line with Government advice about limiting use of public transport)*
- The entire site will be enclosed with Heras fencing and a service road will be in place around the festival.
- There will be a separate field allocated for car parking which is marshalled and one way.
- All ticket holders will be issued with a timeslot to enter the festival, This reduces the risk of visitors from crowding or queuing in compact areas. Social distancing markers and signs will also be set out on the arrival to the festival, giving visual and clear information to ensure visitors adhere to distancing measures and hygiene whilst in and around the festival site.
- Social distancing in the lead up to the entrance will be clearly displayed using arrows and signage and markers.
- Information regarding social distancing, hygiene, sanitation and Covid 19 Regulations will be emailed to each individual involved with the event signs at the event.
- Reduced capacities at the event site along with staggered arrival and departure times to reduce clusters of visitors congregating into areas.
- The festival will add extra toilets to the event and implement a cleaning regime on a rotational system to increase the highest standard of hygiene. The toilets will be professionally cleaned by a contracted company and will be emptied each evening once the site has closed. Hand sanitation stations will also be located in these areas.
- Attendees will not be permitted to return into the event once they have left.
- Less exhibitors to allow for greater social distancing.
- The Festival Gates to the site will be opening and closing at:
 - Saturday 10:00 - 18:00
 - Sunday 10:00- 18:00

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From: Joanne McClay <Joanne.McClay@NFDC.GOV.UK>
Sent: 04 September 2020 09:26
To: Andy Rogers <Andy.Rogers@NFDC.gov.uk>
Subject: Appendix 6

Dear Holly,

You recently applied to your District or Borough Council to organise an event. The Licensing, Environmental Health or Safety Advisory Group (SAG) considered your event application and escalated it, including the relevant parts on Covid19, to Local Authority Public Health (Health Protection).

Local Authority Public Health (Health Protection) have considered the documents covering Covid19 mitigations submitted. Based on the information submitted in the application and in any subsequent dialogue, the event will not be escalated for consideration for controls under the Director of Public Health powers and the event can go-ahead in the context of Covid19 mitigations.

This is based on the understanding that your Covid19 mitigations will be applied as you propose. You will also need to respond to the circumstances during your event and have regard to the ever-changing nature of Covid19 prevalence in the community.

Local Authority Public Health (Health Protection) is not an Authority that can 'approve' Risk Assessments.

There are no conditions in which an event organiser or Local Authority Public Health (Health Protection) can guarantee that Covid19 exposure will not occur at an event. However, it remains that:

- a) Covid19 mitigations should continue to seek to reduce the risk and opportunity for Covid19 transmission to the lowest practical level and
- b) As factors around Covid19 change locally (or Nationally) it may become necessary to apply control measures to gatherings such as at events and venues. You will be notified should this be the case.

Thank you. Darren.

Darren Carmichael CMCIEH FRSPH MSc
Health Protection Principal
Public Health, Adults' Health and Care
Hampshire County Council
Floor 3, Ell Court West, Winchester, SO23 8UJ
T: 01962 845138

During the Covid-19 Pandemic I will not be able to respond to messages left on my direct line. Please send your query via email or to my mobile.



**I SAID ONE DAY.
THIS IS DAY ONE.**

Get help and support to get active at nhs.uk/BetterHealth

NHS

Better Health

LET'S DO THIS



HM Government

**CORONAVIRUS
STAY ALERT TO THE
RISK OF INFECTION**

For more ways to stay safe
go to gov.uk/coronavirus

NHS

STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES



**New Forest
Temporary Event Notice
Licensing Act 2003**

For help contact
licensing@nfdc.gov.uk
Telephone: 023 8028 5505

* required information

Section 1 of 9

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

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

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

Are you an agent acting on behalf of the applicant?

- Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

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

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

- Yes No

* Your date of birth

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

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

- Yes No

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

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

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

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

- Yes No

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

Section 3 of 9

THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

- Yes No

Address

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

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

- Yes No

* Building number or name	<input type="text" value="LAND AT BURLEY PARK"/>
* Street	<input type="text" value="CHAPEL LANE"/>
District	<input type="text"/>
* City or town	<input type="text" value="BURLEY"/>
County or administrative area	<input type="text" value="HAMPSHIRE"/>
* Postcode	<input type="text" value="BH24 4DJ"/>
* Country	<input type="text" value="United Kingdom"/>

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Location Details

* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

Continued from previous page...

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

LARGE FLAT FIELD TO BE USED FOR AN EVENT.

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

The New Forest Fairy Festival is a folk themed festival targeted towards families, individuals with learning difficulties and like minded individuals that want to do something they may not do in their everyday lives. All information for this event is included in the Original Event Management and Operating Plan.

The New Forest Fairy Festival is staged at Burley Park, Burley, Hampshire and will take place for this year only on the 26th -27th September 2020.

Extensive Changes have been made to the site plan to ensure the festival area over compensates for social distancing measures and that we can facilitate Social distancing for each visitor, entertainers, exhibitor, and Staff.

For this Year only the Fairy Festival will have a Main stage for all professional bands, A theatre holding a variety of educational theatre productions, A performing arts area and a healing area which consists of spiritual talks. All these areas will have a restricted Audience and Visitors will be able to book these activities pre advanced of the event through our website to ensure all government guidelines are met.

The Fairy Market consists of an open air market supporting british handcrafted products, All Pitches will have ample distance between each pitch and policies for each individual trader are in place to ensure they trade safely at the event. Information of this is included in this document.

The entire site will be enclosed with Heras fencing and a service road will be in place around the festival.

The Festival Gates to the site will be opening and closing at :

Saturday 10:00am - 18:00pm

Sunday 10:00am - 18:00pm

11 documents which have already been submitted including all Risk Assessments and Covid 19 Risk Assessments have all been received by NFDC and have been Signed off by the Safety Advisory Group.

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- 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

([See also guidance on completing the form, note 7](#)).

Continued from previous page...

The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 8\).](#)

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date / /
dd mm yyyy

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

Event end date / /
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Continued from previous page...

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence? Yes No

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

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? 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 Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

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 Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? Yes No

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

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.
This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- Ticking this box indicates you have read and understood the above declaration

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

* Full name

* Capacity

* Date

Continued from previous page...

Add another signatory

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

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/new-forest/apply-1> to upload this file and continue with your application.

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

OFFICE USE ONLY

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

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)