

**TITLE** OLD BLADES (GARDEN), REMENHAM LANE,  
REMENHAM RG9 3DB  
PREMISES LICENCE PR0288  
APPLICATION FOR REVIEW OF THE PREMISES  
LICENCE

**FOR CONSIDERATION BY** Sub Committee of the Licensing and Appeals  
Committee on 17 January 2013

**WARD** Remenham & Wargrave

**STRATEGIC DIRECTOR** Paul Anstey, Joint Service Delivery Manager for  
Environmental Health & Licensing

<p><b>OUTCOME / BENEFITS TO THE COMMUNITY</b></p> <p>In accordance with S51 of the Licensing Act 2003 and the Wokingham Borough Council Licensing Policy, the application is referred to the Licensing and Appeals Sub Committee for determination as an application for a review and representations have been received.</p>
<p><b>RECOMMENDATION</b></p> <p>The Sub Committee to determine the application to grant or refuse the application, with conditions and/or amendments as appropriate.</p>
<p><b>SUMMARY OF REPORT</b></p> <p>To provide relevant information for the Sub Committee to consider and determine the application from Environmental Health Environmental Quality as a responsible authority to review the premises licence for Old Blades (Garden).</p>

## Background

Section 51 of the Licensing Act 2003 provides for a responsible authority to apply to the licensing authority for a review of a premises licence where problems associated with the licensing objectives are occurring.

The representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives.

Before determining the application, the authority must hold a hearing to consider it and any relevant representations, and take steps as it considers necessary for the promotion of the licensing objectives. The options open to the Sub Committee are:

- Modify the conditions of the licence (The conditions of the licence are modified if any of them is altered or omitted or any new condition is added) (for a period not exceeding three months or permanently)
- Exclude a licensable activity from the scope of the licence (for a period not

- exceeding three months or permanently)
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence
- Issue formal warnings to the designated premises supervisor and/or premises licence holder
- Take no action

In determining the application, the Licensing Authority has a duty to carry out its functions with a view to promoting the four licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

For the purposes of the Licensing Act 2003, a child is an individual aged under 18.

The Licensing Authority must also have regard to the representations received, the Licensing Authority's statement of licensing policy and the statutory guidance issued under Section 182 of the Licensing Act 2003.

The application for review of the premises licence was received from Joe Dray on behalf of Environmental Health Environmental Quality Team on 19 November 2012.

The grounds for review are that the existing conditions on the licence are inadequate and cannot be enforced. New conditions are therefore proposed. Complaints from local residents have been received.

The proposed amendments and additions to the licence conditions were submitted by email on 6 December, attached as Appendix Four

The following documentation is attached – copy of the application (Appendix One), location / layout plans (Appendix Two), copy of the current premises licence (Appendix Three), supplementary documentation from Environmental Health (Appendix Four), Thames Valley Police representation (Appendix Five), Environmental Health Commercial Team (Health & Safety) representation (Appendix Six)

The application was checked and confirmed to be correctly made. The 28 day consultation period ran until 17 December 2012. The licence holder, responsible authorities, ward members and parish council were advised of the application by email on 19 November 2012.

The application has been advertised correctly, with site notices displayed at Wokingham Borough Council offices and at the premises (put up at the premises with the landowner's consent on 19 November 2012)

During the statutory consultation period of 28 days, representations were also received from:

- Thames Valley Police requesting changes and additions to the licence conditions, attached as Appendix Five

- Environmental Health Commercial Team (Health & Safety) requesting additional public safety conditions, attached as Appendix Six

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Not applicable		
Next Financial Year (Year 2)	Not applicable		
Following Financial Year (Year 3)	Not applicable		

### Other financial information relevant to the Recommendation/Decision

None..

### Cross-Council Implications (how does this decision impact on other Council services and priorities?)

Not applicable

### Reasons for considering the report in Part 2

None

### List of Background Papers

Application, location plans, representations

<b>Contact</b>	Karen Court	<b>Service</b>	Licensing Service
<b>Telephone No</b>	0118 974 6358	<b>Email</b>	karen.court@wokingham.gov.uk
<b>Date</b>	21 December 2012	<b>Version No.</b>	1

17/11/2012



West Berkshire and Wokingham Environmental Health and Licensing Service

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Joe Dray

(Insert name of applicant)

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

Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Old Blades (Garden) Remenham Lane	
Post town Remenham	Post code (if known) RG9 3DB

Name of premises licence holder or club holding club premises certificate (if known) Mr Christopher Leader
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Number of premises licence or club premises certificate (if known) PR0288
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Part 2 - Applicant details

I am

Please tick ✓ yes

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

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

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal  
address if  
different from  
premises  
address

Post town

Post Code

Daytime contact telephone number

E-mail address  
(optional)

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

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

Noise monitoring took place during the week of the Henley Royal Regatta this year and it was established that a public nuisance existed as a result of high noise levels emanating from the premises and the cumulative effect of noise emanating at the same time from the adjacent premises.

A number of complaints were received during the event from local residents.

The existing conditions relating to the prevention of public nuisance are inadequate and cannot be enforced.

Complaints were received about the setting up and dismantling activity before and after the Henley Regatta week and this needs to be controlled by condition. The current licence does not cover the periods of time outside the Henley Regatta Week

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Joe Dray, Principal Environmental Health Officer West Berkshire and Wokingham Environmental Health and Licensing Service Council Offices Shute End Wokingham RG40 1WW
Telephone number (if any) <b>0118 9746395</b>
E-mail address (optional) Joe. dray@ wokingham.gov.uk jdray@westberks.gov.uk

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

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

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

See relevant section of report on noise monitoring that took place during Henley Royal Regatta 2012. (Attached)

Additional summary Statement (attached)

Letter from Remenham Farm Residents' Association (attached)

Remenham Farm Residents' Association *Summer Events 2012 Event Noise Compliance Report*  
Three Spires Acoustics Ltd Sept 2012 (N.B. Contains some reference to Old Blades licence)



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

Please tick ✓ yes

If yes please state the date of that application

Day    Month    Year

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

Please tick ✓

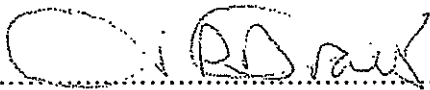
yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

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

**Part 3 – Signatures** (please read guidance note 4)

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

Signature  .....

Date 19<sup>th</sup> November 2012 .....

Capacity **Principal Environmental Health Officer** .....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
<b>Post town</b>	<b>Post Code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

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



**PRO 288 Old Blades (Garden) – Maggies etc**

Existing conditions relevant to Public Nuisance Objective:

**d) Prevention of Public Nuisance**

*Music will be kept to a sensible level during opening periods & will stop at midnight*

*Customers leaving the site will be reminded to be quiet*

*There will be no movement of vehicles on the site after 2200 hours or before 0800 hours.*

*Litter pickers will be present from 0900 to 0100 hours*

*Lighting will be necessary for public safety & crime prevention but will be kept to a sensible level*

**Noise Sources**

The main noise source this year was “Maggie’s on-the-river Pop-Up Club” which according the promotional literature ‘has launched at Henley with an 80s party wonderland” The entertainment on offer was as follows:

- Wednesday: Regatta Opening Party (Midday to midnight)
- Thursday: Urban Monkey (Midday to midnight)
- Friday: Hosted by George Michael (tribute) (Midday to midnight)
- Saturday: Hosted by Michael Jackson (tribute) (Midday to midnight)
- Sunday: Finals Day & Regatta Closing Party hosted by Blondie (tribute) (Midday to 10:00 pm)

One other source, though less significant was ‘Jumping Bean’ – a food trader.

**Noise Monitoring and Control (Licence Holder)**

There was no evidence of any noise monitoring or control

**Compliance Monitoring and Observations**

Friday 29<sup>th</sup> July 2012

Monitoring of music noise from this location took place at ‘Cherwell’ located approximately 200m from the source ‘Old Blades’ itself was discounted as a noise sensitive premises.

Monitoring Location	Time Started	Time Finished	Parameter	Level dB(A)	Comment
Cherwell (3)	20:25				Measurement abandoned because of dog barking
	20:40	20:55	Leq 15 min	60.1	Dominant noise source from direction of Old Blades.
	20:55	21:10	Leq 15 min	60.0	As above
From Car Park	00:03				Final announcements from direction of Old Blades. Music off

Saturday 30<sup>th</sup> July 2012

Monitoring Location	Time Started	Time Finished	Parameter	Level dB(A)	Comment
Cherwell (3) at boundary	20:25	20:30			Subjective assessment from boundary of Old Blades. Appeared slightly less intrusive although noise level varied significantly seemingly with changes in the wind speed and direction
	21:30	21:45	Leq 15 min	59.5	Dominant noise source from direction of Old Blades

The noise from Maggie's' combined with another adjacent noise source ('Oarsman' - located at the adjacent Upper Thames Rowing Club) resulted in a discordant mixture of noises albeit the noise from Maggie's was more dominant at the monitoring location. Whilst the noise level was not high at the facade (compared with levels permitted on other licences operating in the vicinity) the nature of the noise was disturbing and intrusive. Given the distances involved (approx 200m) it could be argued that the level of noise at source was not particularly "sensible" and therefore potentially in breach of a condition.

It should be noted that whilst the music noise from Remenham Farm was inaudible after 23:00 at the Reeds monitoring location the noise from Maggie's' remained clearly audible at the same location and continued until midnight

### Complaints Arising

Complaints were received from local residents including representation from the Remenham Farm Residents' Association following the Thursday evening event.. In response to the complaints received monitoring took place at 'Cherwell' which was identified as the nearest relevant noise sensitive location. Complaints received as follows:

Date	Flare Reference	Nature of Complaint
29/6/12	050634	Noise from disco at Old Blades (received Friday morning after 'Urban Monkey' set.) Sent on behalf of the residents' association.
3/7/12	050676	Noise from Old Blades and Upper Thames Rowing Club
3/7/12	050662	Cumulative effect of noise from Old Blades and Upper Thames Rowing Club
3/7/12	050678	Noise from Old Blades and Upper Thames Rowing Club

The issue was raised with the relevant licence holders at the regular 'morning' site meeting. A request was made to turn the music down and to reduce the bass levels. This appeared to have resulted in a slight improvement during the Saturday evening.

## **Conclusion**

It is my opinion noise emitted from the garden of Old Blades, combined with noise from the land adjacent to the Upper Thames Rowing Club, caused a nuisance to local residents.

Some formal action is required to ensure that nuisance does not recur at future events. I have reviewed the relevant public nuisance conditions (replicated above) and they are clearly not 'fit for purpose'.

## **Options appraisal.**

### **Options appraisal**

#### Do nothing

Given the nature noise that was heard during monitoring and the complaints received this is not considered an appropriate option.

#### Informal Action

It may be possible to address the issues raised informally. This could result in a voluntary agreement being reached between Environmental Health and the licence holder that would not be enforceable and could merely delay the inevitability of a licence review. This action would preclude input from local residents or their elected representatives.

#### Review of Licences

It may be appropriate to call for a formal review of the licences. As mentioned above the existing conditions for the control of public nuisance are not fit for purpose. They do not impose maximum noise levels, they are difficult for the licence holder to achieve and they are not enforceable. A review of the licence would permit the addition of new conditions to the licence that will:

- impose specific noise limits at agreed locations that are measureable and achievable;
- ensure that a noise management plan is produced and subsequently updated year on year in response to complaints or incidents;
- ensure that the licence holder takes responsibility for the monitoring and control of noise and other potential public nuisances arising from their activity;
- ensure that the licence holder liaises effectively with the neighbouring licence holder to minimise the risk of a 'cumulative' impact. (It is understood that the licences are effectively run by the same company so this should be achievable)

It is understood that other 'responsible authorities' have raised concerns about other issues and their impact upon other licensing objectives. These issues could also be addressed by a review of the licence.

#### Service of Noise Abatement Notice

An element of control could be achieved by service of an abatement notice under s.80 of the Environmental Protection Act 1990 on the grounds that a statutory nuisance is likely to recur in the future. The schedule to a notice would list steps that must be taken or works

that must be carried out to prevent the recurrence of a nuisance. These may include, for example, the setting of noise limits and the implementation of a noise management plan.

Given that a nuisance may have arisen partly as a result of the cumulative impact of two noise sources at two separate premises this may not be the most appropriate course of action. It is also relevant that an abatement notice has a limited lifetime and if regular reminders are not issued may become 'stale' and un-enforceable.

Service of an abatement notice would only address noise but not other issues covered by the public nuisance and other licensing objectives.

## Review of Premises Licence

### Old Blades

My name is Jonathan Peter Dray; I am employed by West Berkshire and Wokingham Environmental Health and Licensing Service as a Principal Environmental Health Officer within the Environmental Quality Team. I am a chartered member of the Chartered Institute of Environmental Health.

The Environmental Quality Team is the 'responsible authority' for 'The Prevention of Public Nuisance' licensing objective. I am applying for this review of the premises licence for Old Blades (Garden) on the grounds that the licensing objective 'the Prevention of Public Nuisance' is not being met.

I and a colleague carried out noise monitoring at various locations during the week of the Henley Royal Regatta on 29<sup>th</sup> and 30<sup>th</sup> June 2012. Following receipt of complaints from local residents, monitoring of noise from Old Blades took place at 'Cherwell' a residential property approximately 200 metres from Old Blades. A summary of the complaints received and the results of the noise monitoring are presented in a separate noise report.

It is my opinion that noise from 'Old Blades (Garden)' at times combined with noise from the neighbouring licensed premises (Land adjacent to Upper Thames Rowing Club) caused a Public Nuisance. The cumulative effect resulted in a discordant noise that was intrusive and disturbing over several days and evenings. Complaints were also received after the event about noise arising from setting up and dismantling activity before and after the week of the Henley Royal Regatta.

I have considered the existing licence conditions that relate to the 'Prevention of Public Nuisance' objective and have concluded that they are not adequate or 'fit for purpose'. Examples are set out below:

- *"Music will be kept to a sensible level during opening periods and will stop at midnight"* – This requires a subjective assessment and agreement on the meaning of the word 'sensible' and is therefore not an enforceable condition.
- *"Litter pickers will be present from 0900 – 0100"* - There appears to be no obligation for the litter pickers to do anything whilst they are present on site
- *"Lighting will be necessary for public safety and crime prevention but will be kept at a sensible level – there is no indication as to how this condition relates to the 'public nuisance objective' or what 'sensible' means.*

It is my *recommendation* to the Licensing Committee that the licence conditions relating to the Public Nuisance objective be amended to ensure that they are reasonable, measurable, clear and enforceable. It is also my *recommendation* that the periods of time covered by the licence be extended to one week either side of Henley Royal Regatta week to ensure that noise and disturbance arising during setting up and dismantling can be controlled by condition.

It is my intention to present a list of conditions for consideration by the Licensing Committee that has been agreed in advance by both the local residents association and the licence holder.



On the 8<sup>th</sup> October I and a colleague met with members of the Remenham Farms Residents' Association to discuss the list of draft conditions that had been prepared. A number of minor amendments were made following this meeting and the Residents' indicated that they were content with the conditions proposed. A copy of the draft conditions was then presented to Mr Christopher Leader, the Licence holder for 'Old Blades', at a meeting held in the Council Offices on 25<sup>th</sup> October. I currently await a response from Mr Leader as to whether the proposed conditions are acceptable to him.

On the 5<sup>th</sup> November 2012 I received a letter from the Remenham Residents' Association (attached) summarising their concerns about this and the neighbouring licence. I must point out that the number of additional issues have been raised by the Residents' Association that I am not able to address in my application.

It is hoped that through the imposition of revised conditions the likelihood of public nuisance arising from this premises will be significantly reduced in future years..

J P Dray

Remenham Farm Residents Association  
The Reach  
Remenham Lane  
Remenham  
Near Henley on Thames  
Berkshire  
RG9 3DD

Joe Dray  
Principal Environmental Health Officer  
Environmental Quality Team  
The Licensing Authority  
Wokingham Borough Council  
Shute End  
Wokingham  
RG40 1WQ

5th November 2012

Dear Joe

Old Blades and Land adjacent to the Upper Thames Rowing Club

The Remenham Farm Residents Association represents the householders within the cartilage of Remenham Farm and the church. As you know, I write on their behalf.

Normally over the years our concern has been the activities of Remenham Farm, which for all our residents is our principal neighbour and as such is likely to be the greatest influence on our households.

This year we have all been affected by the overwhelming nuisance caused by the activities at Old Blades and Upper Thames by very loud amplified sound and antisocial behaviour. This was during the period Tuesday 29th June through to Sunday 1st July, prior to that and thereafter.

Both establishments were managed by the same operator.

The sites of Old Blades and Upper Thames are difficult sites for traffic movements resulting in trucks parked up on the road and impeding other traffic for at times considerable delays. This site does not use white sound for reversing.

Particularly irksome was the noise on Sunday 1st July between 4.00pm and 10.30pm when all other operators had ceased and there was virtually no clientele. By doing so it obliges the authorities – police, council, fire and ambulance to be available when all other activities have ceased elsewhere and gives rise to a great deal of public nuisance.

The license for Old Blades states that “music will be kept to a sensible level during opening periods and will stop at midnight”. The nearest noise sensitive premise in the RFRA is Cherwell (John Halsall’s house) approximately 200m from the establishment at Old Blades and 400m from that on the land of Upper Thames. We measured the amplified sound on Friday 29th June 13.30 -23.45, Saturday 30th June 11.00 – 23.45 and Sunday 1st July 11.00 – 14.15 at Cherwell. WBC observed that the sound (MNL LAeq 15 minute) was continuously in excess of was 60 dBA . The continuous noise coming from Maggie’s over a six day period was extremely

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michaelrduley@me.com

loud. Whilst the LAeq was 60 ; the LCeq was well in excess of 70dBA throughout. It is unreasonable to have to live with this over such a long period and certainly does not come within the definition of "sensible".

The License at land adjacent to Upper Thames is even more restrictive for noise but we believe was breached.

Several representations were made to the landowner of Old Blades, Peter Sly, who was unwilling to intervene.

The Licensee at Old Blades/Upper Thames also damaged the towpath by driving over the towpath with a tractor. It took three months after HRR for repair to the land to occur and as yet the tow path has still not been repaired.

The footpath Remenham 4 is closable during HRR but not prior and thereafter, the landowner closed it several days before HRR and it was closed several days thereafter. The Land Owner had previously undertaken (last year) to the Parish council in writing not to close it at all after his contractors had closed it in 2011.

The litter at Old Blades and Upper Thames persisted until two weeks after the end of HRR.

We feel that the public nuisance conditions of the licenses were breached. We would like the a variation included in the licence to Old Blades and would ask WBC to promote such conditioning by agreement:

1) During Henley Royal Regatta all amplified speech, amplified music or amplified sound emitted from the premises shall not be audible within the nearest noise sensitive premises with the windows open in a manner typical for ventilation before 11:00 hours or after 23:00 hours from Monday to Saturday and before 11:00 hours or after 16:00 hours on Sunday.

2) During Henley Royal Regatta the music noise level (MNL, (LAeq)) when measured at one metre from the nearest noise sensitive dwelling (Cherwell) between 11:00 hours and 23:00 hours Monday to Saturday, and between 11:00 hours and 16:00 hours on Sunday, shall not exceed the background noise level by more than 12dB(A) measured over a 15 minute period.

3) At least four weeks prior to events taking place during the Henley Royal Regatta the licence holder will carry out a background noise survey over a 24 hour period. The background noise level to be determined at the boundary of the licensed premises located closest to the nearest noise sensitive property. The results of the background survey will be submitted to the Licensing Authority for agreement, with the lowest background noise level being used to determine the music noise level (background noise level plus 12dBA). Alternatively, with the agreement of the Licensing Authority, the licence holder may establish music noise levels for different periods of the day and evening dependant upon any significant variation in the background noise level measured throughout the day and evening. The licence holder will agree both the measured background level(s) and derived music noise level(s) with the Licensing Authority by written agreement at least three weeks prior to the event. *N.B. The background shall be taken as the prevailing sound level at the location, measured in terms of LA90,T on an equivalent day and at an equivalent time when no events or sound checks are taking place)*

4) For activities arising from and in connection with the setting up and dismantling of temporary structures, plus the delivering and assembling of equipment within the premises and similar associated activities, the noise shall be adequately controlled to ensure that, so far as is

reasonably practicable, no undue noise disturbance is caused to the occupiers of residential premises in the vicinity. This will be a condition of work for any employee, contractor or sub-contractor on the premises. Such activities shall not take place earlier than 0800 hours or later than 2200 hours.

The noise to be controlled shall include the warning alarm emitted from reversing vehicles. All vehicles, where possible, to be fitted with 'white noise' reversing alarms whereby noise from the alarm is confined to the immediate danger area. If vehicles have not been fitted with white noise reversing alarms then reversing alarms shall be disabled and a banksman will be tasked with supervising and ensuring the safety of all reversing manoeuvres.

5) At least 3 months prior to the events a detailed noise management plan (NMP) shall be prepared and submitted for written approval to the Licensing Authority. The noise management plan will include the following:

- a description of the resource being provided to monitor noise and how it will be deployed;
- details of equipment to be used to monitor noise and how it will be deployed;
- details of how and where noise levels will be monitored and how this will translate into active control of noise from the event;
- details of liaison with the neighbouring licence holder, both before and during the event;
- details of noise criteria that will apply to any noise sensitive location or any monitoring location;
- details of any acoustic screening that may be erected;
- a listing of all amplification equipment and their rating in terms of wattage;
- Details of any works or arrangements which are considered necessary, desirable or good practice to reduce off-site noise levels (e.g. acoustic screening, location and orientation of performance areas etc
- Details of management arrangements for the control of noise;
- Consideration of incidental noise sources and their management e.g. noise arising from setting up and dismantling activity.
- Details of communications between staff monitoring noise on and offsite and with the neighbouring licence holder.

6) The licence holder will engage suitably experienced and suitably qualified persons to monitor and manage noise during the events in accordance with the agreed noise management plan.

7) The licence holder will provide to the Licensing Authority a report summarising the outcome and results of noise monitoring of events that have taken place that year within four weeks of the final event of the calendar year. This report will also be provided to any other interested party on request.

8) The licence holder shall review the noise management plan each year to consider any noise related issues that may have arisen during any event and any complaints received. Where necessary amendments shall be made to the plan that take into account the findings of each review and ensure that the issues, where necessary, are addressed and do not recur. The revised management plan will be submitted each year in accordance with condition 5 above

9) All vehicle movements on Remenham Lane to and from Old Blades and Upper Thames will be monitored by a marshal and vehicles will not be allowed to park on Remenham Lane awaiting entrance.

10) The Licensee clears the site every evening of all rubbish, paper, cups, and any other mess restoring the field, towpath, river and adjoining area to a pristine condition for the following day. Wokingham Borough Council in its absolute discretion will be entitled to appoint contractors to restore the field, towpath, river and adjoining area to a pristine condition at the cost of the licensee should it believe that the licensee is not undertaking this obligation.

11) The Licensee will reimburse Wokingham Borough Council for the cost allocated to them by Wokingham Borough Council of traffic marshals for Henley Royal Regatta appointed by Wokingham Borough Council.

12) The Licensee will not close Remenham 4 all or in part during, before or after Henley Royal Regatta and will not permit vehicular access on Remenham 4.

Yours Sincerely

Michael Dudley  
For and on behalf of Remenham Farm Residents Association

In addition please also consider those observations contained in the Three Spires Accoustics report in so far as they relate to Old Blades and Upper Thames.

Kind regards

Michael Dudley - Remenham Farm Residents Association





*Acoustics, Noise and Regulatory Control Consultants*

# Remenham Farm Residents Association

Summer Events 2012

## Event Noise Compliance Report

Document No. CH/ENCR/2012/17

Three Spires Acoustics Ltd

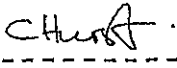
September 2012





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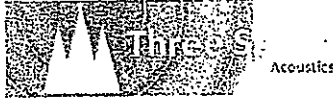
Event Noise Compliance Report	
REPORT NO:	CH/ENCR/2012/17
PREPARED FOR:	Mr. Michael Dudley Remenham Farm Residents Association The Reach Remenham Lane Henley on Thames Oxfordshire RG9 3DD
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AUTHOR:		
	Chris Hurst	Date: September 2012
	Director / Senior Acoustic Consultant	
REVISION HISTORY:		
Revision No.	Date Issued	Reason/Comments
00	September 2012	Compliance Report

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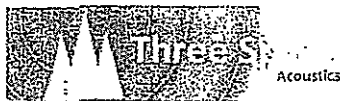
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## 1. INTRODUCTION

Three Spires Acoustics Ltd have been commissioned by Remenham Farm Residents Association to undertake a music noise compliance assessment of events run by The Copas Partnership and the Rewind Festival during the summer season 2012. The Residents Association is concerned that noise from events has caused significant disturbance in previous years and may not be complying with the premises licence conditions issued by Wokingham Borough Council.

This report presents the findings of the assessment along with recommendations regarding possible future actions.

### 1.1. OBJECTIVES

- To determine the A-weighted and octave band,  $L_{90}$ , and  $L_{eq}$  ambient and background noise at residential properties in the absence of entertainment noise.
- To undertake measurements of event music noise and assess against the music noise Premises Licence Conditions.
- To make recommendations regarding future actions

## 2. EVENTS & SITE

Remenham Village is located close to the River Thames just outside Henley and consists of a number of residential properties, Parish Hall and Remenham Church as well as Remenham Farm.

There are several events held on land owned by the Copas Partnership which affect Remenham Village. Table 1 below details the scheduled events held during 2012.

*Table 1: Copas Events 2012*

Date	Event	Monitoring Location	Monitoring
21 April-	Private wedding - adjacent to Temple Island.	Remenham Manor	Unattended
9 June -	Private wedding - adjacent to Temple Island.	Remenham Manor	Unattended
15-17 June	Henley Women's Regatta.	Cherwell	Unattended
27 June - 1 July -	Henley Royal Regatta.	Cherwell	Attended Sat 30th
4 August -	Private wedding - adjacent to Temple Island.	Remenham Manor	Unattended
17-19 August -	Rewind Festival.	Remenham Manor	Attended



Aerial photographs detailing the location of the Barn Bar Stage, Rewind Festival and measurement positions are presented in figure 2 & 3 of Appendix A.

### 3. CRITERIA

#### 3.1. LICENSING ACT 2003

The Licensing Act 2003 established a single integrated scheme for licensing premises, which are used for the supply of alcohol, to provide regulated entertainment or to provide late night refreshment. Authorisation to carry on some or all of these licensable activities is now contained in a single license – The Premises License.

The legislation focuses on four clear objectives;

- The Prevention of Crime & Disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

With regard to the prevention of public nuisance, the applicant must demonstrate within their operating schedule the means they intend to employ to meet the objective. Local Authority “responsible authorities”, typically environmental health departments, when noise is being considered, must have regard to the objective when considering making a representation.

#### 3.2. PUBLIC NUISANCE

Other persons (formerly interested parties) and responsible authorities may make representations based on the public nuisance objective. The Act or Guidance does not define public nuisance, although the Guidance states that licensing authorities should adopt the “broad common law” meaning. In summary, the common law says that public nuisance means:

- Any nuisance is “public” which materially affects the reasonable comfort and convenience of the life of a class of her Majesty’s subjects.
- Public nuisance is a nuisance which is so widespread in its range and indiscriminate in its effect that it would not be reasonable to expect one person to take proceedings on his own to put a stop to it; but that it should take on the responsibility of the community at large.
- The question whether the local community within that sphere comprises a sufficient number of persons to constitute a class of the public is a question of fact in every case;
- A sufficiently large collection of private nuisances, to more than one person/household, can be a public nuisance
- Nuisance is assessed in terms of frequency of event, duration, time of day, absolute level, etc. and must materially unreasonably affect the ordinary use of property.

Therefore, with respect to the promotion element of the public nuisance objective, applicants and responsible authorities should place restrictions/conditions to ensure that noise from regulated entertainment is just below the threshold for public nuisance.



### 3.3. CONDITIONS

Associated guidance which accompanied the Licensing Act 2003 states, that each application must be considered on its own merits and any conditions attached to licences and certificates must be tailored to the individual style and characteristics of the premises and events concerned and as such standardised conditions should be avoided

Conditions must be appropriate to promote one or more of the four licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute. Conditions must be precise and proportionate and should avoid duplication of existing legislation such as Health & Safety at Work etc Act 1974 and Environmental Protection Act 1990.

### 3.4. CODE OF PRACTICE ON ENVIRONMENTAL NOISE CONTROL AT CONCERTS

This Code of Practice addresses environmental noise control at concerts and similar large music events involving high powered amplification when held in sporting stadia, arenas, open air sites and within lightweight buildings. Various guidelines and criteria are described.

For events held between 0900 and 2300 the Music Noise Level (MNL) when assessed at the prediction stage or measured during sound checks or concerts should not exceed.

*Table 2: Code of Practice Guideline Values*

Concert days per Year	Venue Category	Guideline
1 to 3	Urban Stadia & Arenas	The MNL should not exceed 75dB(A) over a 15minute period
1 to 3	Other Urban & Rural Venues	The MNL should not exceed 65dB(A) over a 15minute period
4 to 12	All Venues	The MNL should not exceed the background noise level by more than 15dB(A) over a 15 min period

*The Music Noise Level (MNL) value is the LAEQ,15minute, due to music measured at a distance of 1 meter from the facade of any noise sensitive premises*

## 4. LICENCE CONDITONS

The Premise Licence Conditions regarding music noise issued by Wokingham District Council in 2007 are presented below;

1. All amplified speech, music or sound emitted from the premises should not be audible within the nearest noise sensitive premises with the windows open in a manner typical for ventilation before 11.00H or after 23.00H on any day, except for race commentaries at rowing events, but in any event not more than 30 minutes before the first race.

For all other forms of public address, no speaker shall be placed upstream of a point 100 metres north of the northern boundary of Remenham Manor.

2. On not more than 6 days (of which no more than 3 shall be outside the Henley Royal Regatta) the Music Noise Level (MNL) should not exceed 65 dB (A) measured over a 15 minute period at 1 metre from the façade of the nearest noise sensitive premise, between the hours of 11.00H and 23.00H; on every other night the MNL shall be adequately controlled so as to ensure that the MNL shall not at one metre from the façade of the nearest noise sensitive premises exceed the background noise level by more than 15 dBA over a 15 minute period throughout the duration of the event. The background noise level shall be taken as the prevailing sound level at a location, measured in terms of the LA90.T, on an equivalent day and at an equivalent time when no concerts or sound checks are taking place.
3. For activities arising out of and in connection with the setting up and dismantling of temporary structures, plus the delivering and assembling of equipment within the premises and similar associated activities, the sound shall be adequately controlled to ensure that, so far as is reasonably practicable, no undue disturbance is caused to the occupiers of residential premises in the vicinity. This will be made a condition of work of any employee, contractor or subcontractor on the premises. Save for the week of the Henley Royal Regatta, matters beyond the licensees control and exceptional circumstances, such activities shall not take place earlier than 07.00H or later than 23.00H where use is made of the Remenham Farm Buildings entrance.

INFORMATIVE : the sound to be controlled shall include the warnings emitted from reversing vehicles.

4. The management should ensure that all persons including staff attending functions should leave the premises as quickly and safely as possible at the end of any event. This is with the exception of those involved with night security, necessary site staff and those camping on site and is subject to the opening hours of the premises section earlier in this licence.
5. The provisions contained in this section (d) Prevention of Public Nuisance shall apply equally to any activity on the premises permitted by Temporary Event Notices.
6. The Copas Partnership shall:
  - i. provide details at the principal entrance to the Premises, in a conspicuous position, of the telephone number to ring in the event of any enquiry or complaint concerning the event;
  - ii. ensure that a responsible person is available to receive and respond to complaints at all times the premises are open to the public;
  - iii. make arrangements for details of the caller and the time, date, substance of the complaint and any steps taken at the time or proposed thereafter to address that complaint, to be recorded;
  - iv. arrange that periodic and regular observation shall be undertaken at or near the boundary to ensure compliance with the noise limits specified in conditions (d) (3) - (5) above and the observations entered into a log book which shall be made available for inspection .



## 5. SURVEY & RESULTS

### 5.1. AMBIENT & BACKGROUND NOISE ASSESSMENT

Unattended ambient noise monitoring was undertaken on three separate occasions in 2011 and 2012. Table 3 below summarise the results of the measurements. Measurements were taken 1m from the facade of the Remenham Farm Barn and Remenham Manor. Attended observations were made at the beginning and end of the survey. It is considered that the acoustic environment consists of wind noise, bird song, farm activities and occasional overflying aircraft.

*Table 3: Ambient Noise Measurement Summary (dBA)*

Location	Date	Time	LAeq,T dB(A)	LA90,T dB(A)
Remenham Farm Barn	14/06/2011	19.00-23.00	46	33
Remenham Manor	04/05/2012	19.00-23.00	41	36
Remenham Manor	04/08/2012	19.00-23.00	41	34

The average background level is 35dB(A) L90,4hour, therefore the maximum MNL outside the 6 event criteria of 65dB(A) will be 50dB(A) LAeq,15minute

### 5.2. EVENT MONITORING 2012

A combination of attended & unattended noise monitoring was undertaken during the 2012 events.

Measurements were obtained using the following instrumentation complying with the Type 1 specification of IEC 60651, IEC 61260 and IEC 61672;

2 x Bruel & Kjaer 2250 sound analysers (Serial Number 2505888 & 2764958)

Bruel & Kjaer 4231 Field calibrator (Serial Number 3001533)

The equipment was calibrated using a 4231 field calibrator both before and after each survey and no significant drift was observed. Full calibration certificates are available upon request. The analysers were set to record various parameters including broadband and statistical A-weighted and octave band sound pressure levels including L10, L90, Leq and Lmax. Measurements were simultaneously made of 1 second and 1 minute periods.

Weather conditions and wind were both noted and were favourable throughout each site survey period.

Audio capture was also enabled at a triggered threshold level in order to enable subsequent post measurement analysis to determine the exact nature of noise events.

Table 4 summarises the ambient noise assessment measured levels. A full set of measurement data is presented in Appendix B.

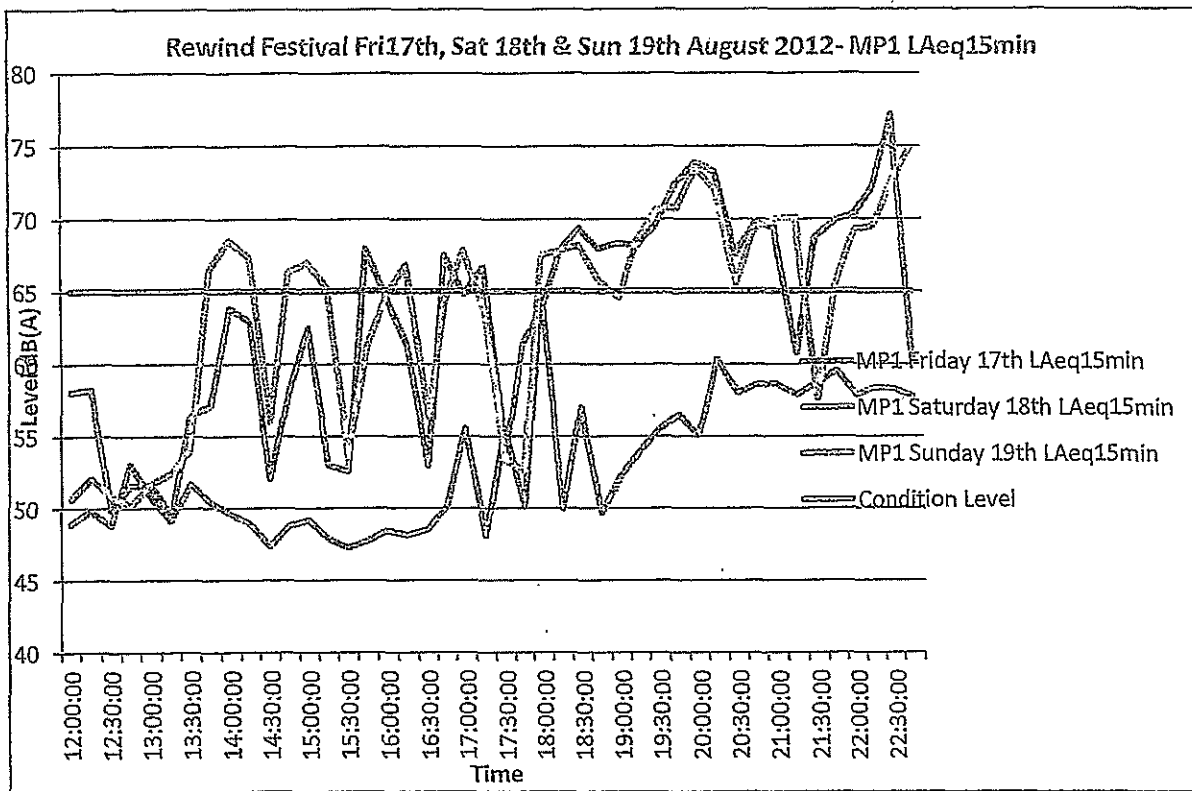


Table 4: Event MNL Compliance Table

Event	Date	Location	MNL Compliant
Private Wedding	21/04/2012	Remenham Manor	Yes
Private Wedding	09/06/2012	Remenham Manor	Yes
Women's Regatta	16/06/2012	Cherwell	Yes
X Henley Regatta	27/06/2012	Remenham Farm House & Cherwell	Yes
X Henley Regatta	28/06/2012	Remenham Farm House & Cherwell	Yes
X Henley Regatta	29/06/2012	Remenham Farm House & Cherwell	Yes
Henley Regatta	30/06/2012	Remenham Farm House & Cherwell	Minor Non Compliance
Henley Regatta	01/07/2012	Remenham Farm House & Cherwell	Yes
Private Wedding	05/08/2012	Remenham Manor	Yes
Rewind Festival	18/08/2012	Remenham Manor & Old School House	No
Rewind Festival	19/08/2012	Remenham Manor & Old School House	No

5.3. REWIND FESTIVAL

Figure 1: Time History Results – Rewind Festival



With regard to the Rewind Festival, the results of the noise monitoring indicate that for both Saturday 18<sup>th</sup> and Sunday 19<sup>th</sup> August 2012, MNL's exceed the condition level requirement for a significant proportion of the events and by a significant level above that required by the premises licence. Periodic measurements at the boundary of the Old School House also indicated that the MNL was in excess of the condition requirement.

6. ASSESSMENT

6.1. EVENT DAYS AT 65DB(A)

The Copas premises licence includes the following extract regarding events;

*"On not more than 6 days (of which no more than 3 shall be outside the Henley Royal Regatta) the Music Noise Level (MNL) should not exceed 65 dB (A) measured over a 15 minute period at 1 metre from the façade of the nearest noise sensitive premise, between the hours of 11.00H and 23.00H"*

It is understood that there is an agreement from the Copas Partnership regarding the Rewind Festival, which states that 2 days of the Rewind Festival will be subtracted from the 6 allowed events days at 65dB(A) reducing the Regatta days at 65dB(A) to four. This is confirmed in a letter from Sarah Copas dated 6th June 2012.

There have been five Regatta events days in 2012 within the 65dB(A) allocation and therefore this is not in accord with the said agreement.

## 6.2. HENLEY REGATTA

The monitoring results undertaken at Remenham Farm House and Cherwell indicate that for the vast majority of time MNL's were compliant with the premises licence conditions. We have been informed by Mr Halsall, owner of Cherwell that music noise from the event held at Old Blades caused considerable disturbance on Tuesday 26<sup>th</sup> June and Sunday 1<sup>st</sup> July, this is when monitoring was not being undertaken. We understand from Wokingham BC that this site has a separate premises licence and we have requested a copy of this to review.

## 6.3. OTHER EVENTS

The monitoring results for other private functions held on Copas Partnership land, largely undertaken at Remenham Manor, indicate that MNL's were compliant with the premises licence condition requirements. Table 12 in Appendix B includes details of resident's description of other noise and public nuisance issues which have affected them during this summer's events.

## 6.4. REWIND FESTIVAL

We understand that at the 2011 Rewind Festival there were a significant number of MNL breaches and that Wokingham BC formally wrote to the promoter to bring matters to their attention in order that the 2012 event would be better controlled. It would seem that there has been a failure in control procedures which allowed music noise to be in breach of the condition requirements. Breaches were on both days of the event, were for significant periods totalling over eleven hours and in excess of the MNL by up to 10dB(A), which is a perceived doubling of the noise level.

We understand that the Rewind Festival has a separate premises licence to that of the Regatta and other events, we have requested a copy from Wokingham BC for review purposes.

## 7. REWIND FESTIVAL – RECOMMENDATIONS

### 7.1. PREMISES LICENCE REVIEW

"Other persons" formerly interested parties, such as residents may seek a review of the premises licence under one or more of the four licensing objectives.

The licensing authority has a range of powers which it may exercise on determining a review, where it considers them appropriate for the promotion of the licensing objectives.

- Issue informal warning
- Modify conditions of the licence
- Exclude a licensable activity
- To revoke the licence

Where responsible authorities such as environmental health have already issued a warning requiring improvement, that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

Remedial action should be directed at the cause of the failure to comply with the objectives and should be no more than an appropriate and proportionate response.



## 7.2. LOCAL AUTHORITY ACTION

The Local Authority also undertook monitoring during the event and it is assumed that they will have measured MNL's which exceeded the condition requirement. They therefore have the power to take formal action for a breach of the Premises Licence condition and /or to call a premises licence review. The range of exceedence is significant in terms of level and time and therefore there would be little doubt that there was an absolute breach of condition.

## 7.3. PROPOSED CONDITIONS

It is recommended that other parties or responsible authorities apply to review the licence, and amend the licence conditions to include the following.

## 7.4. ACOUSTIC CONSULTANT

The licence holder shall appoint a suitably qualified and experienced noise control consultant, no later than 3 months prior to the event. The noise control consultant shall liaise between all parties, including the Licence holder, Promoter, sound system supplier, sound engineer and the licensing authority & environmental health department on all matters relating to noise control prior to and during the event.

Rewind.

## 7.5. NOISE MANAGEMENT

A Noise Management Plan (NMP) shall be submitted to the Licensing Authority at least 2 months prior to the event taking place or as part of the premises licence application. The NMP shall include as a minimum the following information;

- i. The proposed MNL's, and locations
- ii. Music noise times and durations
- iii. Noise check and rehearsal times and durations
- iv. Noise control procedures and MNL monitoring
- v. Complaints monitoring and action
- vi. Compliance report to be submitted to the LA within 14 days of the finish of the event.

## 7.6. MUSIC NOISE LEVELS

The control limits set at the mixer position shall be adequate to ensure that Music Noise Level (MNL) between 10.00-23.00 shall not at the following representative locations (See attached map for indicative purposes)

- i. Remenham Manor facing onto event arena
- ii. Old School Cottages facing event arena.
- iii. The Reach
- iv. Other to be agreed with the Local Authority

exceed 65dB(A) and 82dB(C) over a 15 minute period throughout the duration of the concert and/or rehearsal or sound check. A proxy position maybe used within an appropriate predicted level.

## 7.7. SOUND CHECKS & REHEARSALS

Rehearsals and sound checks are permitted only between the following hours:  
10.00 hours to 17.00 hours the day before the event takes place

3 hours on performance days

#### 7.8. MUSIC TIMES

Music noise from the event is permitted only between the following hours:

10.00 hours to 23.00 hours

### 8. HENLEY REGATTA & OTHER COPAS EVENTS – RECOMMENDATIONS

#### 8.1. AMENDED NOISE MANAGEMENT PLAN

It is recommended that the Copas Partnership provide an amended Noise Management Plan as part of a premises licence minor variation. The amended NMP would include full details of the music control measures that would be undertaken during all events, compliance monitoring and reporting and complaints handling.

#### 8.2. EVENTS DAYS AT 65DB(A)

The Copas Premises Licence and the Rewind Premises Licence allow a total of 9 days at which music noise levels can be at 65dB(A) LAeq,15minute. There is a further condition under the Copas Licence to ensure the MNL on all other event days is no more than 15dB(A) above the background noise level.

The above allocation is in excess of the Code of Practice of Environmental Noise Control from Concerts which sets a threshold number of three events at 65dB(A) for rural venues. The MNL level then decreases to 15dB(A) above background for 4-12 event days.

Although the informal agreement to set aside two events days from the Copas licence for the Rewind Festival has no legal basis it was nevertheless breached in 2012.

It is recommended that this arrangement is formalised to the satisfaction of all parties using a minor variation, such that a maximum number of 6 days at 65dB(A) LAeq,15min should be shared between the Copas Licence and the Rewind licence. ✓

### 9. OLD BLADES – RECOMMENDATIONS

We recommend that the Old Blades premises licence is amended via a minor variation to ensure that the same requirements for music noise control that the Copas Partnership must adhere to are imposed on Old Blades. ✓



## 10. CONCLUSION

Three Spires Acoustics have undertaken a music noise compliance assessment of events run by The Copas Partnership & Rewind Festival during the summer season 2012. The Remenham Farm Residents Association is concerned that music noise from events has caused significant disturbance in past years and may not be complying with the Premises Licence Conditions issued by Wokingham Borough Council.

The results of the assessment indicate that music noise from the Henley Regatta and other Copas events were mainly compliant with the premises licence conditions, however the numbers of event days at prescribed Music Noise levels were not in accord with the agreed allowance.

Monitoring of the Rewind Festival indicated that there were significant breaches of the Music Noise Level requirements.

There are also concerns from residents that the Old Blades event is causing significant disturbance and the current conditions are not consistent with other equivalent venues.

- Recommendations have been made with regard to future actions that the Residents Association may take in order to reduce the cumulative impact upon Remenham Village residents and to bring a more consistent approach to all the premises licences.

### APPENDIX A – SITE PLAN & MEASUREMENT LOCATION

Figure 2: Aerial Photograph Remenham Village Measurement Locations

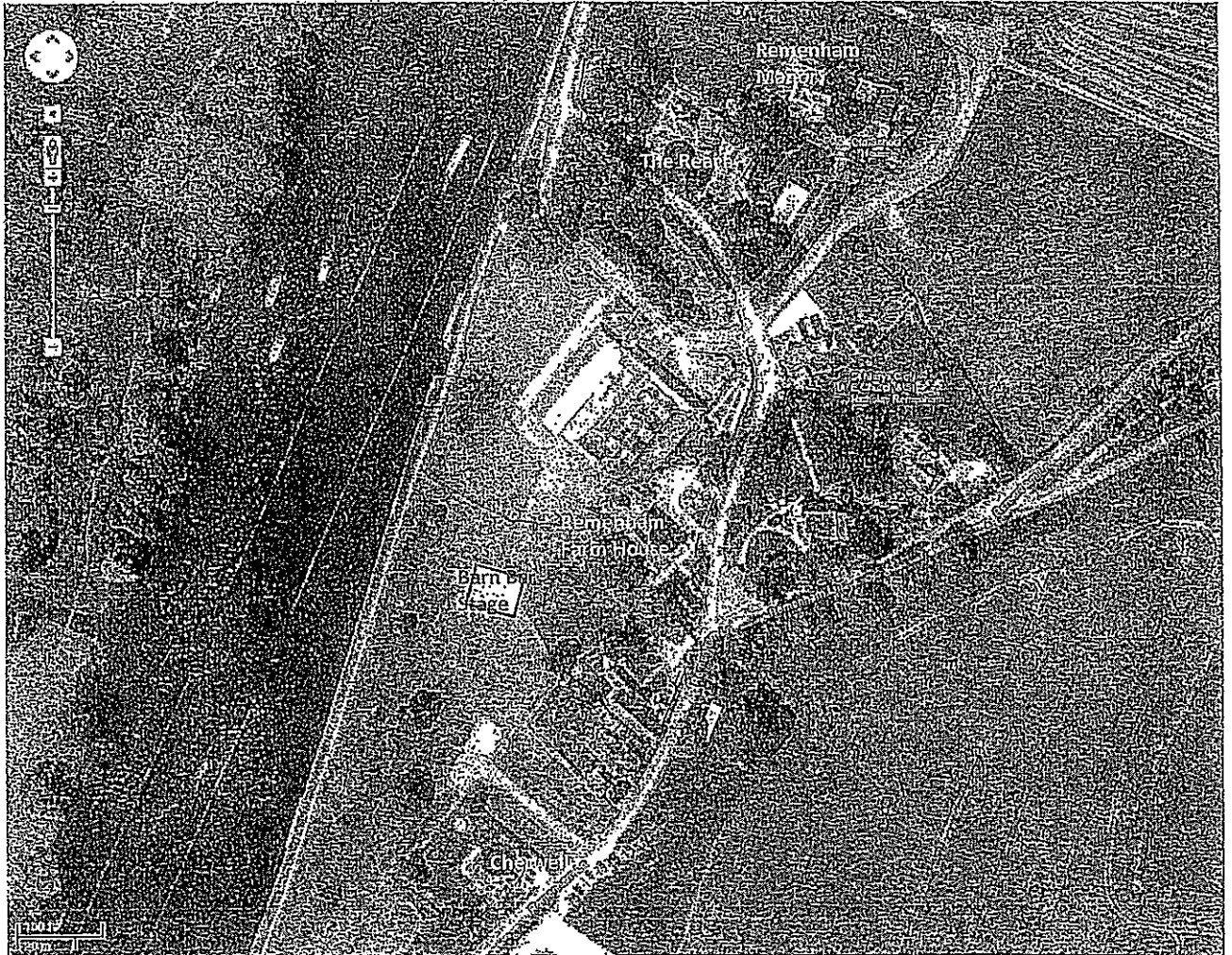
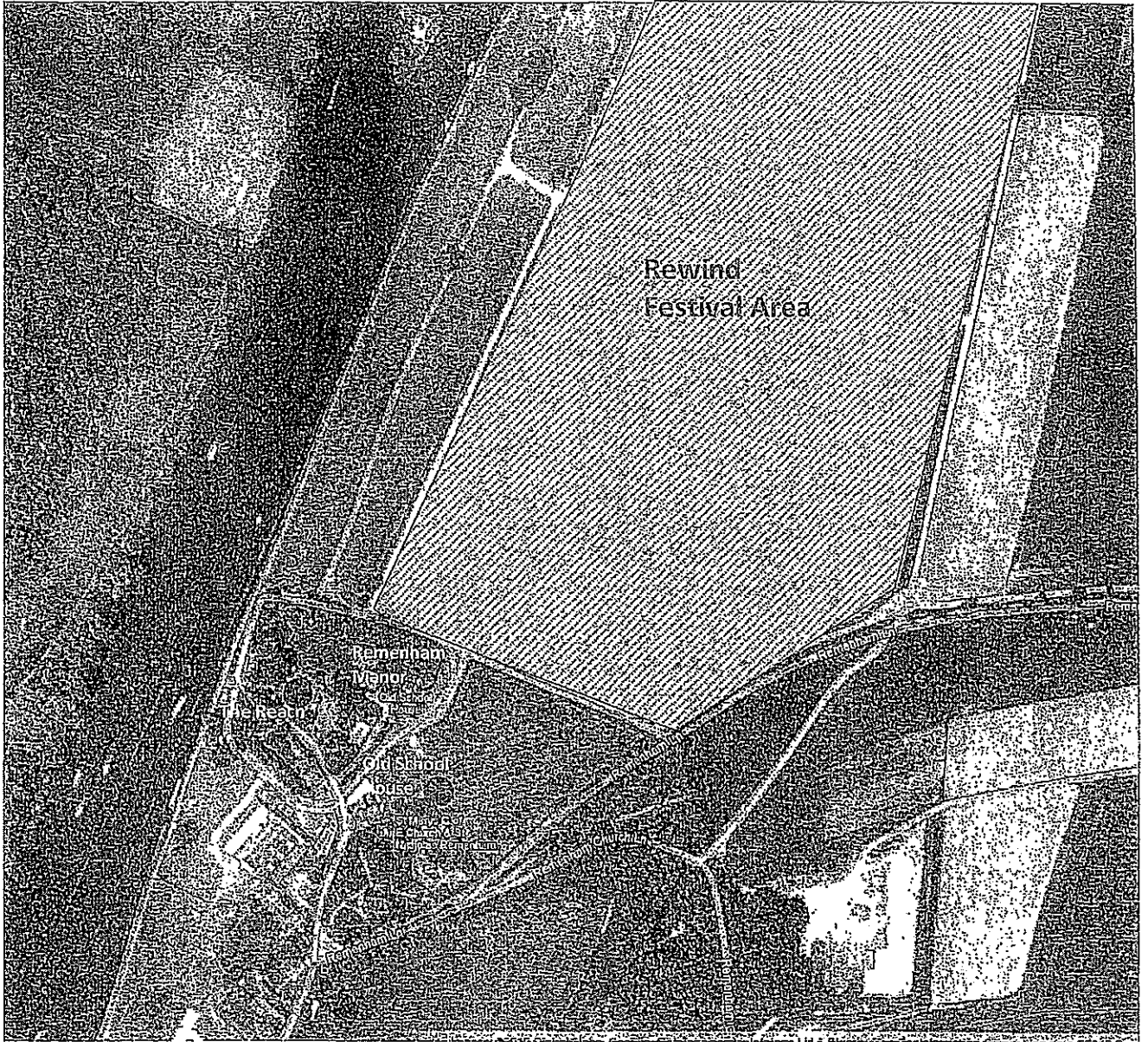
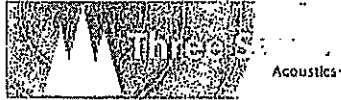


Figure 3: Aerial Photograph Remenham Village & Rewind Festival Measurement Locations







**APPENDIX B – RESULTS**

*Table 5: - Private Wedding Opposite Temple Island- Remenham Manor Noise Measurement Results & Chart*

Start time	End time	Duration	LAeq [dB]	Proposed Condition MNL
21:00:00	21/04/2012 21:15:00	0:15:00	49	50
21:15:00	21/04/2012 21:30:00	0:15:00	46	50
21:30:00	21/04/2012 21:45:00	0:15:00	50	50
21:45:00	21/04/2012 22:00:00	0:15:00	51	50
22:00:00	21/04/2012 22:15:00	0:15:00	49	50
22:15:00	21/04/2012 22:30:00	0:14:00	48	50
22:30:00	21/04/2012 22:45:00	0:15:00	50	50
22:45:00	21/04/2012 23:00:00	0:15:00	51	50

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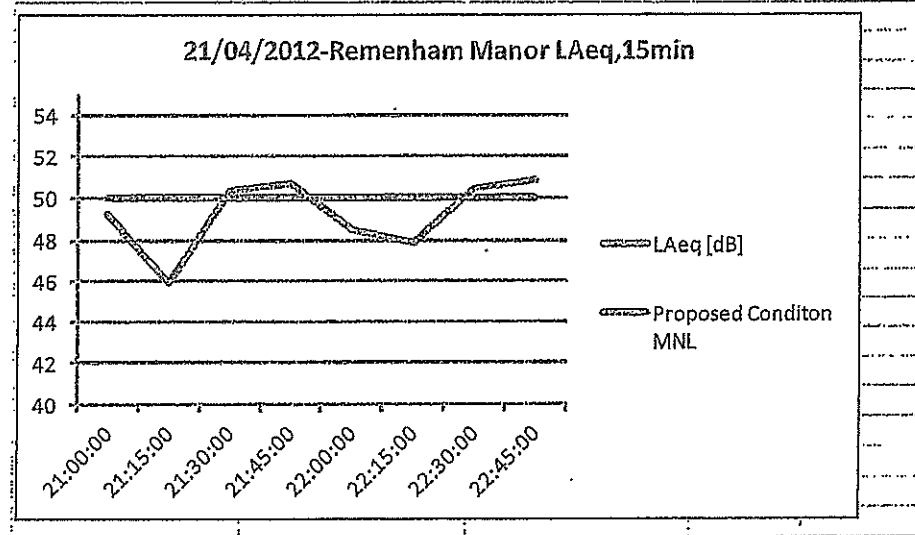




Table 6: - Private Wedding Opposite Temple Island- Remenham Manor Noise Measurement Results & Chart

Start date	Start time	LAeq,15 min	Proposed Condition MNL
09/06/2012	19:00:00	46	50
09/06/2012	19:15:00	48	50
09/06/2012	19:30:00	46	50
09/06/2012	19:45:00	45	50
09/06/2012	20:00:00	47	50
09/06/2012	20:15:00	45	50
09/06/2012	20:30:00	48	50
09/06/2012	20:45:00	48	50
09/06/2012	21:00:00	52	50
09/06/2012	21:15:00	48	50
09/06/2012	21:30:00	49	50
09/06/2012	21:45:00	53	50
09/06/2012	22:00:00	54	50
09/06/2012	22:15:00	53	50
09/06/2012	22:30:00	52	50
09/06/2012	22:45:00	49	50
09/06/2012	23:00:00	50	50
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09/06/2012	23:45:00	45	50

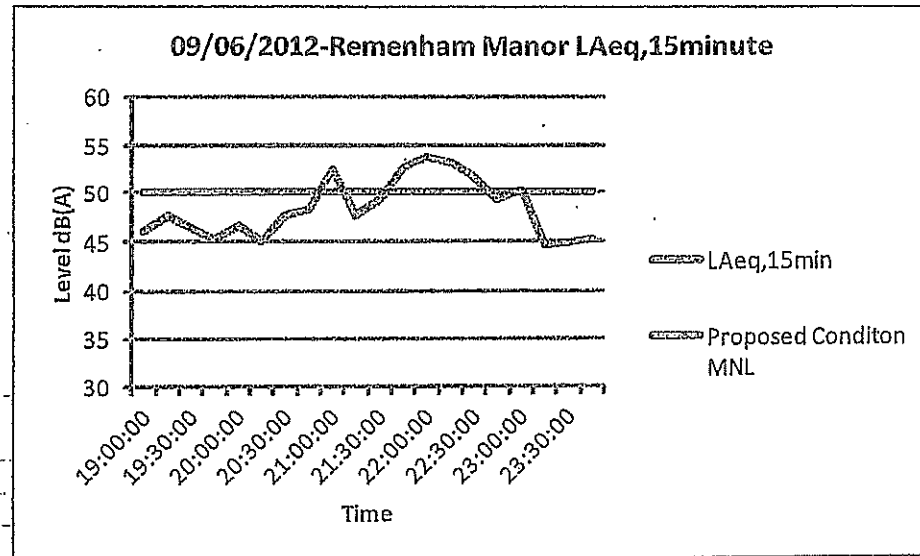
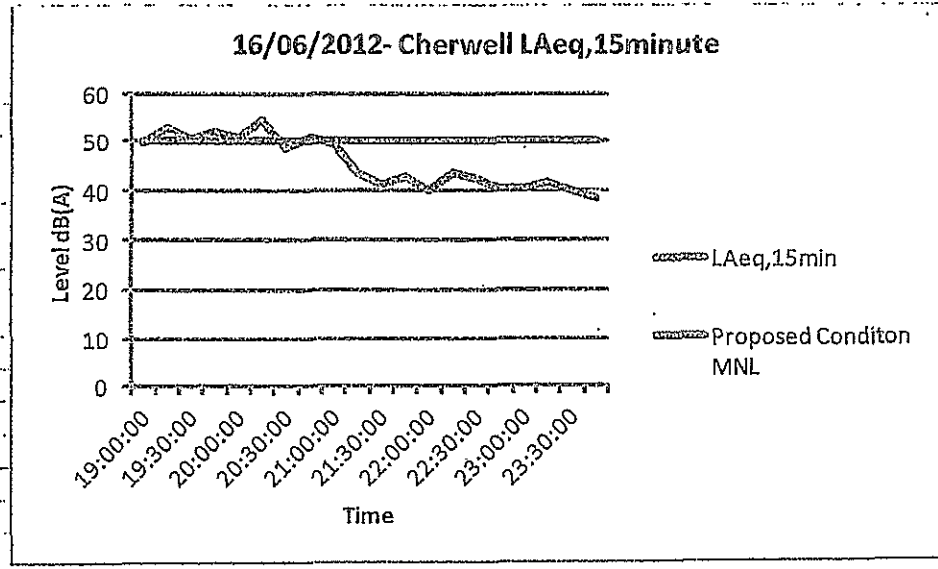




Table 7: - Women's Regatta – Cherwell- Noise Measurement Results & Chart

Start date	Start time	LAeq,15 min	Proposed Condition MNL
16/06/2012	19:00:00	50	50
16/06/2012	19:15:00	53	50
16/06/2012	19:30:00	50	50
16/06/2012	19:45:00	52	50
16/06/2012	20:00:00	51	50
16/06/2012	20:15:00	54	50
16/06/2012	20:30:00	49	50
16/06/2012	20:45:00	51	50
16/06/2012	21:00:00	49	50
16/06/2012	21:15:00	44	50
16/06/2012	21:30:00	41	50
16/06/2012	21:45:00	43	50
16/06/2012	22:00:00	40	50
16/06/2012	22:15:00	44	50
16/06/2012	22:30:00	42	50
16/06/2012	22:45:00	40	50
16/06/2012	23:00:00	40	50
16/06/2012	23:15:00	42	50
16/06/2012	23:30:00	40	50
16/06/2012	23:45:00	38	50



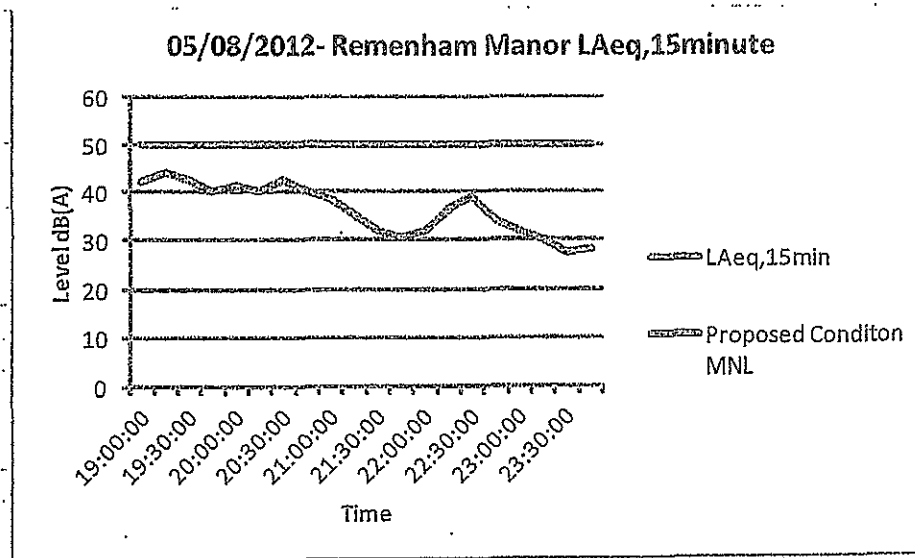
43



Acoustics

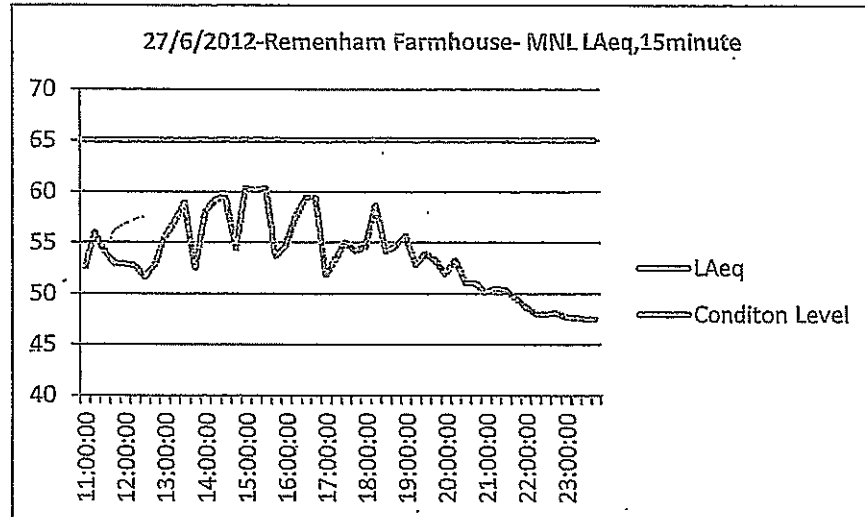
Table 8: - Private Wedding Opposite Temple Island- Remenham Manor Noise Measurement Results & Chart

Start date	Start time	LAeq,15 min	Proposed Condition MNL
05/08/2012	19:00:00	42	50
05/08/2012	19:15:00	44	50
05/08/2012	19:30:00	43	50
05/08/2012	19:45:00	40	50
05/08/2012	20:00:00	41	50
05/08/2012	20:15:00	40	50
05/08/2012	20:30:00	43	50
05/08/2012	20:45:00	40	50
05/08/2012	21:00:00	38	50
05/08/2012	21:15:00	35	50
05/08/2012	21:30:00	32	50
05/08/2012	21:45:00	31	50
05/08/2012	22:00:00	32	50
05/08/2012	22:15:00	36	50
05/08/2012	22:30:00	39	50
05/08/2012	22:45:00	34	50
05/08/2012	23:00:00	32	50
05/08/2012	23:15:00	30	50
05/08/2012	23:30:00	27	50
05/08/2012	23:45:00	28	50



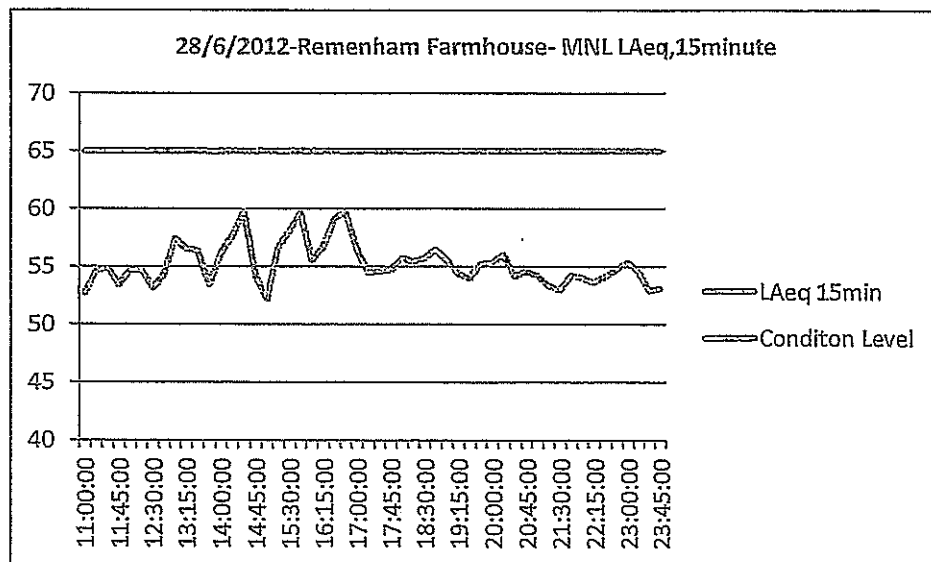
44

Figure 4: - Henley Regatta- Remenham Farmhouse Time History Profile 27/06/2012



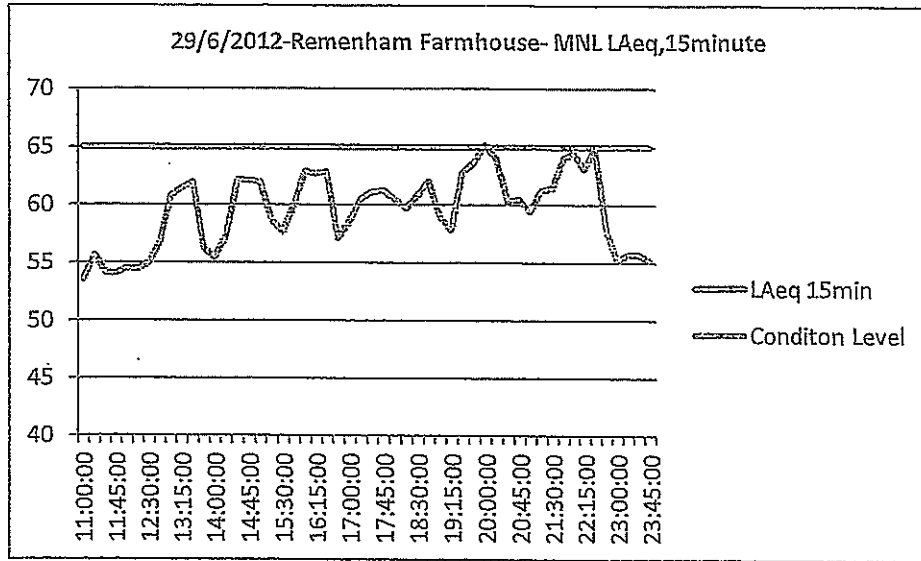
*Chatterbox*

Figure 5: - Henley Regatta- Remenham Farmhouse Time History Profile 28/06/2012



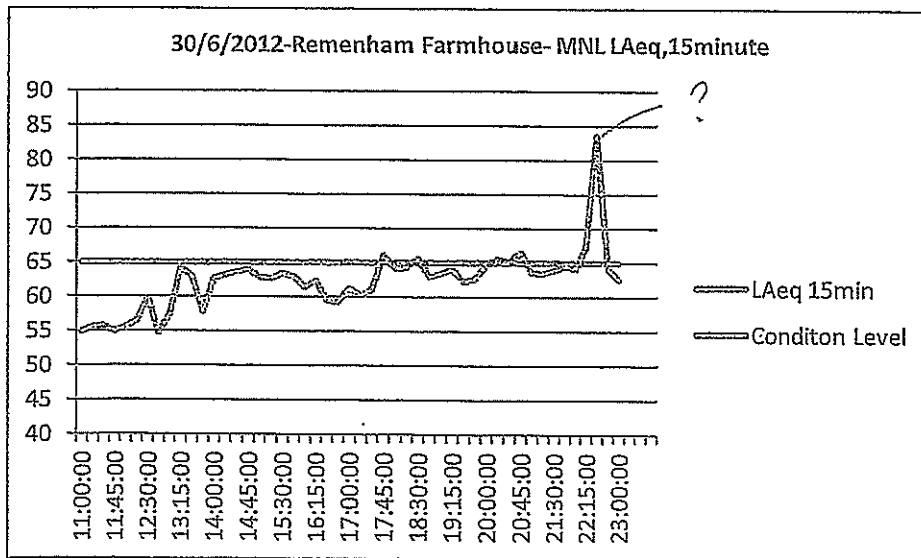
*Chatterbox*

Figure 6: Henley Regatta- Remenham Farmhouse Time History Profile 29/06/2012



FRIDAY

Figure 7: - Henley Regatta- Remenham Farmhouse Time History Profile 30/06/2012



SATURDAY

Attended

Minor non-compliance

Figure 8: Henley Regatta- Remenham Farmhouse Time History Profile 01/07/2012

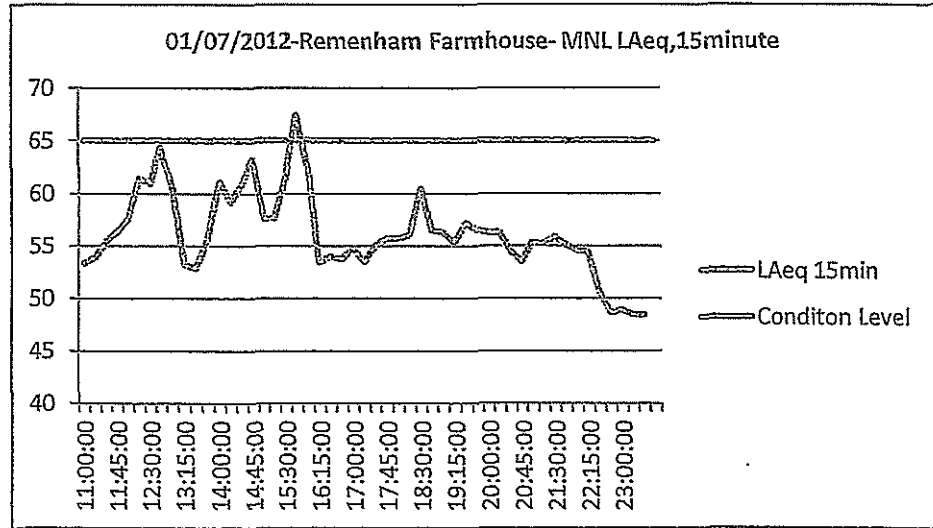
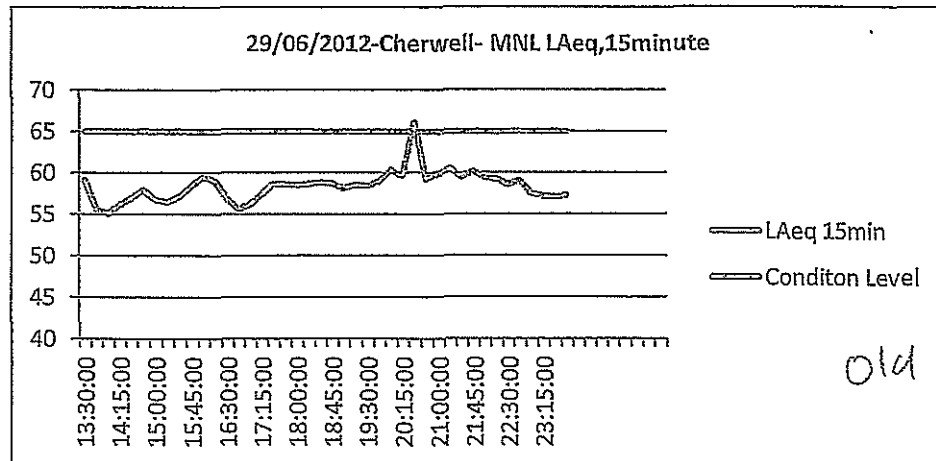


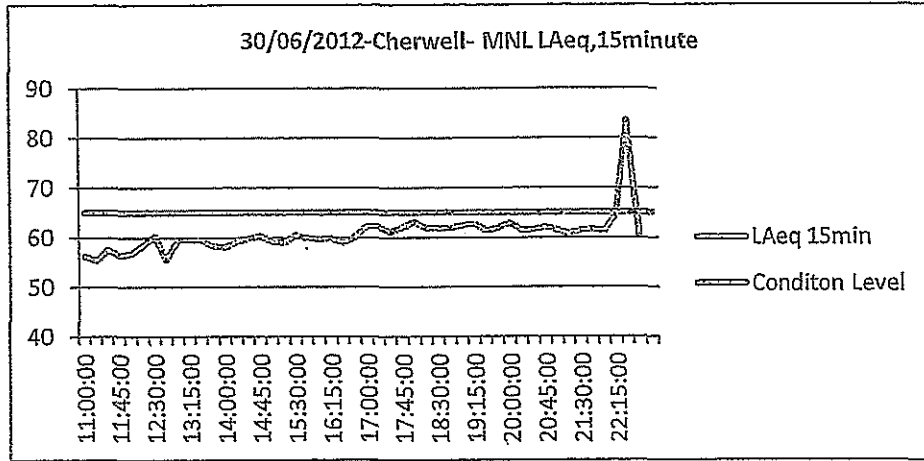
Figure 9: Henley Regatta- Cherwell - Time History Profile 29/06/2012



FR1  
 O.K.

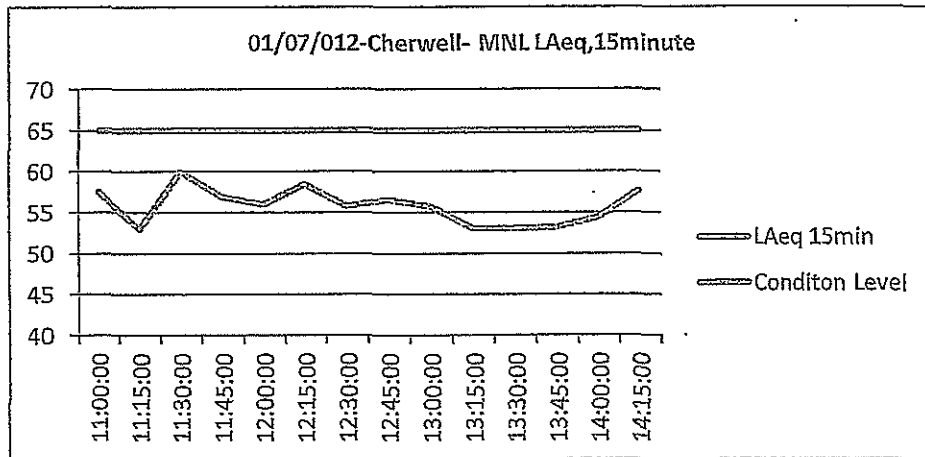
Old Blakes

Figure 10: - Figure 11: Henley Regatta- Cherwell - Time History Profile 30/06/2012



*Old Blesden*

Figure 12: - Figure 13: Henley Regatta- Cherwell - Time History Profile 30/06/2012



*Sunday*



Table 9: Time History Results- Remenham Manor - Rewind Festival 18<sup>th</sup> & 19<sup>th</sup> August 2012

Rewind festival 2012 MP1 Measurements

Start time	MP1 Friday 17th LAeq15min	MP1 Saturday 18th LAeq15min	MP1 Sunday 19th LAeq15min	Condition Level
12:00:00	49	58	51	65
12:15:00	50	58	52	65
12:30:00	49	50	51	65
12:45:00	53	52	50	65
13:00:00	51	52	52	65
13:15:00	49	50	52	65
13:30:00	52	56	54	65
13:45:00	50	57	67	65
14:00:00	50	64	69	65
14:15:00	49	63	67	65
14:30:00	47	52	56	65
14:45:00	49	58	66	65
15:00:00	49	62	67	65
15:15:00	48	53	65	65
15:30:00	47	53	54	65
15:45:00	48	68	61	65
16:00:00	48	65	65	65
16:15:00	48	61	67	65
16:30:00	49	53	56	65
16:45:00	50	68	64	65
17:00:00	56	65	68	65
17:15:00	48	67	64	65
17:30:00	56	54	53	65
17:45:00	50	61	53	65
18:00:00	65	64	68	65
18:15:00	50	68	68	65
18:30:00	57	69	68	65
18:45:00	50	68	66	65
19:00:00	52	68	65	65
19:15:00	54	68	69	65
19:30:00	55	70	71	65
19:45:00	57	72	71	65
20:00:00	55	74	73	65
20:15:00	60	73	72	65
20:30:00	58	68	66	65
20:45:00	59	70	69	65
21:00:00	59	69	70	65
21:15:00	58	61	70	65
21:30:00	59	69	58	65
21:45:00	60	70	66	65
22:00:00	58	70	69	65
22:15:25	58	72	69	65
22:30:00	58	77	73	65
22:45:00	58	60	75	65



Table 10: Other Offsite Measurements - Rewind Festival 18<sup>th</sup> & 19<sup>th</sup> August 2012

Date	Time	Duration	Location	LAeq	Detail
18/08/2012	20:29	2min	Outside Parish Council	63	Jimmi Summerville
18/08/2012	20:39	5min	Old School House	67	
18/08/2012	21:30	15min	Old School House	65	Kool & The Gang
18/08/2012	21:45	15min	Old School House	67	Kool & The Gang
19/08/2012	20:48	15min	Old School House	67	Tony Hadley
19/08/2012	21:04	15min	Old School House	69	Tony Hadley
19/08/2012	21:56	17min	Old School House	66	OMD
19/08/2012	22:14	15min	Old School House	66	OMD

Table 11; Other Public Nuisance Issues reported by Remenham Residents

Resident	Description
Ron Emerson	<p><i>On two occasions I had to stop set up activities that were taking place after hours. The first was on the 26th May at 11-40pm when I had to talk to Tom Copas Jnr about tractors and vehicles creating a lot of noise. His response was simply that they had not finished setting up, but the activity did then cease. The second was much worse. On the 1st June I had to get out of bed at 1-20 am because they were emptying all of the blue refuse bins, many of them filled with bottles that made a horrendous row. They had clearly planned this as the Wilshire refuse company lorries had arrived specifically for this purpose. On this occasion I spoke to Fenella Copas who was to say the least hostile at being challenged on this but again they ceased the activity. Nevertheless this was clearly a deliberate and blatant breach of the licence terms as I pointed out to her.</i></p>
Jon Halsall	<p><i>I am the nearest resident to the Old Blades' site (apart from Peter Sly – the owner) and again UTRC other than the caretaker of Remenham Club. I am one of the founding members of UTRC and use the Club virtually every day. Peter Sly is not only a close friend and neighbour but also a Parish councillor.</i></p> <p><i>Peter Sly had given an undertaking to the Parish council that the footpath Remenham 4 would not be closed. It was, but not only during HRR, but also for several days before and after and was not reopened until the intervention of WBC.</i></p> <p><i>I was stunned by the activities of the common contractor/licensee at Old Blades/UTRC last year. There was a complete disregard of all previous understandings on behaviour and noise. I personally undertook the litter pick at UTRC which amounted to some twenty full bags of rubbish more than a week after HRR. The land and towpath which were used to haul trailers from Old Blades to the road through Upper Thames has yet to be repaired, levelled and reseeded two months after HRR. There were frequent hold ups on Remenham Lane, in the week prior to the Regatta, on Remenham Lane as vehicles parked up waiting to access the Old Blades site.</i></p> <p><i>At Cherwell we were inundated with continuous noise from the Tuesday of Regatta until the Sunday night, when everyone else had gone. It was impossible to sit in our garden throughout HRR week because of the noise from "Maggie's" at Old Blades. My neighbours also complained of the same.. The level of noise at Cherwell was professionally monitored for Friday, Saturday and Sunday; the results were at an unacceptable level. This is more than 200 metres away suggesting that the noise level at source were far above that envisaged by the license, deplorable and well above those of previous years.</i></p>

## APPENDIX C – GLOSSARY OF TERMS

### The Decibel, dB

The unit used to describe the magnitude of sound is the decibel (dB) and the quantity measured is the sound pressure level. The decibel scale is logarithmic and it ascribes equal values to proportional changes in sound pressure, which is a characteristic of the ear. Use of a logarithmic scale has the added advantage that it compresses the very wide range of sound pressures to which the ear may typically be exposed to a more manageable range of numbers. The threshold of hearing occurs at approximately 0 dB (which corresponds to a reference sound pressure of  $2 \times 10^{-5}$  pascals) and the threshold of pain is around 120 dB. The sound energy radiated by a source can also be expressed in decibels. The sound power is a measure of the total sound energy radiated by a source per second, in watts. The sound power level,  $L_w$  is expressed in decibels, referenced to 10-12 watts.

### Frequency, Hz

Frequency is analogous to musical pitch. It depends upon the rate of vibration of the air molecules that transmit the sound and is measured as the number of cycles per second or Hertz (Hz). The human ear is sensitive to sound in the range 20 Hz to 20,000 Hz (20 kHz). For acoustic engineering purposes, the frequency range is normally divided up into discrete bands. The most commonly used bands are octave bands, in which the upper limiting frequency for any band is twice the lower limiting frequency, and one-third octave bands, in which each octave band is divided into three. The bands are described by their centre frequency value and the ranges which are typically used for building acoustics purposes are 63 Hz to 4 kHz (octave bands) and 100 Hz to 3150 Hz (one-third octave bands).

### A-weighting

The sensitivity of the ear is frequency dependent. Sound level meters are fitted with a weighting network which approximates to this response and allows sound levels to be expressed as an overall single figure value, in dB(A).

### Environmental Noise Descriptors

Where noise levels vary with time, it is necessary to express the results of a measurement over a period of time in statistical terms. Some commonly used descriptors follow.  $L_{Aeq, T}$  The most widely applicable unit is the equivalent continuous A-weighted sound pressure level ( $L_{Aeq, T}$ ). It is an energy average and is defined as the level of a notional sound which (over a defined period of time, T) would deliver the same A-weighted sound energy as the actual fluctuating sound. LAE Where the overall noise level over a given period is made up of individual noise events, the  $L_{Aeq, T}$  can be predicted by measuring the noise of the individual noise events using the sound exposure level, LAE (or SEL or LAX). It is defined as the level that, if maintained constant for a period of one second, would deliver the same A weighted sound energy as the actual noise event. LA1 The level exceeded for 1% of the time is sometimes used to represent typical noise maxima. LA10 The level exceeded for 10% of the time is often used to describe road traffic noise. LA90 The level exceeded for 90% of the time is normally used to describe background noise.

### Sound Transmission in the Open Air

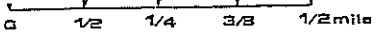
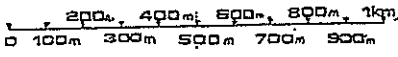
Most sources of sound can be characterised as a single point in space. The sound energy radiated is proportional to the surface area of a sphere centred on the point. The area of a sphere is proportional to the square of the radius, so the sound energy is inversely proportional to the square of the radius. This is the inverse square law. In decibel terms, every time the distance from a point source is doubled, the sound pressure level is reduced by 6 dB. Road traffic noise is a notable exception to this rule, as it approximates to a line source, which is represented by the line of the road. The sound energy radiated is inversely proportional to the area of a cylinder centred on the line. In decibel terms, every time the distance from a line source is doubled, the sound pressure level is reduced by 3 dB.



REMENHAM PARISH

Grid Ref. Number  
(E7)

- Footpaths Map**
- Footpaths
  - Footpaths only in time of flood
  - Parish Boundary
  - Viewpoint
  - Landscape Painting Spots
  - Danger; Fast Cars

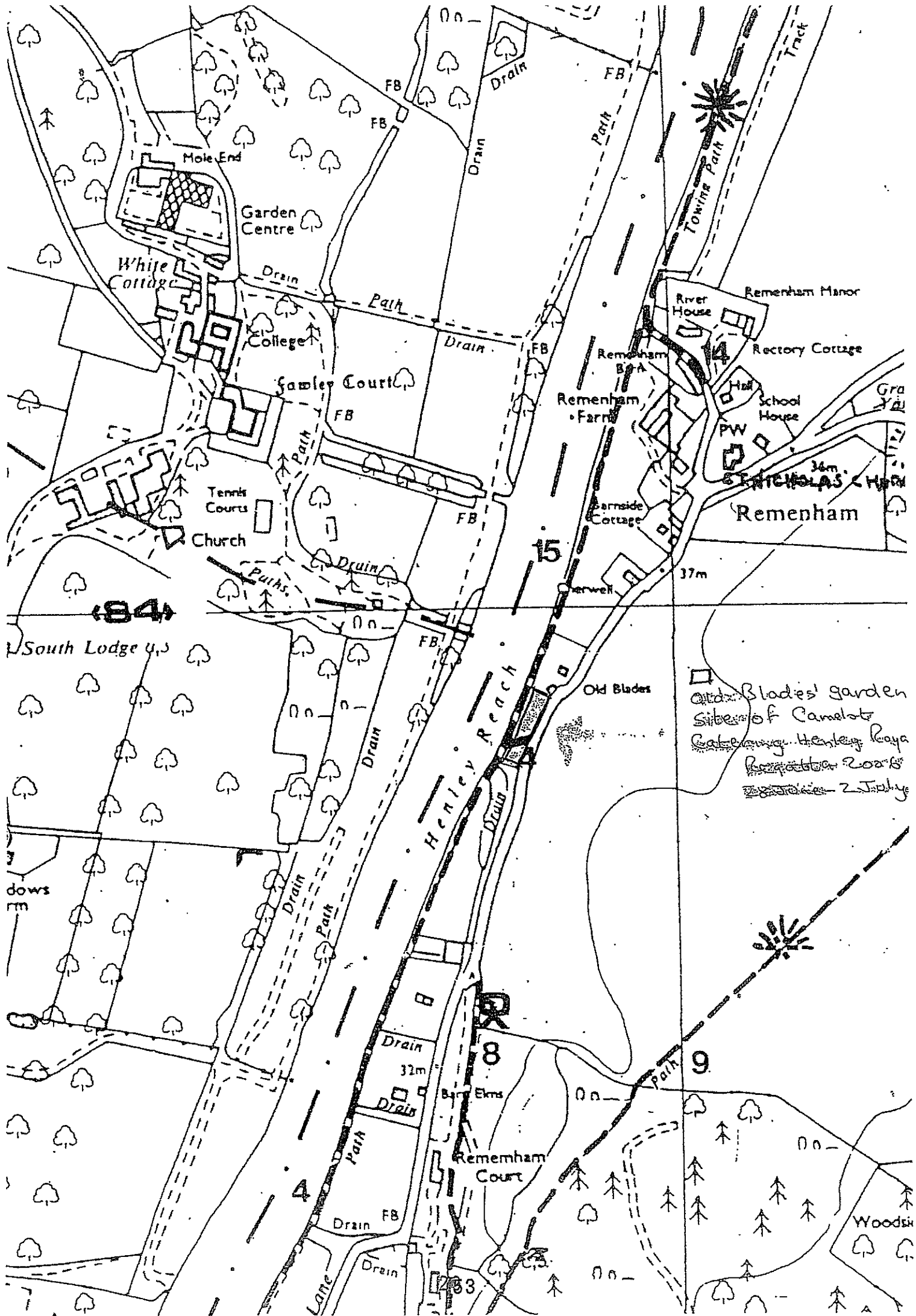


Grid Ref. Number (Easting)

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Old Blacks Garden site

APPENDIX T



(184)

South Lodge

Old Blades' garden  
Site of Camelot  
Gateways - Henley Reach  
Remenham Court  
2 July

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## LOCAL AUTHORITY



**WOKINGHAM  
BOROUGH COUNCIL**

Licensing Service  
Wokingham Borough Council  
Shute End  
WOKINGHAM  
BERKSHIRE  
RG40 1WW

## Part 1 - Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Old Blades (Garden)**

Remenham Lane, Remenham, Henley on Thames, Oxfordshire, RG9 3DB.

Telephone 01491 577925

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors & Outdoors)	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm
	During Henley Royal Regatta Week - live band with amplified music		
F. Playing of recorded music (Indoors & Outdoors)	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm
	During Henley Royal Regatta Week - DJ playing background & amplified music		
J. Provision of facilities for dancing (Indoors & Outdoors)	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm
	During Henley Royal Regatta Week - open area of flat ground or dance floor		



**THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES** continued...

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors & Outdoors)	Wednesday	11:00pm	Midnight
	Thursday	11:00pm	Midnight
	Friday	11:00pm	Midnight
	Saturday	11:00pm	Midnight
	During Henley Royal Regatta Week - various food & coffee outlets providing late night refreshment to customers at the site		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Wednesday	9:00am	12:30am
Thursday	9:00am	12:30am
Friday	9:00am	12:30am
Saturday	9:00am	12:30am
Sunday	9:00am	11:00pm
During Henley Royal Regatta Week		

**WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

**NAME (REGISTERED) ADDRESS TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Christopher LEADER  
 Ty Bryn Glas, Church Road, Gelligear, Hengoed, CF82 8FW.  
 Telephone 07976 688806

**REGISTERED NUMBER OF HOLDER FOR EXAMPLE COMPANY NUMBER CHARITY NUMBER (WHERE APPLICABLE)**

**NAME ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL**

Christopher LEADER  
 Ty Bryn Glas, Church Road, Gelligear, Hengoed, CF82 8FW.  
 Telephone 07976 688806



Licensing Act 2003

# Premises Licence

# PR0288

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR  
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PER804

Issued by Caerphilly

Date of Issue: 21 June, 2012

J O'Brien  
Principal Environmental Health Officer





## ANNEXES

## Annex 1

## Mandatory Conditions

## Mandatory Condition - supply of alcohol

- 1) that no supply of alcohol may be made under the premises licence
- (a) at any 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; and
- 2) that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

## Mandatory Condition - door supervisors

door supervisors must be licensed by the Security Industry Authority

## The Licensing Act 2003 (Mandatory Conditions) Order 2010 Article 3

(In force 1 April 2010)

1.-(1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime & disorder, prejudice to public safety, public nuisance, or harm to children -

- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (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;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependant on -
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) 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.

2. The responsible person shall ensure that no alcohol is dispensed 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).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

(In force 1 October 2010)

4. - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5. The responsible person shall ensure that -

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

## Annex 2

## Conditions consistent with the Operating Schedule

## a) General

Good general signage to be provided where possible - "exit", "entrance", "fire exit" signs to the marquee, "no unaccompanied children", "no alcohol sales to under 18", "proof of age for purchase of certain goods may be required"



**ANNEXES continued**

**b) Prevention of Crime and Disorder**

Staff numbers will increase during the busier times so that a better eye can be kept on the whole site at all times  
Plastic glasses to be used wherever possible, ie all pints, half pints, paper cups for coffees etc  
Plenty of lighting for the whole site

**c) Public Safety**

Health & safety, risk assessment, fire risk assessment policies will be in place

**d) Prevention of Public Nuisance**

Music will be kept to a sensible level during opening periods & will stop at midnight  
Customers leaving the site will be reminded to be quiet  
There will be no movement of vehicles on the site after 2200 hours or before 0800 hours  
Litter pickers will be present from 0900 to 0100 hours  
Lighting will be necessary for public safety & crime prevention but will be kept to a sensible level

**e) Protection of Children from Harm**

Children on site will require adult supervision at all times  
Children will not be permitted on site after 2100 hours  
Plenty of non alcoholic refreshments will be available on site  
Parents will be advised that it is an offence to be intoxicated and in charge of children under 7 years of age

**Annex 3**

**Responsible Authority Conditions**

**Thames Valley Police:**

- 1) The management of the premises shall devise and implement a policy to monitor and control the access and exit of young persons possibly underage from the premises.
- 2) An entry, closure and dispersal policy for controlling the opening and closing of the premises and the departure of customers at the conclusion of licensed activities must be put in place and must be actively operated.
- 3) During trading hours, a nominated individual with appropriate training and experience can be identified as being responsible for each particular bar area, the person will be a Personal Licence Holder.

**Health & Safety: (updated by variation application May 2012)**

1. At all events to which there is an element of 'employment' a current certificate of electrical safety in a form prescribed in the Institute of Electrical Engineers Wiring Regulations, signed by a competent person, should be obtained for the electrical installation in connection with this licence (fixed and temporary structures);

All electrical fittings on site must be suitable for the environmental conditions.

2. At all events to which there is an element of 'employment' a current certificate of gas safety signed by a person competent under Gas Safe Register (formerly CORGI), should be obtained for the gas installation in connection with this licence (for fixed and temporary supplies).

3. Suitable and sufficient arrangements should be made for the first aid treatment of members of the public who are attending events in connection with this licence; to the standard detailed in the Health and Safety (First-Aid) Regulations 1981 Approved Code of Practice and Guidance.

4. A current certificate showing that the marquee has been constructed safely, signed by a competent person, should be submitted for the structures erected in connection with this licence.

5. A current certificate showing that the marquee and all hangings used in the marquee and any soft furnishings used are of durably flame retarded fabric or inherently flame-retarded fabric and a certificate should be provided, signed by a competent person, for all such structures erected in connection with this licence.

6. Suitable and sufficient arrangements should be made and appropriately documented concerning public safety in view of the vicinity of the event to the river and in connection with activities carried out by, and under the control of, this licensee.

**Thames Valley Police following minor variation application June 2010:**

1. All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the information and those members of staff who deal with the incident shall also be recorded. Where known, any



ANNEXES continued...

offenders name shall also be recorded.

2. Notices advertising the Challenge 25 policy shall be displayed in prominent positions on the premises.

3. The Premises Licence Holder shall ensure that a system is in place, and is used to prevent any customer who attempts to purchase alcohol and who appears to the staff member to be under the age of 25 years without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the "Pass" hologram are to be accepted as identification.

4. The Premise Licence holder shall risk assess the event in order to provide an adequate number of Security Industry Authority (SIA) licensed door supervisors, (at a minimum ration of 1 to 100 customers), must be provided at the premises after 19:00 hrs and until the premises are closed and the last customer has left the premises, whenever regulated entertainment takes place.

5. The Premise Licence holder shall keep and maintain a register of door supervisors. The register will show the following details:

a) the name, home address and registration number of all door supervisors working at the premises.

b) SIA registration number.

c) date and time that the door supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.

d) Any incident of crime and disorder, or concerning children must be recorded giving names of the door supervisors involved.

e) date and time the door supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.

f) The door supervisor register must be kept at the licensed premises and be available for inspection by Thames Valley Police or an authorised officer from Wokingham Borough Council and shall be retained for period of six months from the date of the event.

6. The Premises Licence holder shall ensure that all Door Supervisors whilst employed at the premises shall wear 'High Visibility' arm bands to incorporate displaying their SIA badges.

7. The Premises Licence Holder shall ensure staff receive basic training in relation to acceptable documentation for proof of age, not serving alcohol to a person who is drunk etc. in respect of the Four Licensing Objectives contained within the Licensing Act 2003 for those authorised to sell alcohol. Written proof of training shall be recorded and maintained for a period of 12 months.

8. The Premises Licence holder shall prepare an Event Management Plan for each event, setting out how the event will be managed and the precautions which have been taken to cater for all reasonably foreseeable contingencies, and which will demonstrate the procedures, roles and specific responsibilities of his management team, security and associated personnel. The finalised version of such a plan must be submitted to and approved by the Licensing Authority not later than 2 months prior to commencement of the events.

9. As on licence.

10. As on Licence.

11. The maximum number of patrons permitted entry at any one time during the sale of alcohol or when regulated entertainment is taking place shall not exceed 500 persons.

12. Whenever regulated entertainment is taking place, between 19:00hrs and closing time and until the last customer has left the premises, Wednesday to Sunday inclusive, barriers shall be erected in order to safely regulate customers entering and leaving the premises.

Annex 4

Conditions attached after a Hearing by the licensing authority

not applicable

Annex 5

Plans

plans of premises attached



## LOCAL AUTHORITY



**WOKINGHAM  
BOROUGH COUNCIL**

Licensing Service  
Wokingham Borough Council  
Shute End  
WOKINGHAM  
BERKSHIRE  
RG40 1WW

## Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Old Blades (Garden)**

Remenham Lane, Remenham, Henley on Thames, Oxfordshire, RG9 3DB.

Telephone 01491 577925

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors & Outdoors)	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm
	During Henley Royal Regatta Week - live band with amplified music		
	F. Playing of recorded music (Indoors & Outdoors)	Wednesday	10:00am
Thursday		10:00am	Midnight
Friday		10:00am	Midnight
Saturday		10:00am	Midnight
Sunday		11:00am	10:30pm
During Henley Royal Regatta Week - DJ playing background & amplified music			
J. Provision of facilities for dancing (Indoors & Outdoors)	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm
	During Henley Royal Regatta Week - open area of fiat ground or dance floor		
L. Late night refreshment (Indoors & Outdoors)	Wednesday	11:00pm	Midnight



## Premises Licence Summary

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors & Outdoors) continued ...			
	Thursday	11:00pm	Midnight
	Friday	11:00pm	Midnight
	Saturday	11:00pm	Midnight
	During Henley Royal Regatta Week - various food & coffee outlets providing late night refreshment to customers at the site		
M. The sale by retail of alcohol for consumption ON and OFF the premises			
	Wednesday	10:00am	Midnight
	Thursday	10:00am	Midnight
	Friday	10:00am	Midnight
	Saturday	10:00am	Midnight
	Sunday	11:00am	10:30pm

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Wednesday	9:00am	12:30am
Thursday	9:00am	12:30am
Friday	9:00am	12:30am
Saturday	9:00am	12:30am
Sunday	9:00am	11:00pm
During Henley Royal Regatta Week		

## WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

## NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Christopher LEADER

Ty Bryn Glas, Church Road, Gelligear, Hengoed, CF82 8FW.

## REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

## NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Christopher LEADER

## STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Date of Issue: 21 June, 2012

J O'Brien  
Principal Environmental Health Officer



## Review of Licence

### Old Blades (Garden) Licence Ref: PRO 288

#### List of proposed amendments to 'Public Nuisance' related conditions

Delete following existing conditions within Annex 2 d) Prevention of Public Nuisance

*Music will be kept to a sensible level during opening periods and will stop at midnight*

*Litter pickers will be present from 09:00 to 01:00 hours*

Insert the following new conditions:

1) During Henley Royal Regatta all amplified speech, amplified music or amplified sound emitted from the premises shall not be audible within the nearest noise sensitive premises with the windows open in a manner typical for ventilation before 11:00 hours or after 23:00 hours from Monday to Saturday and before 11:00 hours or after 16:00 hours on Sunday.

#### **Noise Limit**

2) During Henley Royal Regatta the music noise level (MNL, ( $L_{Aeq}$ )) when measured at one metre from the nearest noise sensitive dwelling between 11:00 hours and 23:00 hours Monday to Saturday, and between 11:00 hours and 16:00 hours on Sunday, shall not exceed the background noise level by more than 12dB(A) measured over a 15 minute period.

#### Informative

*It is recognised that the licence holder may not always have access to the façade of the nearest noise sensitive dwelling in order to carry out compliance noise monitoring. The licence holder may, therefore, wish to establish each year by calculation, with the agreement of the Licensing Authority, a Music Noise Level at a free field proxy monitoring location close to the boundary of the licensed premises.*

#### **Establishing Background Noise Level**

3) At least four weeks prior to events taking place during the Henley Royal Regatta the licence holder will carry out a background noise survey over a 24 hour period. The background noise level to be determined at the boundary of the licensed premises located closest to the nearest noise sensitive property.

The results of the background survey will be submitted to the Licensing Authority for agreement, with the lowest background noise level being used to determine the music noise level (background noise level plus 12dBA). Alternatively, with the agreement of the Licensing Authority, the licence holder

may establish music noise levels for different periods of the day and evening dependant upon any significant variation in the background noise level measured throughout the day and evening.

The licence holder will agree both the measured background level(s) and derived music noise level(s) with the Licensing Authority by written agreement at least three weeks prior to the event.

*N.B. The background shall be taken as the prevailing sound level at the location, measured in terms of  $L_{A90,T}$  on an equivalent day and at an equivalent time when no events or sound checks are taking place)*

### **Setting up and Dismantling**

4) For activities arising from and in connection with the setting up and dismantling of temporary structures, plus the delivering and assembling of equipment within the premises and similar associated activities, the noise shall be adequately controlled to ensure that, so far as is reasonably practicable, no undue noise disturbance is caused to the occupiers of residential premises in the vicinity. Such activities shall not take place earlier than 0800 or later than 2200. Noisy activity outside these times will only be permitted in the event of an unforeseen emergency

The noise to be controlled shall include the warning alarm emitted from reversing vehicles. All vehicles, where possible, shall be fitted with 'white noise' (broadband sound) reversing alarms. If vehicles have not been fitted with white noise reversing alarms then reversing alarms shall be disabled and a banksman will be tasked with supervising and ensuring the safety of all reversing manoeuvres.

### **Noise Management Plan**

5) At least 3 months prior to the events a detailed noise management plan (NMP) shall be prepared and submitted for written approval to the Licensing Authority. The NMP will include, as a minimum, the following information::

- i) The Music Noise Level (MNL) limit as agreed prior to the event with the Licensing Authority including the derived MNL limit at any agreed proxy monitoring location(s).
- ii) Music noise times including times when noise checks and rehearsals will take place.
- iii) Noise control procedures including details of monitoring of the MNL
- iv) Procedure for responding to and dealing with complaints received during the event
- v) Details of liaison with the neighbouring Licence Holder
- vi) Details of noise mitigation measures to be used including, for example, any noise limiting devices that may be used and any acoustic screening that may be erected
- vii) A list of all amplification equipment and their rating in terms of wattage

- viii) Details of communications between staff monitoring noise on and off site and with the neighbouring licence holder.
- ix) Contact details of the designated premises supervisor and other staff or contractor responsible for the control of noise during the event.
- x) A designated contact telephone number that can be used by local residents to lodge complaints during the event.

**Acoustic Consultant**

6) The licence holder will engage suitably experienced and suitably qualified persons to monitor and manage noise during the events in accordance with the agreed noise management plan.

**Compliance Report**

7) The licence holder will provide to the Licensing Authority a report summarising the outcome and results of noise monitoring of events that have taken place that year within four weeks of the final event of the calendar year. This report will also be provided to any other interested party upon request.

**Review of NMP**

8) The licence holder shall review the noise management plan each year to consider any noise related issues that may have arisen during any event and any complaints received. Where necessary amendments shall be made to the plan that take into account the findings of each review and ensure that the issues, where necessary, are addressed and do not recur. The revised management plan will be submitted each year in accordance with condition 5 above

**Control of Litter**

9) The applicant will arrange for litter picking to take place during and following each day's event. Litter will be cleared from within the curtilage of the licensed premises and in immediate vicinity of the licensed premises. An adequate number of litter bins shall be provided and they shall be emptied regularly to ensure that they do not overflow.



Thames Valley Police as a responsible authority under the Licensing Act 2003 wish to make representations in respect of the review of Premise licence Numbers PRO256 and PRO255 (the Land Adjacent to Upper Thames Rowing Club) and PRO288 (Old Blades Garden) following concerns about the general day to day running by the management during the Henley Royal Regatta on Friday and Saturday 29<sup>th</sup> and 30<sup>th</sup> June 2012 this, despite a meeting with the management on Saturday 30<sup>th</sup> June 2012.

Under the Crime and Disorder Objective contained in the Licensing Act 2003 (The Act) Thames Valley Police make the following representations and request the following changes and additions to the licence conditions

Remove Annex 2b as stated in the operating schedule.

Reason: It is not clearly defined, thus not enforceable. For example 15 members on site (what members). The age policy is now in statute written onto the Licensing Act.

Replace with: The premise licence holder shall ensure, whilst the premise are open for the sale of alcohol, the Designated Premise Supervisor or a personal Licence Holder shall be available on the premise.

Amendment of Annex 2 Conditions consistent with the Operating Schedule:

- (a) the last line reads: "A Management Policy will be in place in relation to the Henley Royal Regatta".

In order to update this condition and make it enforceable I propose the following amendment to the wording of this condition to read:

The premise licence holder shall prepare an Event Management Plan for each Royal Regatta, setting out how the event will be managed and the precautions which have been taken to cater for all reasonably foreseeable contingencies, and which will demonstrate the procedures, roles and specific responsibilities of the management team, security and associated personal. The finalised version of such a plan must be submitted to and approved by the Licensing Authority no later than 3 months prior to commencement of the Royal Regatta in the present year.

Annex 3. 2) Reads:

An adequate number of Security Industry Authority (S.I.A.) licensed door supervisors, must be provided whenever regulated entertainment takes place. These licensed door supervisors shall be solely employed for vetting, regulating, controlling and supervising patrons whilst entering and whilst on the premises and to ensure the maintenance of good order, public safety and internal security.

Amend to read:

The minimum number of Security Industry Authority (S.I.A.) licensed door supervisors shall be provided whenever alcohol is served and live amplified music takes place at a ratio of at least one SIA member of the Door Staff for every 75 patrons. The licensed door supervisors shall be solely employed for vetting, regulating, controlling and supervising patrons whilst entering and

whilst on the premises and to ensure the maintenance of good order, public safety and internal security.

Annex 3 item 4 – The word District is amended to read "Borough"

Plus the addition of the following new conditions

Fencing:

The premises licence holder shall ensure, whenever then premises are open to the public during the Henley Royal Regatta between the hours of 18.00 hrs and the last customer has left the licensed premises after closing time the following day, a system of barrier and or fencing is erected and capable of providing perimeter security in order to control the ingress egress of patrons.

Maximum Capacity for Crowd Control:

The premise licence holder shall have the maximum capacity of the premises shall be determined by a written risk assessment carried out by a competent person or suitable qualified person.

Personal Safety and Incident Recording:

The premises licence holder shall ensure that all drinks are decanted and served in vessels made of plastic or toughened glass.

All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with the incident shall also be recorded. Where known, any offenders name shall also be recorded.

Staff Training and Briefings:

In the absence of the Designated Premises Supervisor, a personal licence holder shall be on the premise to authorise any sale of alcohol.

The Premises Licence Holder shall ensure staff briefings and other information obtained from Licensing Bodies for the Royal Regatta is provided for staff at the commencement of each daily shift. Briefings shall include:

The Management Structure,  
Evacuation procedures;  
Basic licensing laws (no sale of alcohol to persons under 18 years, not selling alcohol to drunken persons etc);  
Health and Safety Procedures including Fire Safety Equipment.

Lighting:

The premises licence holder shall ensure a system of festoon lighting be installed in order to illuminate the area between the length of the perimeter boundary fencing nearest the River Thames and the edge of the River Thames. The lighting is to be maintained

in a good and efficient working order at all times during dusk and night time until the area is clear of patrons.

**OLD BLADES (GARDEN)****PREMISES LICENCE PR0288**

**Comprising of Maggies Nightclub Marquee and food vendors  
Henley Royal Regatta 27<sup>th</sup> June – 1<sup>st</sup> July 2012.**

Supporting information for recommendations to add additional requirements to the public safety objectives of the license as part of the application for review.

My name is Rosalynd Alicia Joan Gater. I am employed by West Berkshire and Wokingham Environmental Health and Licensing Service as Commercial Team Manager within the Commercial Team. I am a chartered member of the Chartered Institute of Environmental Health.

Further to the application for review of the premises license PR0288 (Old Blades (Garden) as the responsible authority for public safety, could I please recommend that the following conditions are added to the licence under public safety. This is in response to health and safety issues found at a during performance inspection at the premises on Saturday evening (30<sup>th</sup> June 2012) and problems surrounding the submission of documentation in the run up to the event;

**Additional Condition**

**1) two months prior to the beginning of the Henley Royal Regatta event the licensee should submit, for the approval of the responsible authorities, a suitable and sufficient Event Safety Plan covering all relevant aspects of the management of event safety. Including, but not exclusively, a clear definition of the roles and responsibilities of named individuals, an explanation of the operation of the event (details of what will be happening on the land during the day and what if any changes will be made in the evening), training of staff and staff briefings, set up and internal lay out of structures including detail on size, siting, exiting and exit widths, capacity and method of control of numbers, numbers of security and stewards, details of queuing, details of health and safety audits to be carried out pre event and during the event. Arrangements made in this document are to be implemented at the event, any deviations made to the Event Safety Plan should be noted along with the reasons for the deviation.**

Supporting information for this additional condition.

1a) The Event and Crowd Safety Management Plan was received by the Council on 14<sup>th</sup> June 2012. I replied to this stating that it was difficult to comment on the plan without seeing what detail was in the risk assessment as there was not the detail in the plan. I also requested the site plan and explanation of how each area is to operate; and a detailed plan showing any structure with capacity and exiting and if there will be a change of use or change of operation from day to evening.

1b) The site plan was sent through to the Council on the 19<sup>th</sup> June 2012, this did not have sufficient detail and I replied on 20<sup>th</sup> June 2012 asking for a plan of the marquees showing their internal layout (any seating, platforms, bar, staging etc), external measurements (ie site size and marquee size), exits and size of exits, any fencing or barriers in the vicinity of the marquees and asked them to note whether there are any changes between day and evening (ie in layout, barriers etc).

I received a schematics of Maggie's marquee with floor capacity. This plan was incomplete as it did not show any exiting or evacuation routes.

1c) I did not receive any information on capacities for the marquees prior to the event.

1d) With regards to the operation of the Maggie's Marquee I carried out a during performance inspection (accompanied by Julia O'Brien Principal EHO Licensing) on Saturday 30<sup>th</sup> June 2012 at 19.39 with Nick Ford (Director In the Spirits Events Ltd) while the premises was open I noted the following;

- i) steward manning emergency exit from marquee not properly briefed as to what to do in an emergency – she said would direct back to main door – or would direct down edge of marquee onto towpath; (this had 2 LPG cylinders which were not properly secured upright and was approx the width of an adult and led onto busy towpath with river). She stated she had been there 2 days and had not been given any instruction. (Photograph P1020288)
- ii) exit route away from the marquee was severely restricted due to vehicles (P1020289);
- iii) the exit route path was uneven (P1020287) ;
- iv) the exit width from the marquee was not maintained (approx 90 cm)(P1020284, P1020285; P1020286);
- v) bar encroached on the exit leaving a gap of approx 1 m to reach exit.

The bar was open fronted and had a clear space uncovered between the marquee and the VIP platform.

This demonstrates poor training of staff which would have caused a problem should people try to exit in an emergency. As, although the marquee was open fronted and there was an uncovered space, were people to make their way towards the illuminated sign the exit width was too narrow and the staffing not briefed on where to direct people to exit to. In addition the route to safety was narrow and blocked by vehicles and the route was uneven leading to tripping hazards and possible crushing as more people attempted to exit.

#### **Additional Condition**

**2) A suitable and sufficient risk assessment as required under the Management of Health and Safety at Work Regulations 1999, which covers all aspect of the event, should be submitted two months prior to**

**the beginning of the Henley Royal Regatta event by the licensee, for the approval of the responsible authorities.**

Supporting information for this additional condition.

2a) The Risk Assessment was received by the Council by e mail on 19<sup>th</sup> June 2012. I responded on 21<sup>st</sup> June 2012 with suggested amendments to the Risk Assessment and asking for more detail and clarification on many issues. For example in the section 'Exceeding marquee's capacity restricting safe movement of people and prompt evacuation from it in the event of an emergency'; I asked about details of number of exits; what the capacity was; where the exit routes were and what was happening over the co-ordination of exiting as road and other licensees'.

I did not receive a response to my e mail.

#### **Additional Condition**

**3) No pyrotechnics of any kind are to be used in the event area by staff or patrons, unless a suitable and sufficient risk assessment has been submitted by the licensee two months prior to the beginning of the Henley Royal Regatta event and this has been approved by the responsible authorities.**

Supporting information for this additional condition.

3a) At my during performance inspection on Saturday evening I noted customers inside the marquee were lighting and fooling around with 'light sparkles' (namely using as a 'cigarette' and posing for photographs). Staff were not supervising this or making any attempts to control. I asked for the Manager and Casey Small (Director with In the Spirit events Ltd) came over, he said they were supposed to be used by staff only.

These should not be used in such a manner inside a marquee due to the risk of fire.

#### **Additional Condition**

**4) Suitable and sufficient lighting of the towpath running adjacent to the event site should be in place by the beginning of the event.**

Supporting information for this additional condition.

4a) No festoon lighting was put up in the area of the site outside Old Blades house despite verbal and written reminders to do so (27<sup>th</sup> June 2012 discussion with Nick Ford(Director with In the Spirit events Ltd)); (30<sup>th</sup> June 2012 written reminder in form of Urgent Action Report given to Christopher Leader Welsh Hog).

4b) At the during performance inspection on Saturday evening (30<sup>th</sup> June 7.30) I noted that there was no festoon lighting up outside the Old Blade's house. On speaking to Nick Ford he agreed to direct a nearby tower light to provide some lighting in the area as an emergency measure.

4c) On 1<sup>st</sup> July at 1.00am I noted that the festoon lighting outside Maggies marquee was coloured festoon which gave a very dull light, and that the tower light was creating very dark shadows in the area by Old Blades house.

Suitable and sufficient lighting is needed due to the uneven nature of the towpath and the vicinity of the river and that fact that people may be intoxicated. It is also needed to reduce incidences of crime and disorder.

In conclusion documents are sent in too late to the responsible authorities to properly comment on and those comments incorporated into the planning of the event. The documents do not cover all aspects relating to safety of the public and what is in the documents is not complied with during the event. There is a lack of communication of the documentation to relevant personnel resulting in misunderstandings such as exit routes. There is a lack of control over the running of the event and roles and responsibilities are not fully known or understood. There are no internal audits carried out looking for areas which could cause a hazard such as the trip hazards in the emergency exit route, the blocked exit routes, the lack of proper lighting.