

| | |
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| TITLE | LAND ADJACENT TO UPPER THAMES ROWING CLUB, REMENHAM LANE, REMENHAM RG9 3DB PREMISES LICENCE PR0256 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>OUTCOME / BENEFITS TO THE COMMUNITY</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>RECOMMENDATION</p> <p>The Sub Committee to determine the application to grant or refuse the application, with conditions and/or amendments as appropriate.</p> |
| <p>SUMMARY OF REPORT</p> <p>To provide relevant information for the Sub Committee to consider and determine the application from Environmental Health Environmental Quality Team as a responsible authority to review the premises licence PR0256 for Land Adjacent to Upper Thames Rowing Club.</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 Environmental Quality Team (Appendix Four), Thames Valley Police representation (Appendix Five), Environmental Health Commercial Team 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 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

| | | | |
|---------------------|------------------|--------------------|--------------------------------|
| Contact | Julia O'Brien | Service | Licensing Service |
| Telephone No | 0118 974 6359 | Email | Julia.o'brien@wokingham.gov.uk |
| Date | 31 December 2012 | Version No. | 1 |

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

13 NOV 2012

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 Land adjacent to Upper Thames Rowing Club Remenham Lane | |
| Post town Remenham | Post code (if known) RG9 3DB |

| |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) Upper Thames Rowing Club |
|--|

| |
|--|
| Number of premises licence or club premises certificate (if known) PR0256 |
|--|

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

Please tick ✓ yes

I am 18 years old or over

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)

(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) 0118 9746395 |
| E-mail address (optional) <u>Joe.dray@wokingham.gov.uk</u> 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 | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

Noise monitoring took place during the week of 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 licensed premises.

A number of complaints were received during and after the events from local residents.

The existing conditions relating to the prevention of public nuisance are not adequate.

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(s). The current licence does not cover periods of time outside the Henley Regatta Week.

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

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

Additional Summary Statement (attached).

Statement from Remenham Farm Residents' Association (to follow)

(Please note: Revised draft conditions have been shared with Remenham Residents' Association and with the licence holder. We await a response from the licence holder before submitting as part of this application)

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

| | | | | | | | | | |
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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 **19th November 2012**

Capacity **Principal Environmental Health Officer**

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

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.

Review of Premises Licence PRO 256

Land Adjacent to Upper Thames Rowing Club (Licence Holder – Upper Thames Rowing Club)

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 licences for 'Land Adjacent to Upper Thames Rowing Club' 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 29th and 30th June 2012. Following receipt of complaints from local residents, monitoring of noise from Upper Thames Rowing Club (and Old Blades) took place at 'Cherwell' a residential property approximately 300 metres from the premises. A summary of the complaints received and the results of this noise monitoring are presented in a separate report.

It is my opinion that noise from land adjacent to Upper Thames Rowing Club combined with noise from the neighbouring licensed premise, 'Old Blades', 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 the following comments:

Annex 2 d) Prevention of Public Nuisance states– *“The applicant is clearly aware of the impact the event, which occurs annually, has on the surrounding area and local residents over the years they have been running the event, have built up a good relationship with the local community. The latest event will cease at 12 midnight and will take place on Friday and Saturday. For the last 30 minutes of the event the volume of music will be substantially reduced*

The first part of the above is a statement and not a condition. The second part refers only to Friday and Saturday evening whereas the licence permits playing of live music etc on the Thursday, Friday Saturday and Sunday. This condition is therefore not clear and requires amendment

Interested Party 1) *“Noise levels should not exceed..... etc.”* This condition is not clear and may therefore be difficult to enforce. Although there is an *implication* that noise monitoring and control is required the existing condition does not specifically

require noise monitoring and control procedures to be put in place before, during and after the week of the Henley Royal Regatta.

There is no condition to control noise and disturbance from setting up and dismantling before and after the event.

It is my *recommendation* to the Licensing Committee that the licence conditions relating to the Public Nuisance objective be amended to ensure that they all aspects of potential public nuisance and that are reasonable, measurable, clear and enforceable . It is also my *recommendation* that , if possible, 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 8th 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 sent by email to the licence holder and we await their comments

On the 5th 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.

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

and PRO255

PRO 256 Land adjacent to Upper Thames Rowing Club (In the Spirit / Welsh Hog) Oarsman / Regatta Village

Existing conditions relevant to Public Nuisance Objective

Prevention of Public Nuisance

The Applicant is clearly aware of the impact the event which occurs annually, has on the surrounding area and local residents and over the years they have been running the event, have built up a good relationship with the local community.

The latest event will cease at 12 midnight and will take place on the Friday and Saturday. For the last 30 minutes of the event the volume of music will be substantially reduced

Interested Party

Noise levels should not exceed 55dB(A) measured over a fifteen minute period one metre from the façade of any noise sensitive premises (particularly the dwelling of any parishoner) with windows open in a typical manner for ventilation between the hours of 9.00am and the hours above (Monday to Thursday 11:00pm; Sunday 10.30pm; Friday and Saturday 12.00am - 24.00) and noise sensitive premises (particularly the dwelling of any parishoner) with windows open in a typical manner for ventilation. A noise sensitive premise includes premises used for residential purposes, hospitals, and similar institutions, educational establishments (when in use) or places of worship (during recognised times and days of worship) or any premises used for any purposes likely to be affected by the noise.

There will be no fireworks at this event

The area to which the licence relates will be left clean and tidy together with any adjoining area to the premises including the towpath.

Noise Sources

The main source of noise at this location was a venue called 'The Oarsman' and consisted of live and recorded music. Other noise sources were present but much less significant.

Noise Monitoring and Control (Licence Holder)

There was no evidence of any noise monitoring or control

Compliance Monitoring and Observations

Monitoring that included the contribution from 'The Oarsman' took place at 'Cherwell' See results listed above under 'PRO 288 Old Blades.

Although the noise limit of 55dB(A) measured over 15 minutes imposed by condition may have been exceeded at Cherwell it was not possible to assess or apportion the contribution from the Upper Thames Rowing Club site. It is possible that, in isolation and if the dwelling 'Old Blades' is discounted as a noise sensitive location, the noise limit would not have been exceeded. As discussed above it was the cumulative effect of the two sources that gave rise to the complaints received.

Complaints arising

See complaint list in 'Old Blades' section above. Contribution from this site included in complaints received.

Conclusion

As discussed above it was the combined effect of two noise sources that caused a nuisance and gave rise to complaints. Given that this noise source is slightly further away

from the nearest noise sensitive receptor than Old Blades it is clear that its contribution to the overall cumulative impact may have been slightly less significant.

Given that the two noise sources in question may be controlled by the same company (The Spirit Group) there may be scope for an informal resolution.

Options appraisal (for UTRC and Old Blades)

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 measurable 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.

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

Telephone 01491 572964
michaelrudley@me.com

loud. Whilst the LAeq was 60 ; the L_{Ceq} 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, (L_{Aeq})) 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 L_{A90,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.

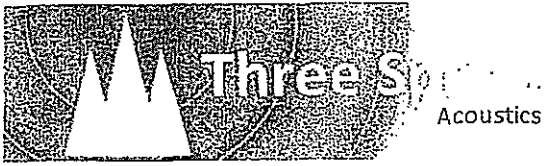
Yours Sincerely

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

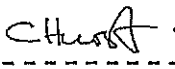
Three Spires Acoustics Ltd

September 2012



DOCUMENT CONTROL

| | |
|--------------------------------------|---|
| 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 |
| PREPARED BY: | Three Spires Acoustics Ltd 2 Sylke Ings Richings Park Iver Bucks SLO 9ET |
| | Email: chris@threespiresacoustics.co.uk |
| | Phone: 01753 651185 |
| | Mobile: 07939 324063 |

| | | |
|--------------------------|---|----------------------|
| AUTHOR: |  ----- Chris Hurst | Date: September 2012 |
| | Director / Senior Acoustic Consultant | |
| REVISION HISTORY: | | |
| Revision No. | Date Issued | Reason/Comments |
| 00 | September 2012 | Compliance Report |

DISCLAIMER

This report was completed by Three Spires Acoustics Ltd on the basis of a defined programme of work and terms and conditions agreed with the Client. The report has been prepared with all reasonable skill, care and diligence within the terms of the Contract with the Client and taking into account the project objectives, the agreed scope of works, prevailing site conditions and the degree of manpower and resources allocated to the project. Three Spires Acoustics Ltd accepts no responsibility whatsoever, following the issue of the report, for any matters arising outside the agreed scope of the works. This report is issued in confidence to the Client and by Three Spires Acoustics Ltd has no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk. Unless specifically assigned or transferred within the terms of the agreement, by Three Spires Acoustics Ltd retains all copyright and other intellectual property rights, on and over the report and its contents.



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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.

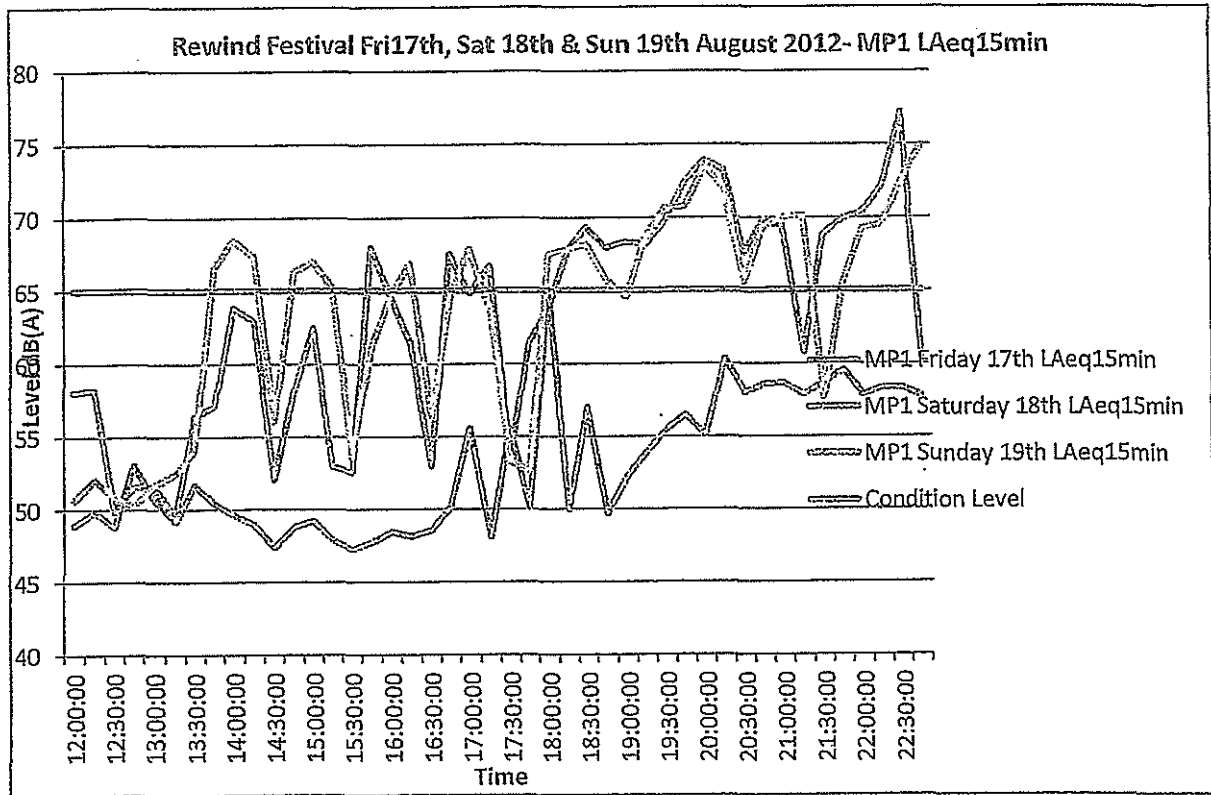


Table 4: Event MNL Compliance Table

| 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 18th and Sunday 19th 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 26th June and Sunday 1st 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

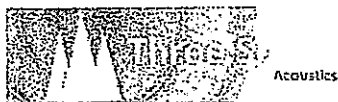
"Other persons" formerly interested parties, such as residents may seek a review of the premises license under one or more of the four licensing objectives.

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.

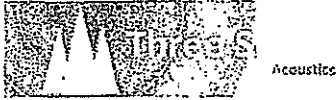
The above allocation is in excess of the Code of Practice of Environmental Noise Control from Concerts which sets a threshold number of three events at 65dB(A) for rural venues. The MNL level then decreases to 15dB(A) above background for 4-12 event days.

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

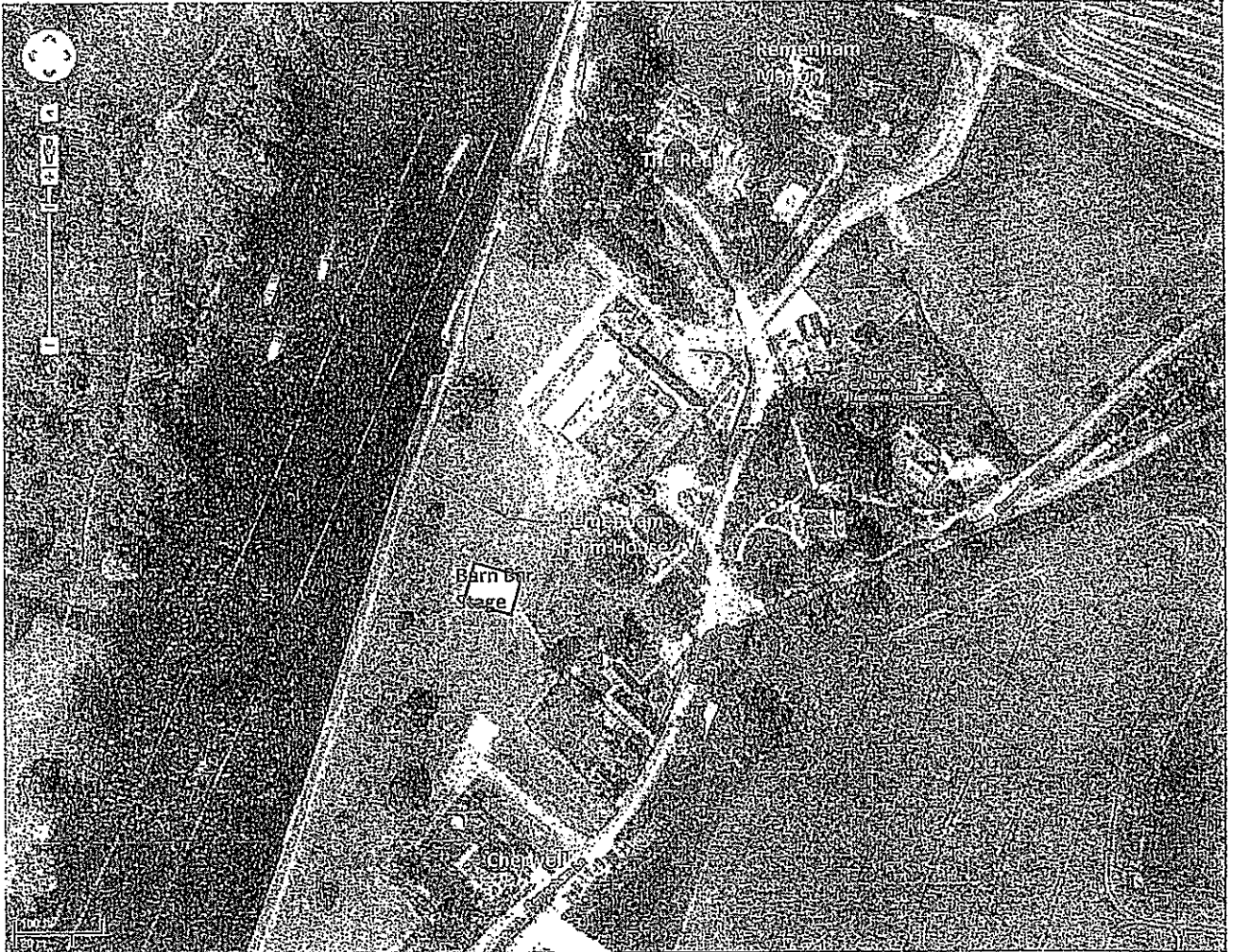
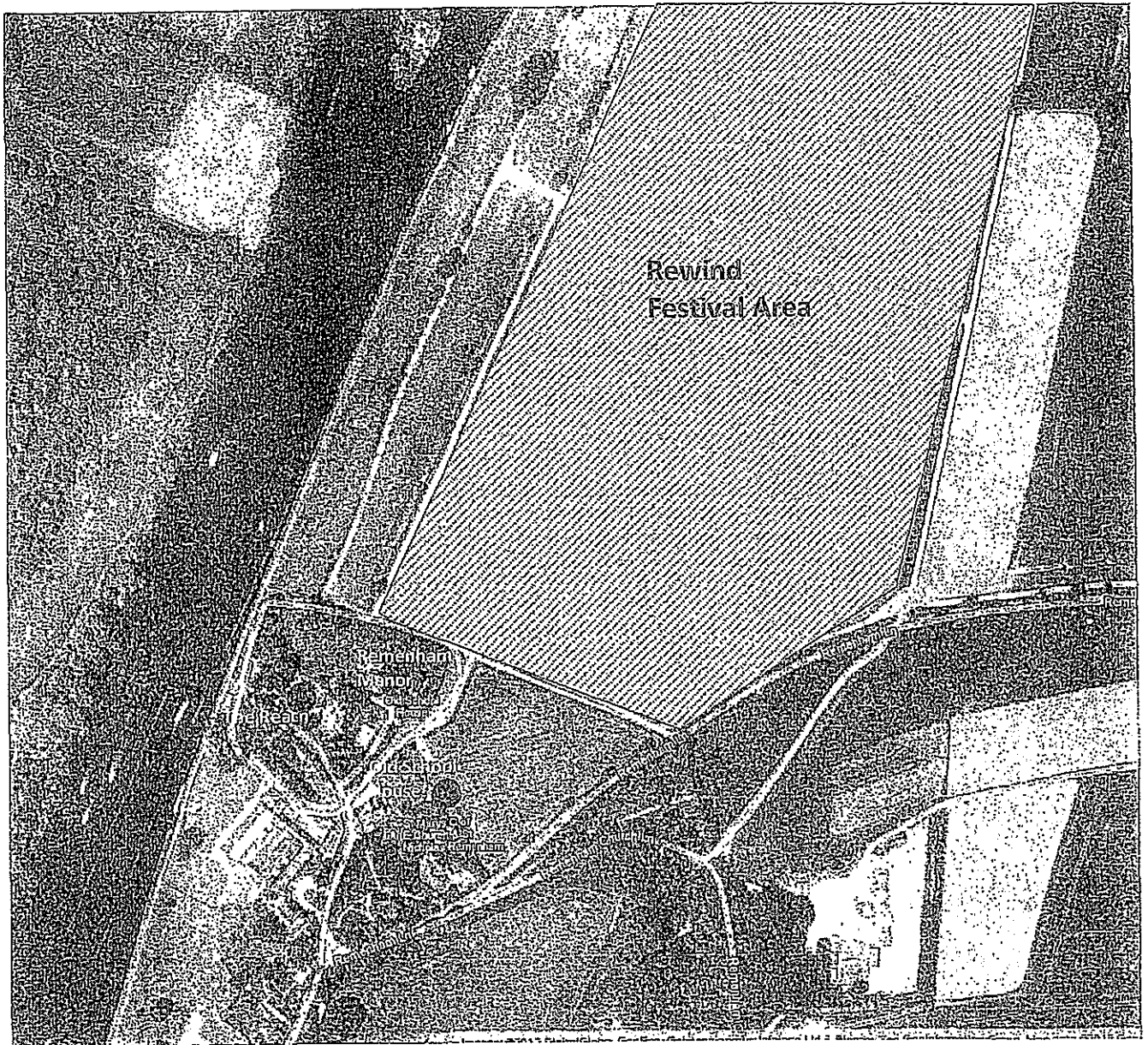


Figure 3: Aerial Photograph Remenham Village & Rewind Festival Measurement Locations



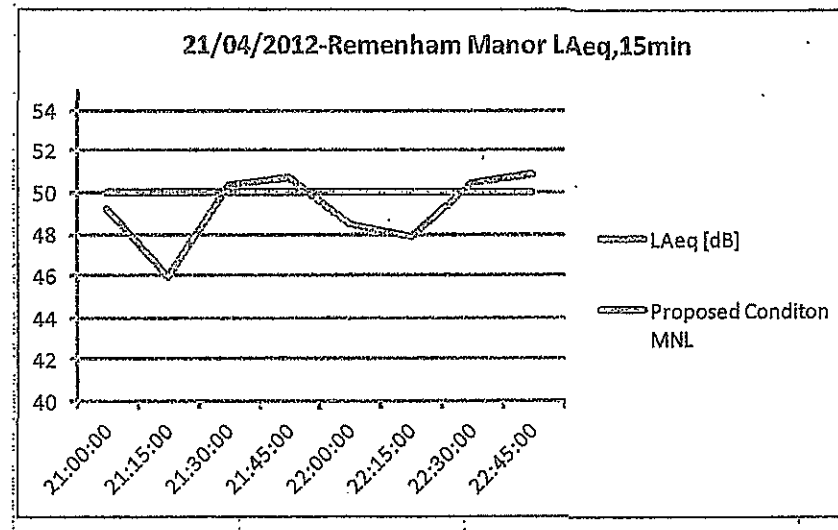


APPENDIX B – RESULTS

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 |

Using

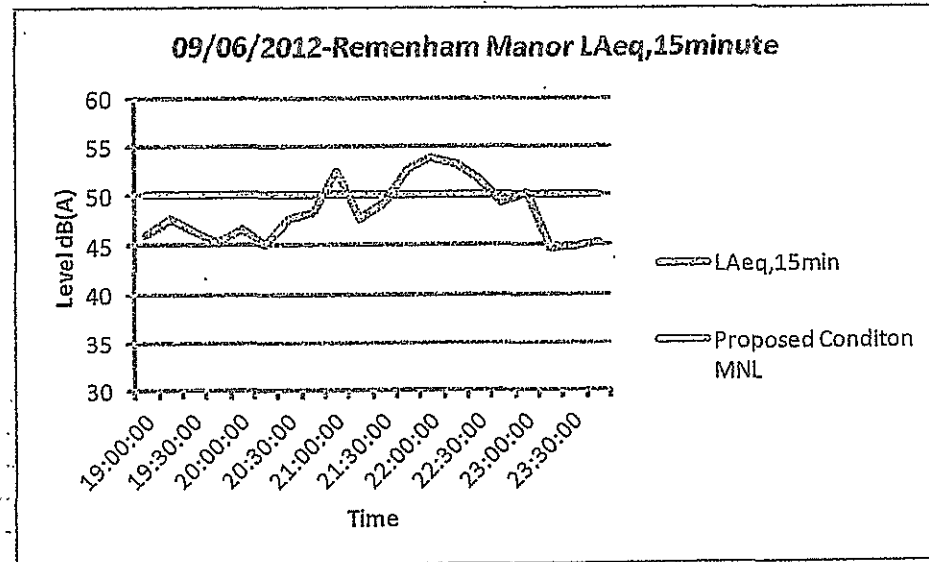




Acoustics

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 |
| 09/06/2012 | 23:15:00 | 45 | 50 |
| 09/06/2012 | 23:30:00 | 45 | 50 |
| 09/06/2012 | 23:45:00 | 45 | 50 |

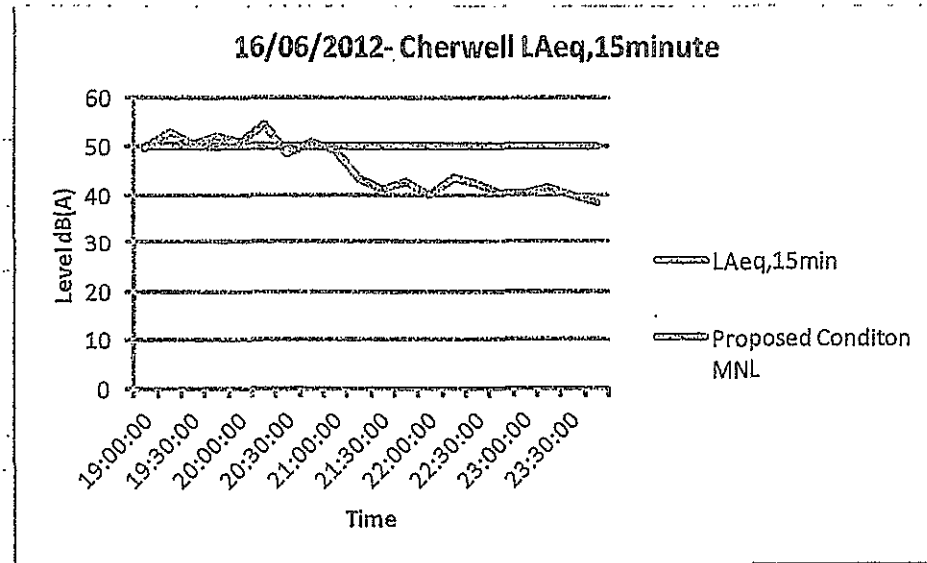




Acoustics

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 |



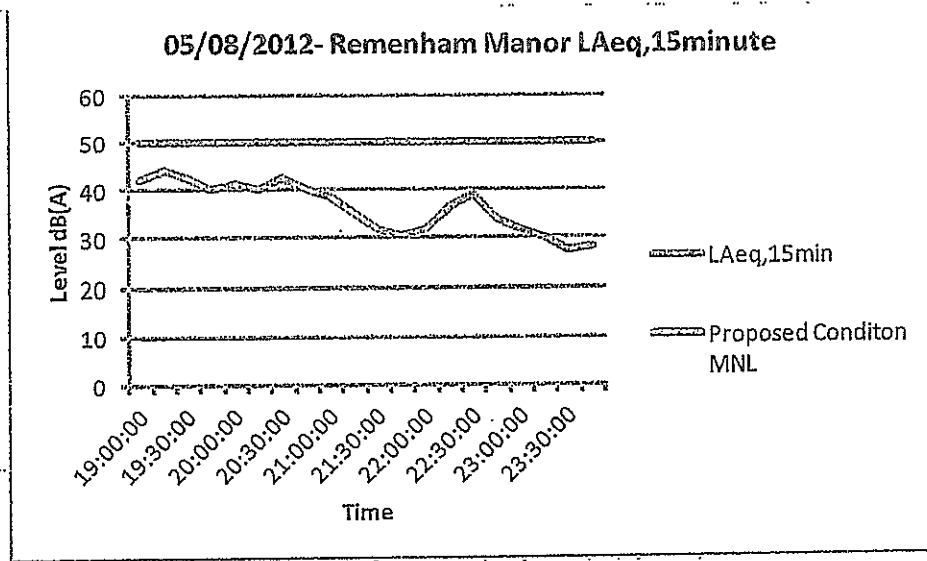


Acoustics

Remenham Farm Residents Association
 Copas Events & Rewind Festival – Compliance Report

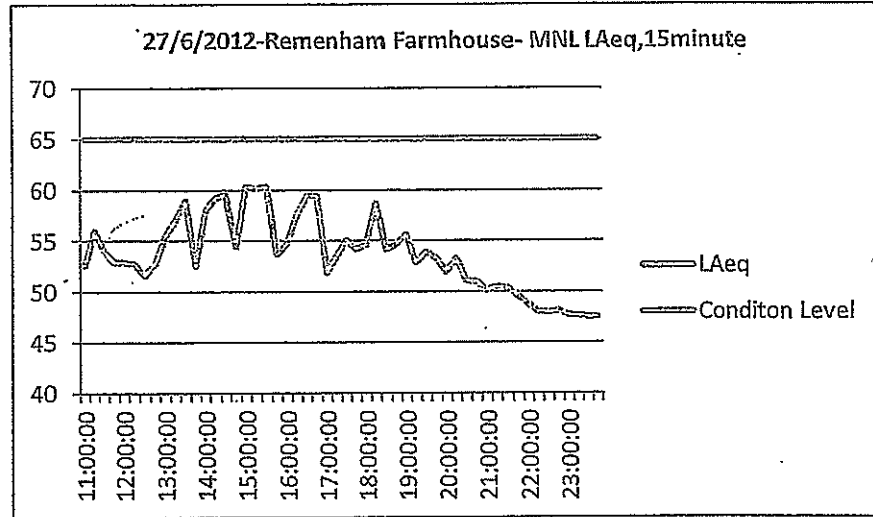
Table 8: - Private Wedding Opposite Temple Island- Remenham Manor Noise Measurement Results & Chart

| 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 |



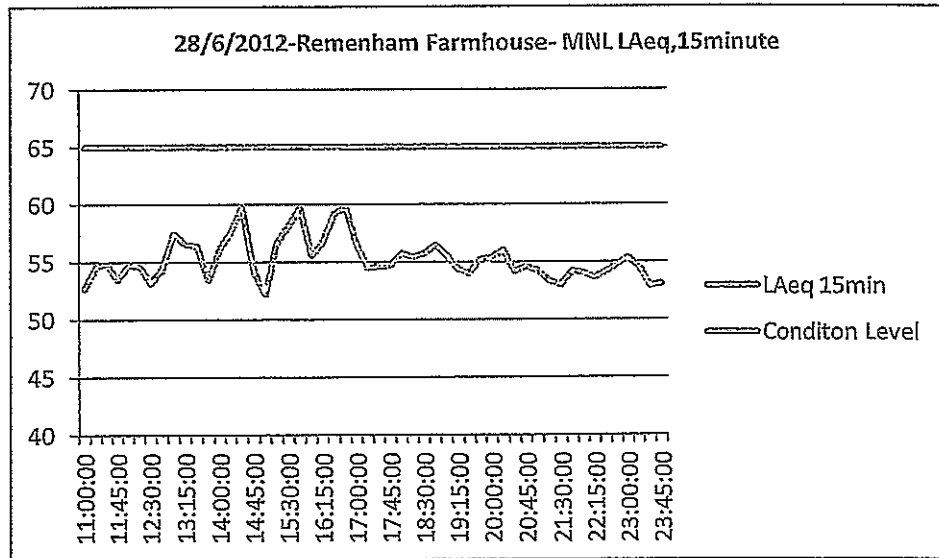
184

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



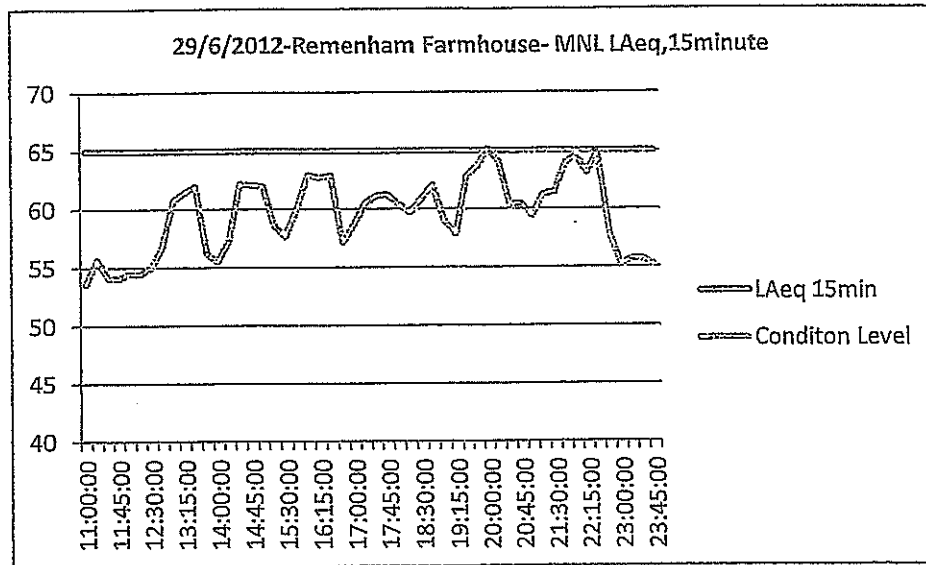
Chatterbox

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



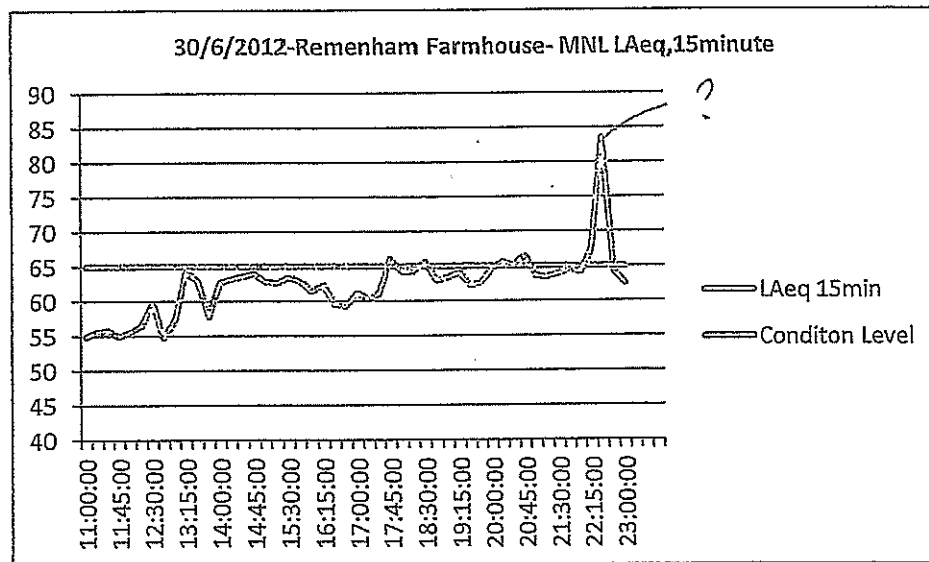
Chatterbox

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

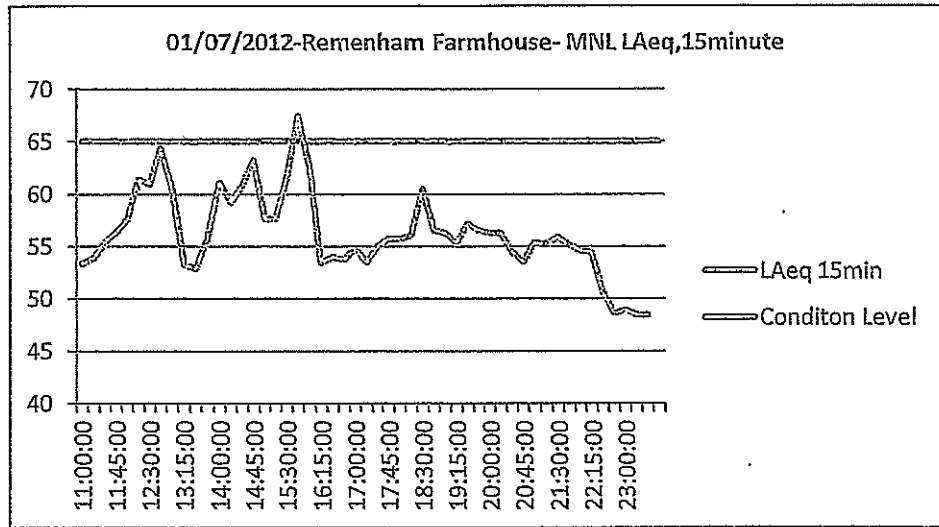
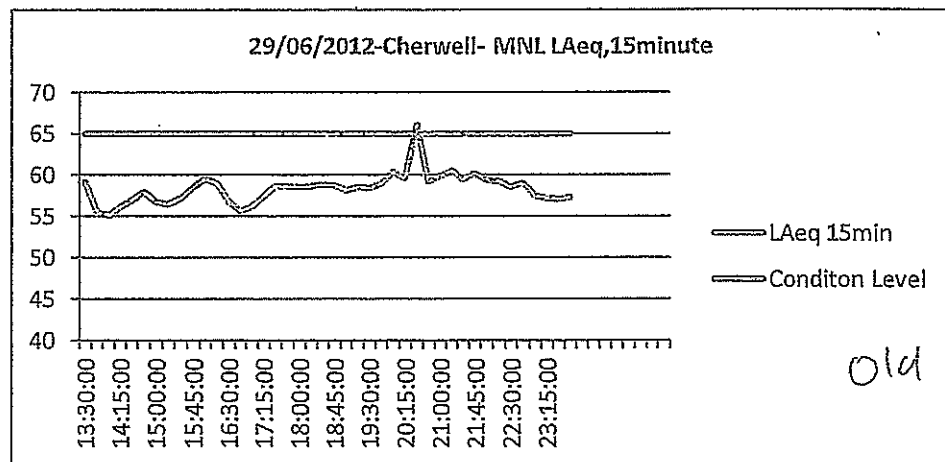


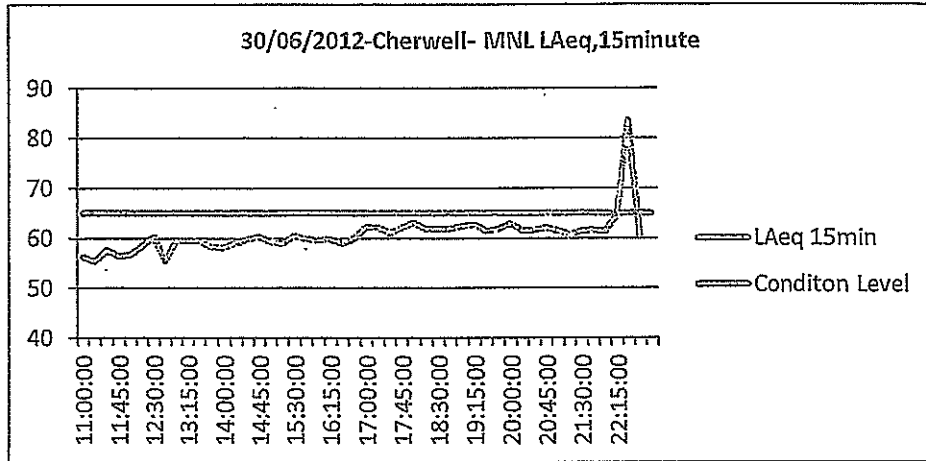
Figure 9: Henley Regatta- Cherwell - Time History Profile 29/06/2012



FR1
D.K.

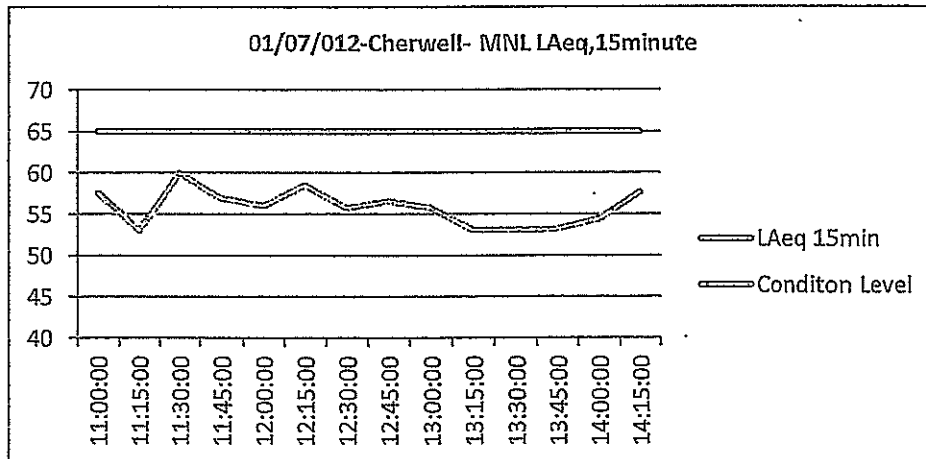
Old Blades

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



Old Blend

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



Sunday



Table 9: Time History Results- Remenham Manor - Rewind Festival 18th & 19th 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 |

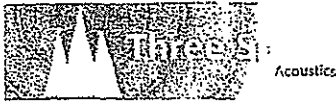


Table 10: Other Offsite Measurements - Rewind Festival 18th & 19th August 2012

| 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 2×10^{-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

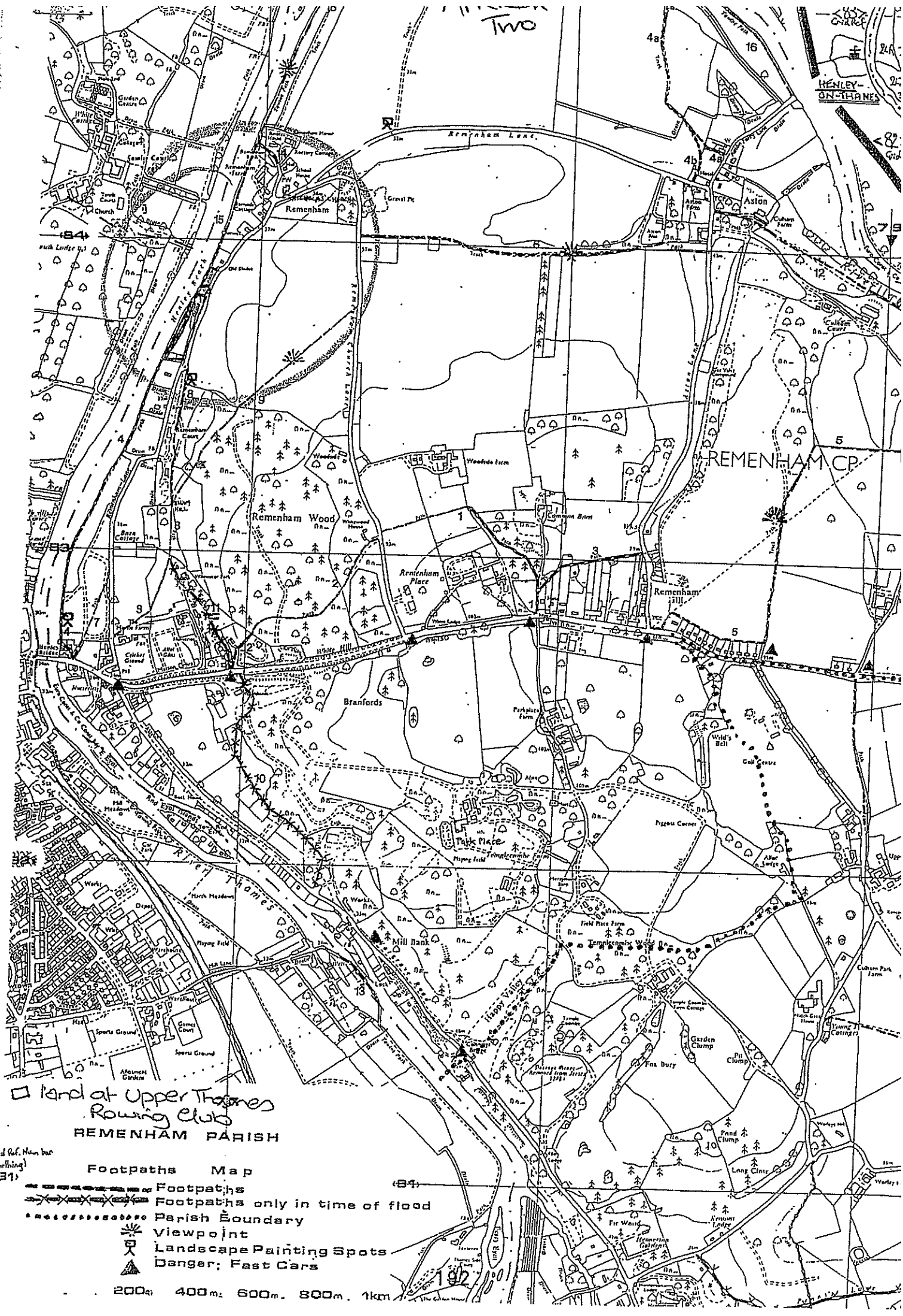
The sensitivity of the ear is frequency dependent. Sound level meters are fitted with a weighting network which approximates to this response and allows sound levels to be expressed as an overall single figure value, in dB(A).

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.



□ land at Upper Thames Rowing Club
REMEMHAM PARISH

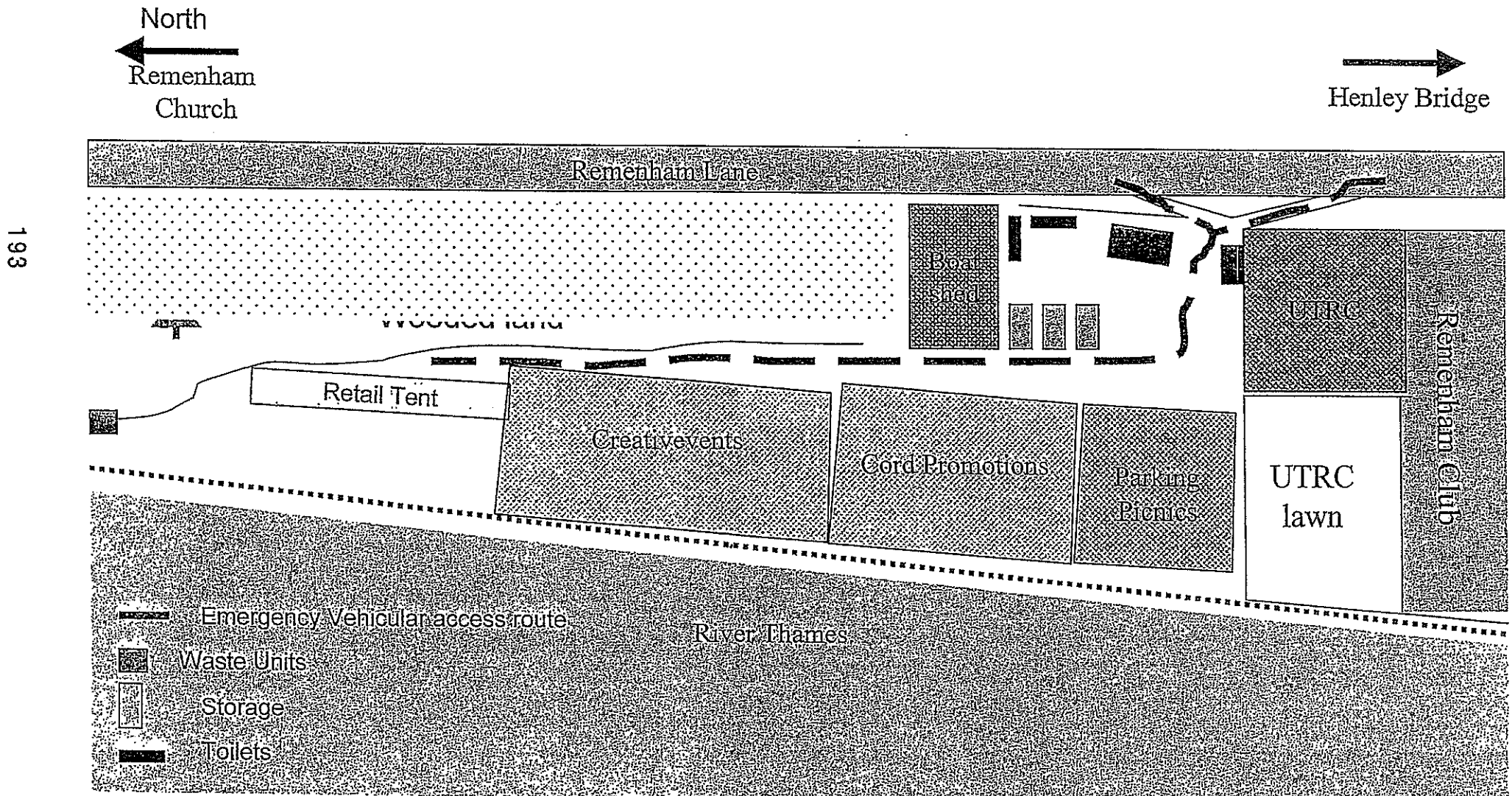
of Ref. Num bar
 (nothing)
 31)

Footpaths Map


- Footpaths
- Footpaths only in time of flood
- Parish Boundary
- ☀ Viewpoint
- ⊗ Landscape Painting Spots
- ⚠ Danger; Fast Cars

200m 400m 600m 800m 1km

Upper Thames Rowing Club – Overall Site Plan 2006 – Henley Royal Regatta



Licensing Act 2003
Premises Licence **PR0256**

| LOCAL AUTHORITY | |
|---|--|
|  <p style="font-size: 24px; font-weight: bold; margin-left: 20px;">WOKINGHAM BOROUGH COUNCIL</p> | <p>Licensing Service Wokingham Borough Council Shute End WOKINGHAM BERKSHIRE RG40 1WW</p> |

Part 1 - Premises Details

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

Land adjacent to the Upper Thames Rowing Club

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

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 of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
 - entertainment facilities for making music
 - entertainment facilities for dancing
 - entertainment of a similar description to that falling within entertainment facilities for making music or 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 |
| | Only for Henley Royal Regatta week each year | | |
| | Live acoustic/amplified music and amplified voice | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| F. Playing of recorded music (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Provision of recorded music by means at the Managements discretion | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | 11:00pm |
| | Only for Henley Royal Regatta week each year | | |



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

| Activity (and Area if applicable) | Description | Time From | Time To |
|--|--|-----------|----------|
| H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors) continued ... | Compere for hosting events or any similar performance in an events using amplified voice | | |
| | Thursday | 10:00am | 11:00pm |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| I. Provision of facilities for making music (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Amplified sound system | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| J. Provision of facilities for dancing (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | A dance floor for events which include dancing | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | 11:00pm |
| | Only for Henley Royal Regatta week each year | | |
| | Compere for hosting events or similar performances in any events using amplified voice | | |
| | Thursday | 10:00am | 11:00pm |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| L. Late night refreshment (Indoors & Outdoors) | | | |
| | Wednesday | 11:00pm | Midnight |
| | Thursday | 11:00pm | Midnight |
| | Friday | 11:00pm | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Provision for substantial hot food and hot drink at all times during the permitted hours | | |
| | Saturday | 11:00pm | Midnight |
| M. The sale by retail of alcohol for consumption ON and OFF the premises | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |

THE OPENING HOURS OF THE PREMISES

| Description | Time From | Time To |
|--|-----------|----------|
| Wednesday | 10:00am | Midnight |
| Only for Henley Royal Regatta week each year | | |
| Thursday | 10:00am | Midnight |
| Friday | 10:00am | Midnight |
| Saturday | 10:00am | Midnight |
| Sunday | 10:00am | 10:30pm |



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

Part 2

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

Upper Thames Rowing Club

Remenham Lane, Remenham, Henley on Thames, Oxfordshire, RG9 3DB.
Telephone 01491 575745

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 AUTHORISES THE SUPPLY OF ALCOHOL

Casey Daniel SMALL

82 Edwin Court, Binsey Lane, Oxford, Oxfordshire, OX2 0QJ.

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. LP7000657

Issued by Reading

J O'Brien

Date of Issue: 21 June, 2012

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

The Applicant has been successfully running the event at Henley for a number of years. During this time they have built up a good relationship with the Local Authority, Police and local residents. Risk assessment, employee safety, accident report and Health and Safety policies and manuals are



ANNEXES continued...

available for inspection on site.

A Management policy will be in place in relation to the Henley Royal Regatta

b) Prevention of Crime and Disorder

The premises will have 15 members on site at all times and a DPS or Personal Licence Holder will be available at all times. The number of patrons attending the premises will be carefully monitored to prevent overcrowding which could lead to crime and disorder. A strict proof of age policy will be in place with patrons being asked to provide suitable identification if required. Any restrictions on the admission of children will be clearly displayed outside the premises. Crime prevention Notices will be displayed warning patrons of the possibility of crime.

c) Public Safety

An evacuation policy is in place that is to the satisfaction of the Fire Authority. All staff members have been trained in fire emergency evacuation procedures. Staff routinely check the premises during opening hours to ensure that the premises are clear of any potential hazards. Adequate and appropriate First Aid equipment is available. At least one suitable trained first aider will be on duty when the public are present. In the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in all public areas. A continuous and accurate record is maintained of the number of patrons within the premises. A comprehensive risk assessment policy is in place.

d) Prevention of Public Nuisance

The Applicant is clearly aware of the impact the event, which occurs annually, has on the surrounding area and local residents and over the years they have been running the event, have built up a good relationship with the local community.

The latest event will cease at 12 midnight and will take place on the Friday and Saturday. For the last 30 minutes of the event the volume of music will be substantially reduced.

e) Protection of Children from Harm

All children attending the premises must be accompanied by a responsible adult over the age of 18

Annex 3

Responsible Authority / Interested Party Conditions - agreed with applicant

Thames Valley Police -

amended by variation application May 2012

- 1) 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 preferably be a Personal Licence Holder.
- 2) An adequate number of Security Industry Authority (SIA) licensed door supervisors, must be provided at the premises whenever regulated entertainment takes place. These licensed door supervisors shall be employed solely 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.
- 3) A register of door supervisors must be kept. 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 occurrence or incident of interest must be recorded giving names of the door supervisors involved.
 - e) Date and time that the door supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
- 4) 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 District Council and shall be retained for period of six months.
- 5) Notices shall be displayed advising the public that an outer body search is a condition of entry and that the Police will be informed if anyone is found in possession of illegal drugs or offensive weapons.
- 6) The management of the premises shall devise and implement a policy relating to the prevention of illegal weapons. This policy shall include: search, detection, confiscation, storage and disposal.
- 7) Customers shall be prevented from taking any alcoholic drinks, or other drinks, from the premises in open containers (e.g. glasses and opened bottles) by having a maintained ingress and egress system
- 8) The licensee shall display in a prominent position a copy of their policy on checking proof of age.
- 9) The management shall have in place and implement a policy relating to the prevention of the use of illegal drugs. The policy shall include: search, detection, confiscation, storage and disposal.



ANNEXES continued...

10) 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.

Health & Safety -

amended 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.

Interested Party

Noise levels should not exceed 55dB(A) measured over a fifteen minute period one metre from the façade of any noise sensitive premises (particularly the dwelling of any parishoner) with windows open in a typical manner for ventilation between the hours of 9.00am and the hours above (Monday to Thursday 11.00pm; Sunday 10.30pm; Friday and Saturday 12.00am - 24.00) and noise sensitive premises (particularly the dwelling of any parishoner) with windows open in a typical manner for ventilation. A noise sensitive premise includes premises used for residential purposes, hospitals, and similar institutions, educational establishments (when in use) or places of worship (during recognised times and days of worship) or any premises used for any purposes likely to be affected by the noise.

There will be no fireworks at this event

The area to which the licence relates will be left clean and tidy together with any adjoining area to the premises including the towpath.

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

Land adjacent to the Upper Thames Rowing Club

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

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 of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or 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 |
| | Only for Henley Royal Regatta week each year | | |
| | Live acoustic/amplified music and amplified voice | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| F. Playing of recorded music (Indoors & Outdoors) | Sunday | 10:00am | 10:30pm |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Provision of recorded music by means at the Managements discretion | | |
| | Thursday | 10:00am | Midnight |
| H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors) | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| | Wednesday | 10:00am | 11:00pm |
| Only for Henley Royal Regatta week each year | | | |
| Comper for hosting events or any similar performance in an events using amplified voice | | | |



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

| Activity (and Area if applicable) | Description | Time From | Time To |
|--|--|-----------|----------|
| H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors) continued ... | | | |
| | Thursday | 10:00am | 11:00pm |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| I. Provision of facilities for making music (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Amplified sound system | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| J. Provision of facilities for dancing (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | A dance floor for events which include dancing | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors & Outdoors) | | | |
| | Wednesday | 10:00am | 11:00pm |
| | Only for Henley Royal Regatta week each year | | |
| | Compre for hosting events or similar performances in any events using amplified voice | | |
| | Thursday | 10:00am | 11:00pm |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |
| L. Late night refreshment (Indoors & Outdoors) | | | |
| | Wednesday | 11:00pm | Midnight |
| | Thursday | 11:00pm | Midnight |
| | Friday | 11:00pm | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Provision for substantial hot food and hot drink at all times during the permitted hours | | |
| | Saturday | 11:00pm | Midnight |
| M. The sale by retail of alcohol for consumption ON and OFF the premises | | | |
| | Wednesday | 10:00am | Midnight |
| | Only for Henley Royal Regatta week each year | | |
| | Thursday | 10:00am | Midnight |
| | Friday | 10:00am | Midnight |
| | Saturday | 10:00am | Midnight |
| | Sunday | 10:00am | 10:30pm |

THE OPENING HOURS OF THE PREMISES

| Description | Time From | Time To |
|--|-----------|----------|
| Wednesday | 10:00am | Midnight |
| Only for Henley Royal Regatta week each year | | |
| Thursday | 10:00am | Midnight |
| Friday | 10:00am | Midnight |
| Saturday | 10:00am | Midnight |
| Sunday | 10:00am | 10:30pm |



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

Upper Thames Rowing Club

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

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

Casey Daniel SMALL

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



**LAND ADJACENT TO UPPER THAMES ROWING CLUB
PREMISES LICENCE PR0256**

Comprising of the Regatta Village (food mobiles and outside seating areas and Oarsman Marquee (beer tent).

Henley Royal Regatta 27th June – 1st 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 Rosalyn 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 PR0256 (Land Adjacent to Upper Thames Rowing Club), 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 (30th 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 14th 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 19th June 2012, this did not have sufficient detail and I replied on 20th 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 only (not the Oarsman marquee which is situated on the Upper Thames site) 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. On site, prior to the event starting (27th June 2012) Nick Ford informed me that the capacity for the Oarsman Bar was 400 (500 if front open). On Saturday 30th June at a during performance inspection Howard (who was in the Oarsman Marquee and came over when I asked for the Manager) told me the capacity was 600 (700 if front open).

1d) With regards to the exits from the Oarsman marquee on Saturday 30th June 2012 at 20:15 (accompanied by Julia O'Brien Principal EHO Licensing) while the premises was open I noted the following (all were along one length of the marquee)-

- 1 double exit – open - signed with a illuminated fire exit sign (Photograph P1020294)
- 1 double exit– roped closed - signed with a illuminated fire exit sign (Photograph P1020295)
- 1 double exit - open – no illuminated fire exit sign (Photograph P1020295)
- 1 double exit– roped closed - signed with a illuminated fire exit sign (photograph P1020291 and P1020292)
- 1 double exit - open – no illuminated fire exit sign (photograph P1020293)
- Double entrance to the marquee– open – signed with a illuminated fire exit sign

Although there were sufficient openings in the marquee for the capacity, in the event of an emergency evacuation people would to go towards the illuminated fire exits which were not capable of being opened thereby impeding their safe exit.

1e) At this time while carrying out my during performance inspection the operator (Christopher Leader) and the nominated manager for the marquee (Tom Bronnock) were both outside the Oarsman marquee in portable toilet area behind the 'Regatta Village' and were cleaning out the toilets. I discussed with them their roles and responsibilities and priorities for the event should be crowd safety and under age sales and front of house issues.

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 19th June 2012. I responded on 21st 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) During the event, and especially in the evening, there needs to be frequent litter picking of the site to ensure discarded items are not used as missiles by patrons.

Supporting information for this additional condition.

3a) There was a loss of control over the area as crowds formed in the free space on the 'Regatta Village' site. This was discussed by the police with the organisers in my presence at my during performance inspection on Saturday evening and it was agreed by the organisers that there would be a temporary closure of the Oarsman Marquee and alcoholic drinks vendors in order to regain crowd control.

3b) On the Saturday evening I also noted rubbish accumulated in the event area, mainly form picnickers, which has the potential to be used as missiles (ie bottles).

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 the capacity of the marquees. There is a lack of control over the running of the event and roles and responsibilities are not fully known or understood.

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 29th and 30th June 2012 this, despite a meeting with the management on Saturday 30th 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.

**LAND ADJACENT TO UPPER THAMES ROWING CLUB
PREMISES LICENCE PR0256**

**Comprising of the Regatta Village (food mobiles and outside seating areas and Oarsman Marquee (beer tent).
Henley Royal Regatta 27th June – 1st July 2012.**

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