

**WOKINGHAM  
BOROUGH COUNCIL**

**MEETING OF THE  
LICENSING AND APPEALS (HEARINGS) SUB-  
COMMITTEE**

**ON WEDNESDAY 19 MARCH 2014**

**AT 10:00AM**

**AGENDA**

**Civic Offices  
Shute End  
Wokingham  
Berkshire**

**Andy Couldrick  
Chief Executive**



## **WOKINGHAM BOROUGH COUNCIL**

### **Our Vision**

***A great place to live, an even better place to do business***

### **Our Priorities**

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

### **The Underpinning Principles**

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

Chief Executive's Department  
P.O. Box 150  
Shute End, Wokingham  
Berkshire RG40 1WQ  
Tel: (0118) 974 6000  
Fax: (0118) 979 0877  
Minicom No: (0118) 977 8909  
DX: 33506 - Wokingham



# WOKINGHAM BOROUGH COUNCIL

To: The Chairman and Members of the Licensing and Appeals Committee

A Meeting of the LICENSING AND APPEALS (HEARINGS) SUB-COMMITTEE will be held at the Civic Offices, Shute End, Wokingham on **Wednesday 19 March 2014** at **10:00am**.

Andy Couldrick  
Chief Executive  
5 March 2014

**Members:-** Barrie Patman, Mike Haines and Sue Smith.

ITEM NO.	WARD	SUBJECT	PAGE NO.
1.00		<b>ELECTION OF CHAIRMAN</b> To elect a Chairman for the meeting.	-
2.00		<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest	-
3.00		<b>APPLICATION TO VARY A PREMISES LICENCE UNDER THE LICENSING ACT 2003 - HENLEY FESTIVAL, HENLEY REGATTA SITE, HENLEY ON THAMES</b> To advise the Sub Committee of the representations received in respect of the above application to vary a premises licence for the Henley Festival, Henley Regatta Site, Henley on Thames PRO259.	3-44
		The application will be determined in line with agreed procedure.	1-2

The enclosed report includes a copies of the application (**pages 7-33**), and the representations received (**pages 34-44**).

This is an agenda for a meeting of the Licensing and Appeals Sub-Committee.

If you need help in understanding this document or if you would like a copy of it in large print please contact one of our Team Support Officers.

#### **CONTACT OFFICERS**

<b>Susan Coulter</b>	<b>Senior Democratic Services Officer</b>	<b>Tel 0118 974 6059</b>
	<b>Administrators</b>	<b>Tel 0118 974 6053/6054</b>
<b>Fax</b>	0118 919 7757	
<b>Email</b>	democratic.services@wokingham.gov.uk	

## HEARING PROCEDURE – APPLICATION TO VARY A PREMISES LICENCE

1. Sub-Committee to elect a Chairman for this Hearing only.
2. Chairman to welcome all Parties and introduce the Members of the Sub-Committee.
3. Chairman to ask Sub-Committee if they have any interests to declare.
4. Chairman of Sub-Committee to outline procedure and reaffirm that only information relevant to representations can be considered and that such information must be relevant to the Licensing Objectives. Chairman to confirm that all parties understand this. The four Licensing Objectives are: -
  - The Prevention of Crime and Disorder;
  - Public Safety;
  - The Prevention of Public Nuisance; and
  - The Protection of Children from Harm.
5. The Licensing Officer will introduce the Hearing report and update the Sub-Committee on any developments following publication of the report whenever required.
6. Applicant to present application, including any witnesses. This can last no longer than 7 minutes. Whilst this is the standard time limit given to each party to make their representation the Applicant may wish to request an extension. It will be the decision of the Sub-Committee, at the hearing, whether an extension to the time limit for making representations is given. All parties will be given equal time to put their case.
7. Responsible Authorities that have made representations and any Interested Parties that have made representations may, with the permission of the Sub-Committee, question the Applicant and witnesses.
8. Each Responsible Authority that has made representations to present their representations including any witnesses. Each Responsible Authority has 7 minutes to present their representation. Whilst this is the standard time limit given to each party to make their representation the Responsible Authority may wish to request an extension. It will be the decision of the Sub-Committee, at the hearing, whether an extension to the time limit for making representations is given. All parties will be given equal time to put their case.
9. The Applicant may ask questions of each Responsible Authority if permitted to do so by the Sub-Committee, but will, in any event, be given the opportunity to respond to comments made by other parties at the end of the Hearing.
10. Any Interested Parties that have made representations to present their representations including any witnesses. Each Interested Party has 7 minutes to present their representation. Whilst this is the standard time limit given to each party to make their representation the Interested Party may wish to request an extension. It will be the decision of the Sub-Committee, at the hearing, whether an extension to the time limit for making representations is given. All parties will be given equal time to put their case.
11. The Applicant may ask questions of each Interested Party if permitted to do so by the Sub-Committee.
12. The Sub-Committee can question any Party at any stage.
13. In order to facilitate effective Hearings, Interested Parties making similar representations will be asked to nominate a spokesman to present their representations. At the conclusion of a spokesman's representation, the Chairman will ask the other Interested Parties if they have any other points to raise.
14. Questions by the Sub-Committee and, when permitted, by the Applicant, will be directed to the nominated spokesman in the first instance.

15. The Applicant will be given the opportunity to respond to comments made.
16. After hearing the application and all representations, the Sub-Committee will ask any further questions of any party that it may have.
17. The Chairman will ask all parties if they have any further relevant points that have not been covered in the Hearing and to give a brief summary of their evidence and information with the Applicant going last in order.
18. All parties other than the Sub-Committee and support staff from Wokingham Borough Council's Legal and Democratic Services team to leave the Hearing.
19. The Sub-Committee shall determine the application. The decision will be notified in writing to all parties after the Sub-Committee has reached its decision.

<b>TITLE</b>	<b>HENLEY FESTIVAL, HENLEY REGATTA SITE HENLEY ON THAMES RG9 2LY APPLICATION TO VARY PREMISES LICENCE</b>
<b>FOR CONSIDERATION BY</b>	Sub Committee of the Licensing and Appeals Committee on 19 March 2014
<b>WARD</b>	Remenham, Wargrave and Ruscombe
<b>STRATEGIC DIRECTOR</b>	Paul Anstey, Joint Service Delivery Manager for Environmental Health & Licensing

<p><b>OUTCOME / BENEFITS TO THE COMMUNITY</b></p> <p>In accordance with S18 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 representations have been received.</p>
<p><b>RECOMMENDATION</b></p> <p>The Sub Committee to determine the application to grant or refuse the application, with conditions and/or amendments as appropriate.</p>
<p><b>SUMMARY OF REPORT</b></p> <p>To provide relevant information for the Sub Committee to consider and determine the application by Henley Festival Ltd to vary the premises licence for Henley Festival at Henley Regatta Site (licence number PR0259)</p>

### Background

The application to vary premises licence PR0259 was received on 3 January 2014 but missing the plan which forms part of the application so deemed incomplete. After discussions with the applicant and receipt of the proposed plan, a revised start date of 22 January 2014 was agreed.

The following documentation is attached – copy of the application (Appendix One), location / layout plans (Appendix Two), copy of the current premises licence (Appendix Three), representations (Appendix Four) and response from Environmental Health (Appendix Five)

The application was checked and confirmed to be correctly made before starting the 28 day consultation period, this ran until 19 February 2014. The responsible authorities, ward members and parish council were advised by email on 17 January 2014.

Details of the application are as follows:

- To amend the licensed plan to extend the premises licence to include the boat tent structure and lawn area in front
- To extend the opening times on Sunday from 1830 to 1800
- To request the removal of the condition preventing the firing of fireworks on Sunday of Festival week
- These requests are described in more detail by the applicant on page two of the application form

Live, recorded music and anything of a similar nature (indoors and outdoors):

- 1700 to 2130 hours Wednesday to Sunday
- These timings apply to the boat tent and lawn in front only and do not affect the main Henley Festival event, applicant has provided more detail on pages 8, 9 and 11 of the application

Supply of alcohol for consumption on the premises:

- 1200 to 2130 hours Wednesday to Sunday
- These timings apply to the boat tent structure and lawn in front only and do not affect the main Henley Festival timings, applicant has provided more detail on page 16 of the application

Hours premises are open to the public:

- 1200 to 2130 hours Wednesday to Sunday
- Henley Festival operating hours to remain same except that opening time on Sunday to be extended from 1830 to 1800 hours
- These timings are for the boat tent and lawn in front only, applicant has provided more detail on page 17 of the application

The application has been advertised with a notice placed in the Henley Standard on 24 January 2014. Unfortunately due to the adverse weather conditions and flooding during the consultation period, we were unable to check the site notices. We do however have an email from Suzanne Yates on behalf of the applicant stating: "You ask me to confirm that the site notices were put up in the vicinity of the Boat Tent area and lawn. These were in place for the full 28 day consultation period from 22nd January until 19th February, along the railings adjacent to the back and side of the lawn area where the tents are sited. A notice was also put up on a post adjacent to Leander Club nearest the towpath."

During the statutory consultation period of 28 days, representations were received from John Halsall on behalf of Remenham Parish Council, David Cook, Brian and Mandy Cook and Christopher and Caroline Leeming.



### **Responses Received from Responsible Authorities**

Thames Valley Police – no objections

Fire Authority – no representation

Environmental Health – no objections

Health & Safety – no response

Trading Standards – no response

Planning – no objection

Children and Young People's Services – no response

Primary Care Trust – no response

### **Representations from Other Persons**

Representations were received from:

- John Halsall on behalf of Remenham Parish Council (4a)
- David Cook and family of Hillside, Matson Drive, Remenham (4b)
- Christopher and Caroline Leeming of The Hermitage, Matson Drive, Remenham (4c)
- Brian and Mandy Cook of The Hollies, Matson Drive, Remenham (4d)

These are included as Appendix Four together with the applicant's responses.

In view of the representations received relating to noise, we consulted with Environmental Health who are the statutory authority for noise nuisance. Joe Dray, Principal Environmental Health Officer considered these and submitted his response which is included as Appendix Five. We will also call Mr Dray as a witness at the hearing.

With regard to the request to remove the condition preventing fireworks on Sunday evening, the use of fireworks is not a licensable activity under the Licensing Act 2003 and this condition could not be enforced under this legislation.

### **Analysis of Issues**

Promotion of the four licensing objectives:

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

Section Q of the application details how the applicant proposes to address these.

Requirement of Licensing Act 2003 to determine an application and achieve the four licensing objectives – prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

Wokingham Borough Council's licensing policy – operating hours – the council recognises that one important aspect of the Licensing Act 2003 is the abolition of national opening hours for premises selling alcohol and will only determine the opening hours of any licensable activity if there is the belief that by limiting the operating hours one or more of the licensing objectives will be met.

**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		

<b>Other financial information relevant to the Recommendation/Decision</b>
None

<b>Cross-Council Implications</b> (how does this decision impact on other Council services and priorities?)
Not applicable

<b>Reasons for considering the report in Part 2</b>
None

<b>List of Background Papers</b>
Application forms, location plans, representations

<b>Contact</b>	Karen Court	<b>Service</b>	Licensing Service
<b>Telephone No</b>	01635 519791	<b>Email</b>	kcourt@westberks.gov.uk
<b>Date</b>	3 March 2014	<b>Version No.</b>	1

APPENDIX ONE

agreed start  
date =  
22/1/14



Application to vary a premises licence under the Licensing Act 2003 - 3 JAN 2014

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We HENLEY FESTIVAL LTD

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PRO259
-----------------------------------

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description HENLEY FESTIVAL HENLEY REGATTA SITE HENLEY-ON-THAMES OXON			
Post town	HENLEY-ON-THAMES	Post code	RG9 2LY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£-18000

Part 2 – Applicant details

Daytime contact telephone number	01491 843402		
E-mail address (optional)			
Current postal address if different from premises address	HENLEY FESTIVAL LTD 14 FRIDAY STREET		
Post Town	HENLEY-ON-THAMES	Postcode	RG9 1AH

**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

TO EXTEND THE PREMISES LICENSE TO INCLUDE THE BOAT TENT STRUCTURE AND LAWN AREA IN FRONT. TO ENABLE USE FOR PRE SHOW DINING AND PICNICS BEFORE GUESTS ENTER THE ENCLOSURE. TO POSSIBLY INCLUDE LIGHT ENTERTAINMENT IN KEEPING WITH THE STYLE OF THE FESTIVAL, FOR THE ENJOYMENT OF FESTIVAL GUESTS. THIS FACILITY MAY ALSO BE OPENED DURING THE DAYTIME FOR LUNCHES AND TEAS ON THE FIVE FESTIVAL DAYS. THE FACILITY WOULD ONLY OPERATE UNTIL MID EVENING.

APPLICATION TO APPLY TO THE HENLEY FESTIVAL WEEK IN JULY EACH YEAR

IN ADDITION, TO REQUEST THAT THE OPENING TIME FOR THE FESTIVAL GATES IS 18:00 ON SUNDAY NIGHT ( PRESENTLY 18:30 ). THIS IS TO AVOID CONFUSION FOR GUESTS AS ALL OTHER FESTIVAL EVENINGS START 18:00, TO ALSO REQUEST THAT THE CONDITION PRESENTLY PREVENTING THE FIRING OF FIREWORKS ON THE SUNDAY OF THE FESTIVAL WEEK, BE REMOVED.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

Please tick yes

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

##### Provision of entertainment facilities:

- |   |                          |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I)   | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

**A**

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

**B**

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

**C**

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



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) THE HOURS LISTED ON THE LEFT APPLY TO THE BOAT TENT STRUCTURE AND LAWN INFRONT ONLY AND DO NOT AFFECT THE MAIN HENLEY FESTIVAL EVENT. THE AREA WILL BE CORDONED OFF. IT WILL NOT REQUIRE A TOWPATH DIVERSION. INDIVIDUAL/GROUPS OF PERFORMERS, SOME ACOUSTIC, SOME LIGHTLY AMPLIFIED PERFORMANCES INTERSPERSED WITH OTHER ACTIVITIES SUCH AS EATING, DRINKING.		
Mon					
Tue					
Wed	17:00	21:30	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur	17:00	21:30			
Fri	17:00	21:30	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	17:00	21:30			
Sun	17:00	21:30			

**F**

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3) THE HOURS LISTED ON THE LEFT APPLY TO THE BOAT TENT STRUCTURE AND LAWN INFRONT ONLY AND DO NOT AFFECT THE MAIN HENLEY FESTIVAL EVENT.THE AREA WILL BE CORDONED OFF. IT WILL NOT REQUIRE A TOWPATH DIVERSION. MUSIC MAY BE LIGHTLY AMPLIFIED		
Tue					
Wed	17:00	21:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	17:00	21:30			
Fri	17:00	21:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) n/a		
Sat	17:00	21:30			
Sun	1700	21:30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p><b><u>Please give a description of the type of entertainment you will be providing</u></b> THE HOURS LISTED ON THE LEFT APPLY TO THE BOAT TENT STRUCTURE ONLY AND NOT THE MAIN HENLEY FESTIVAL EVENT.</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3) STREET THEATRE OR SIMILAR LIGHT ENTERTAINMENT MAY BE PROVIDED.</p>		
Wed	17:00	21:30			
Thur	17:00	21:30	<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri	17:00	21:30			
Sat	17:00	21:30	<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) n/a</p>		
Sun	17:00	21:30			

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

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b><u>Will the facilities for dancing be indoors or outdoors or both – please tick</u></b> (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			<b><u>Please give a description of the facilities for dancing you will be providing</u></b>		
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for providing dancing facilities</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

K

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					



L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 3) <b>FOOD &amp; DRINK WILL ONLY BE SERVED UP TO 21:30 LATEST</b>		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<p><b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)</p> <p>THESE HOURS ARE PURELY FOR THE BOAT TENT &amp; LAWN AREA IN FRONT. THEY DO NOT AFFECT THE LICENCING HOURS PRESENTLY GRANTED FOR THE HENLEY FESTIVAL. THE PLAN IS TO RUN A RESTAURANT AND CORPORATE DINING SPACE FOR FESTIVAL GUESTS TO DINE IN PRIOR TO THEIR ENTRY IN TO THE FESTIVAL.</p> <p>WE WOULD ALSO LIKE THE RESTAURANT TO BE ABLE TO PROVIDE LUNCHES/TEAS DURING THE FESTIVAL DAYS.ALL ACTIVITY TO CEASE BY 21:30.</p> <p><b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)</p>		
Tue					
Wed	12:00	21:30			
Thur	12:00	21:30			
Fri	12:00	21:30			
Sat	12:00	21:30			
Sun	12:00	21:30			

**N**

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

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) THE HOURS STIPULATED ON THE LEFT ARE FOR OPERATION OF THE BOAT TENT & LAWN AREA IN FRONT ONLY.  THE HOURS FOR THE OPERATION FOR THE HENLEY FESTIVAL EVENT TO REMAIN THE SAME EXCEPT FOR OPENING TIME ON THE SUNDAY TO BE AMENDED TO 18:00 RATHER THAN 18:30.  IT IS THE INTENTION THAT THE AREA WOULD BE FOR FESTIVAL GUESTS ONLY FROM 17:00 FOR DINING PRIOR TO GOING IN TO THE FESTIVAL. BETWEEN 12:00 - 17:00 THE FACILITY MAY BE OPEN TO THE PUBLIC FOR LUNCHES AND TEAS.
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Mon	12:00	21:30	
Tue	12:00	21:30	
Wed	12:00	21:30	
Thur	12:00	21:30	
Fri	12:00	21:30	
Sat	12:00	21:30	
Sun	12:00	21:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking  
 WE DO NOT BELIEVE THERE TO BE ANY CONDITION THAT COULD BE REMOVED AS A CONSEQUENCE OF THE PROPOSED VARIATION TO THE BOAT TENT & LAWN AREA..

HOWEVER, WE WOULD ASK THAT THE CONDITION PREVENTING FIREWORKS BEING FIRED ON THE SUNDAY NIGHT OF THE HENLEY FESTIVAL BE REMOVED.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence  
THE LICENCE IS CURRENTLY IN THE NAME OF HENLEY ROYAL REGATTA AND AN APPLICATION TO TRANSFER HAS BEEN APPLIED FOR.

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

HENLEY FESTIVAL WILL CONTINUE TO PROMOTE THE LICENSING OBJECTIVES WITH THIS VARIATION, AS PREVIOUSLY OUTLINED IN OUR ORIGINAL PREMISES LICENSE APPLICATION.

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.**

Signature	G.M. Lall
Date	2-1-14
Capacity	Chief Executive

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

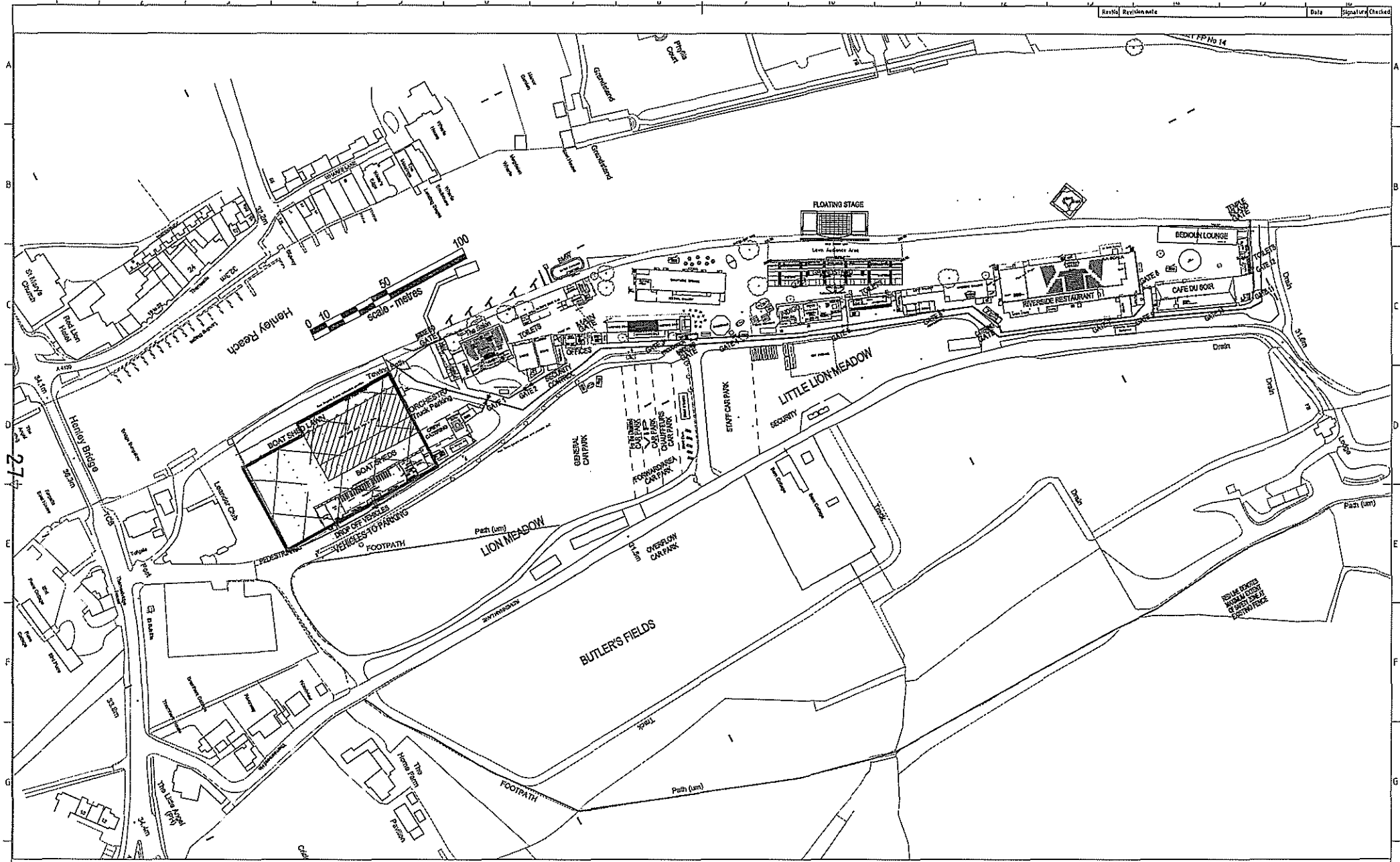
**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)**

GILL MITCHELL, CE  
 HENLEY FESTIVAL LTD  
 14 FRIDAY STREET  
 HENLEY-ON-THAMES  
 OXON

Post town	HENLEY-ON-THAMES	Post code	RG9 1AH
-----------	------------------	-----------	---------

Telephone number (if any)	01491 843400 /403
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)	gill@henley-festival.co.uk
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274

APPENDIX T300

Licensing Act 2003

## Premises Licence Summary

PR0259

## 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

**STEWARD'S ENCLOSURE**

Henley Regatta Site, Henley on Thames, Oxon, RG9 3DD.

## 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
- a performance of dance
- 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 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	2:45pm	5:45pm
	Wednesday	6:00pm	Midnight
	Thursday	2:45pm	5:45pm
	Thursday	6:00pm	Midnight
	Friday	2:45pm	5:45pm
	Friday	6:00pm	1:00am
	Saturday	11:30am	5:45pm
	Saturday	6:00pm	2:00am
	Sunday	11:30am	6:00pm
	Sunday	6:30pm	11:30pm
Individual performers, groups and bands in rehearsal and performance, some acoustic, some amplified. Performances are interspersed with other activities such as dining and viewing of artwork.			
F. Playing of recorded music (Indoors & Outdoors)	Wednesday	2:45pm	5:45pm
	Wednesday	6:00pm	Midnight
	Thursday	2:45pm	5:45pm
	Thursday	6:00pm	Midnight
	Friday	2:45pm	5:45pm
	Friday	6:00pm	1:00am





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

Activity (and Area if applicable)	Description	Time From	Time To
<b>F. Playing of recorded music (Indoors &amp; Outdoors) continued ...</b>			
	Saturday	11:30am	5:45pm
	Saturday	6:00pm	2:00am
	Sunday	11:30am	6:00pm
	Sunday	6:30pm	11:30pm
Recorded music may be played at anytime between the hours listed, either during rehearsal or show time. Performances are interspersed with other activities such as dining and viewing of artwork.			
<b>G. Performance of dance (Indoors &amp; Outdoors)</b>			
	Wednesday	2:45pm	5:45pm
	Wednesday	6:00pm	Midnight
	Thursday	2:45pm	5:45pm
	Thursday	6:00pm	Midnight
	Friday	2:45pm	5:45pm
	Friday	6:00pm	1:00am
	Saturday	11:30am	5:45pm
	Saturday	6:00pm	2:00am
	Sunday	11:30am	6:00pm
	Sunday	6:30pm	11:30pm
Individual group performances of dance may take place in rehearsal or show time during the hours listed. Performances will be interspersed with other activities such as music, singing, dining, street theatre and viewing of artwork.			
<b>H. Entertainment of a similar description to that falling within E, F, or G (Indoors &amp; Outdoors)</b>			
	Wednesday	2:45pm	5:45pm
	Wednesday	6:00pm	Midnight
	Thursday	2:45pm	5:45pm
	Thursday	6:00pm	Midnight
	Friday	2:45pm	5:45pm
	Friday	6:00pm	1:00am
	Saturday	11:30am	5:45pm
	Saturday	6:00pm	2:00am
	Sunday	11:30am	6:00pm
	Sunday	6:30pm	11:30pm
Street Theatre & Fireworks. Street theatre performances will take place intermittently during the evening and daytime events. There may be rehearsals taking place also. Fireworks may be fired at some point during each evening except on Sunday.			
<b>J. Provision of facilities for dancing (Indoors &amp; Outdoors)</b>			
	Wednesday	6:00pm	Midnight
	Thursday	6:00pm	Midnight
	Friday	6:00pm	1:00am
	Saturday	6:00pm	2:00am
	Sunday	6:30pm	11:30pm
Festival patrons may dance to bands performing during the evening either outdoors on the lawn or in the venues on site. The music may be amplified. There may also be dancing performances with in the venues.			
<b>L. Late night refreshment (Indoors &amp; Outdoors)</b>			
	Wednesday	11:00pm	Midnight
Late night refreshments will be served from restaurants, bars and concessions between the hours listed			
	Thursday	11:00pm	Midnight
	Friday	11:00pm	1:00am
	Saturday	11:00pm	2:00am
	Sunday	11:00pm	11:30pm
<b>M. The sale by retail of alcohol for consumption ON the premises only</b>			
	Wednesday	6:00pm	Midnight
	Thursday	6:00pm	Midnight



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

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only continued ...	Friday	6:00pm	1:00am
	Saturday	11:30am	2:00pm
	Saturday	6:00pm	2:00am
	Sunday	11:30am	3:30pm
	Sunday	6:30pm	11:00pm

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Wednesday	6:00pm	Midnight
Thursday	6:00pm	Midnight
Friday	6:00pm	1:00am
Saturday	11:30am	2:00pm
	6:00pm	2:00am
Sunday	11:30am	3:30pm
	6:30pm	11:30pm

## 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 the premises only

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

HENLEY ROYAL REGATTA

Regatta Headquarters, Henley on Thames, Oxfordshire, RG9 2LY

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

HENLEY ROYAL REGATTA

2170822

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

John HARRIS

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



J O'Brien

Date of Issue: 3 February, 2014

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 - exhibition of films**

- 1) admission of children to the exhibition of any film to be restricted in accordance with the following;
- 2) where the film classification body is specified in the licence, unless subsection(3)(b) applies, admission of children must be restricted in accordance with any recommendations made by that body
- 3) where -
  - (a) the film classification body is not specified in the licence, or
  - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
- admission of children must be restricted in accordance with any recommendation made by that licensing authority

**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



ANNEXES continued ...

(b) customers are made aware of the availability of these measures.

Annex 2

Conditions consistent with the Operating Schedule

a) General

Henley Festival is a 5-day music and arts festival run on the steward's enclosure site of the Henley Regatta the following week.

The event is professionally managed & employs well reputed contractors to install the infrastructure and to ensure smooth running of the event.

The Festival employs H&S consultants from Capita Symonds to advise on all issues.

The event is ticketed and is granted a towpath diversion each year.

b) Prevention of Crime and Disorder

A reputable security company with SIA licensed staff is employed in addition commissionaires are employed from the corps of commissionaires, to help with stewarding.

A badge system is operated for entry.

The bars are operated by a reputable company, employing trained staff to supervise the sale of alcohol.

c) Public Safety

A towpath diversion is applied for each year.

The festival employs an H&S consultant, security personnel & commissionaires to manage all crowd control issues.

Fencing & barriers are installed as appropriate.

Medical cover is provided throughout & there is a restricted glass policy, plastic glasses used outside of bar areas.

Good site lighting employed to assist crowd movement around the site.

d) Prevention of Public Nuisance

A towpath diversion is applied for each year environmental health policy adhered to in respect of sound levels.

Fireworks are fired once nightfall's rather than at the end of the evening, so as to prevent public nuisance.

Traffic management deals efficiently with the traffic flows in & out of the event.

e) Protection of Children from Harm

Children under 10 years are not permitted in to the evening events.

Children are encouraged to attend daytime events programmed. A lost child policy is in place and is included in the event safety plan.

Security, stewarding & safety measures mentioned above prevent children coming into danger.

Annex 3

Responsible Authority Conditions

Health & Safety :

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 submitted for the electrical installation in connection with your licence prior to the start of each years event.

A current certificate of gas safety signed by a person competent under CORGI should be submitted for the gas installation in connection with your licence prior to the start of each years event.

A current certificate of structural safety signed by a competent person, should be submitted for the grandstands and staging erected in connection with your licence prior to the start of each years event.

Arrangements should be made for the first aid treatment of members of the public who are attending the event in connection with your licence.

Annex 4

Conditions attached after a Hearing by the licensing authority

not applicable

Annex 5

Additional Conditions Agreed by Applicant

- 1 The closing hours for the premises will be:  
Midnight on Wednesday and Thursday  
01:00 on Friday  
02:00 on Saturday and  
23:30 on Sunday

with licensable activities (on all occasions) ceasing at least 10 minutes prior to closure.



## ANNEXES continued...

- 2 Fireworks will not be fired after 11pm.
- 3 The Applicant will
- (a) take reasonable steps to control noise from licensable activities and shall be available to receive and respond to complaints, while the premises are open to the public for regulated entertainment and when the Applicant or its subcontractors or agents are carrying out any preparation or practicing for the regulated entertainment activities.
  - (b) take reasonable steps to ensure that noise levels for regulated entertainment activities are consistent with the recommendations set out in the Code of Practice on Environmental Noise Control at Concerts. To this end, periodic and regular observation will be undertaken at or near the boundary to the premises and the observations entered in a log book. This log book shall be made available for inspection by an authorised officer or the owner of a "noise sensitive premises".
- 4 The Applicant agrees that diverted towpath traffic should have the footpath in the premises clear, marked and in the evening, lit.
- 5 The Applicant agrees that when the towpath is open, and when the Festival requires traffic movements across the towpath to access the site of the stage constructed in the River, it will not create public nuisance by imposing onerous conditions on the public, due to its traffic movements consistent with not creating a danger to public safety.
- 6 The Applicant agrees that after the conclusion of the regulated entertainment activities, it will not give their staff or subcontractors' staff or permit their staff or subcontractors' staff to have a party either within the tents or the car parks and that staff and subcontractors' staff will evacuate the premises and the car parks on closure of the premises. The Applicant will have security staff on duty to ensure that this happens in an orderly way.

Annex 6  
Plans

plans of premises attached



Handwritten: (Ka) Representation from  
John Halsall on behalf  
Karen Court of Remenham Parish Council

APPENDIX FOUR

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**From:** JohnHalsall on behalf of Parish Council  
**Sent:** 16 February 2014 07:08  
**To:** Karen Court  
**Subject:** RE: HENLEY FESTIVAL - NOTIFICATION OF APPLICATION FOR VARIATION OF PREMISES LICENCE ~[UNCLASSIFIED]~

Dear Karen

Remenham Parish Council object generally to this variation and in particular on the following grounds:

- Fireworks on a Sunday night is incompatible with Monday being a normal workday and a school day.
- Extending the licensing area will bring both more traffic and noise
- There will be pressure to extend the towpath closure
- It is unclear how the "new" boat tent will operate as the application says "this facility may be opened during the daytime for lunches and teas". This would extend the opening hours of the Festival extensively
- The application in general is too vague
- The application is for an area open to the public and should be a new application rather than a variation of an existing one, which is exclusively ticket only
- Light entertainment is no longer the Festival's style rather it is mostly a rock concert

Kind regards

John Halsall  
Chairman Remenham Parish Council  
Cherwell  
Remenham  
Berkshire  
RG9 3DB  
01491 576190

---

**From:** Karen Court [mailto:k.court@remenhamparishcouncil.org.uk]  
**Sent:** 17 January 2014 13:06  
**To:** 'John Halsall' <j.halsall@remenhamparishcouncil.org.uk>

**Cc:**  
**Subject:** HENLEY FESTIVAL - NOTIFICATION OF APPLICATION FOR VARIATION OF PREMISES LICENCE ~[UNCLASSIFIED]~

Dear all

Further to my email of 8 January, I have today agreed with Henley Festival that we will start the consultation period for this variation application next Wednesday, 22 January.

The closing date for representations is **19 February 2014**.

For those of you who have not received a copy of the plan, I am attaching a copy to this email.

Regards  
Karen Court  
Senior Licensing Officer  
Licensing Service

# 4a) Applicant's Response to Remenham Parish Council's Representation.

Karen Court

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**From:** Suzanne Yeates  
**Sent:** 25 February 2014 13:56  
**To:** Licensing  
**Subject:** Fro attn of Julia O'Brien RE: HENLEY FESTIVAL - NOTIFICATION OF APPLICATION FOR VARIATION OF PREMISES LICENCE ~[UNCLASSIFIED]~

Julia,

Further to my earlier email in response to David Cook, here below is our response to the email from John Halsall, on behalf of the Parish Council.

1. Fireworks on a Sunday night is incompatible with Monday being a normal workday and a school day.  
HF response: Henley Festival understands fireworks are not a licensable activity. However, consideration would of course be given to the timing of any firing which would take place before 11pm.
  2. Extending the licensing area will bring both more traffic and noise  
HF response: This would not be the case. This facility would be for the use of Henley Festival ticket holders to dine before they entered the Festival site with all activity finished by 21:30 latest.  
As a catering facility would be in place, it could be possible to open this up for light lunches/teas for towpath walkers/cyclists (possibly between 12 noon – 3pm) enjoying the riverside location.
  3. There will be pressure to extend the towpath closure  
HF response: This would not be the case. The activity would be contained within the boat tent structure and lawn to the front, which is land owned by Henley Royal Regatta. There would be no impact on the towpath.
  4. It is unclear how the “new” boat tent will operate as the application says “this facility may be opened during the daytime for lunches and teas”. This would extend the opening hours of the Festival extensively  
HF response: To clarify, the application is for the opportunity for Festival ticket holders to have a meal in the area prior to going in to the Festival site rather than picnicing in the car park. Our survey shows that there is not enough dining space available and so it would enable the Festival to feed more guests in the early evening before they enter the site.  
The area would be for the use of Festival ticket holders only. There would be no access to the general public at this time and the area would close by 21:30.
- With reference to ‘the facility may open daytime opening for lunches and teas’, this would be not impact at all on the Festival opening hours. If a facility was in place for Festival ticket holders in the early evening, it could offer the general light lunches and teas to the general public earlier in the day as they use they enjoy the river side area. If this idea was developed, general public use would cease by 16:30 in order to allow the facility to prepare of  
The arrival of the Festival ticket holders.
5. The application in general is too vague  
HF response: this is for WBC to consider. It is hoped the explanations above give further clarity where required.
  6. The application is for an area open to the public and should be a new application rather than a variation of an existing one, which is exclusively ticket only  
HF response: this is for WBC to consider. HF were advised this could be made under a minor variation. HF submitted a draft for comment before submitting their application.
  7. Light entertainment is no longer the Festival’s style rather it is mostly a rock concert  
HF response: to clarify, it is understood that if any live entertainment is to occur it must be licenced. Therefore if the Festival wanted to programme some street theatre performers or low level music whilst Festival ticket holders are dining prior to going in to the enclosure, it has to be included in the application.

Suzanne Yeates  
Event & Artist Manager

Subject: Henley Festival licence application no pro259

From: DAVID COOK

To:

Cc:

Date: Sunday, 16 February 2014, 16:24

h/b) Representation  
from David  
Cook & family

Dear Joe

I wish to object to the granting of the licence above on the following grounds.

The application uses the word "may" this is too vague for a licence application and therefore should be resubmitted.

Fireworks should not be fired on Sunday Night, as this is still during school term and exams are taken at this time.

Alcohol will not be controlled and will be consumed on the tow path.

Noise levels in the past have not adhered to the Code of Practice on Environmental Noise Control at Concerts which the organisers have agreed to in the present licence.

I have raised the question of noise levels over the past four years, with the organisers, only to be told by letter that it was acceptable, I was not offered to see a copy of records kept of observations at the boundary, were records kept?

As my property is some 700 metres from the festival boundary, I will this year engage a professional company to monitor noise levels, as I'm now aware of the levels laid down Code of Practice mentioned above.

I will be asking to see the noise level records of each evening compiled by the organisers as mentioned in the present licence.

Last year which I thought was the last I tolerated the public address system being operative at 2 30am most evenings this was gross breach of the present licence.

Regards David Cook and Family

Hillside  
Matson Drive  
Remenham  
Henley on Thames  
RG9 3HE



(b) Applicant's Response to Representation  
from David Cook + family

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**From:** Suzanne Yeates  
**Sent:** 26 February 2014 21:58  
**To:** Suzanne Yeates; Karen Court  
**Cc:** Gill Mitchell  
**Subject:** RE: Henley Festival licence application no pro259 ~[UNCLASSIFIED]~ Typo to correct

Karen,

Gill picked up a typo in the response below. Our response in the final paragraph should read 02:00 and not 02:30. We close gates at 02:00 on Saturday only, so would you be good enough to correct that before it goes in to the report.

Many thanks

Suzanne

-----Original Message-----

**From:** Suzanne Yeates  
**Sent:** Wed 26/02/2014 17:40  
**To:** Karen Court  
**Cc:** Gill Mitchell  
**Subject:** FW: Henley Festival licence application no pro259 ~[UNCLASSIFIED]~

Karen, the second response

Suzanne

**From:** Suzanne Yeates  
**Sent:** 25 February 2014 12:35  
**To:** Licensing  
**Subject:** RE: Henley Festival licence application no pro259 ~[UNCLASSIFIED]~

Julia

We wish to respond to the two representations Wokingham have received following our application to vary the premises licence for Henley Festival.

A separate response will come to the representation from Mr John Halsall.

In response to the email representation below from Mr David Cook, with reference to Henley Festival's application to vary its licence :

The application uses the word "may" this is too vague for a licence application and therefore should be resubmitted.

HF response: This is for WBC to comment on

The application uses the word "may" this is too vague for a licence application and therefore should be resubmitted.

Fireworks should not be fired on Sunday Night, as this is still during school term and exams are taken at this time.

Alcohol will not be controlled and will be consumed on the tow path.

Noise levels in the past have not adhered to the Code of Practice on Environmental Noise Control at Concerts which the organisers have agreed to in the present licence.

I have raised the question of noise levels over the past four years, with the organisers, only to be told by letter that it was acceptable, I was not offered to see a copy of records kept of observations at the boundary, were records kept?.

As my property is some 700 metres from the festival boundary, I will this year engage a professional company to monitor noise levels, as I'm now aware of the levels laid down Code of Practice mentioned above.

I will be asking to see the noise level records of each evening compiled by the organisers as mentioned in the present licence.

Last year which I thought was the last I tolerated the public address system being operative at 2 30am on most evenings this was a gross breach of the present licence.

Regards David Cook and Family

Hillside

Matson Drive

Remenham

Henley on Thames

RG9 3HE

DISCLAIMER

You should be aware that all e-mails received and sent by this Council are subject to the Freedom of Information Act 2000 and

Subject: Henley Festival licence application no pro259  
 From: DAVID COOK  
 To: ~~.....~~  
 Cc: ~~.....~~  
 Date: Sunday, 16 February 2014, 16:24

h.c) Representation  
 from Christopher  
 & Caroline Leeming ✓

Applicant's Response  
 confirmed as same  
 as for h.b).

Dear Joe

I wish to object to the granting of the licence above on the following grounds.

The application uses the word "may" this is too vague for a licence application and therefore should be resubmitted.

Fireworks should not be fired on Sunday Night, as this is still during school term and exams are taken at this time.

Alcohol will not be controlled and will be consumed on the tow path.

Noise levels in the past have not adhered to the Code of Practice on Environmental Noise Control at Concerts which the organisers have agreed to in the present licence.

I have raised the question of noise levels over the past four years, with the organisers, only to be told by letter that it was acceptable, I was not offered to see a copy of records kept of observations at the boundary, were records kept?.

As my property is some 700 metres from the festival boundary, I will this year engage a professional company to monitor noise levels, as I'm now aware of the levels laid down Code of Practice mentioned above.

I will be asking to see the noise level records of each evening compiled by the organisers as mentioned in the present licence.

Last year which I thought was the last I tolerated the public address system being operative at 2.30am on most evenings this was gross breach of the present licence.

Yours Sincerely,

Christopher and Caroline  
 Leeming

CHRISTOPHER AND CAROLINE  
 LEEMING

THE HERMITAGE,  
 MATSON DRIVE  
 REMENHAM  
 HENLEY ON THAMES  
 RG9 3HE

Had) Representation from Brian  
& Mandy Cook

**Karen Court**

---

**From:**  
**Sent:** 18 February 2014 12:20  
**To:** Karen Court  
**Subject:** Henley Festival Licence

Dear Karen,

We wish to object to the very high noise levels of the Henley Festival. As local residents we understood that last year was to be the final time the event was being held on its present site and therefore did not complain.

Now that it is to return, we very much hope that this will not be the case again. Whilst in years gone by the music has been in keeping with the beautiful surroundings even this has changed and is now more like a rock concert.

One final point is regarding the fireworks. We know these are all part of the festival experience but even these are now incredibly louder and distressing to pets, animals and the wildlife in general.

Kind regards,

Brian and Mandy Cook,  
The Hollies,  
Matson Drive,  
Remenham,  
Henley-on-Thames,  
Oxfordshire,  
RG9 3HE.

Click [here](#) to report this email as spam.

4d) Applicant's Response To Brian  
& Mandy Cook's Representation.

**Karen Court**

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**From:** Suzanne Yeates  
**Sent:** 03 March 2014 07:30  
**To:** Karen Court  
**Subject:** RE: Henley Festival Licence ~[UNCLASSIFIED]~

Karen, please see HF response to the representation made by Mr & Mrs B Cook below. Hope our 2 response paragraphs are clear. I am presently working on webmail and it is not allowing me to highlight them!

Gill Mitchell and I will be attending the hearing on 19th March.

Kind regards

Suzanne

Email from Mr & Mrs B Cook

**From:**  
**Sent:** 18 February 2014 12:20  
**To:** Karen Court  
**Subject:** Henley Festival Licence

Dear Karen,

We wish to object to the very high noise levels of the Henley Festival. As local residents we understood that last year was to be the final time the event was being held on its present site and therefore did not complain.

Now that it is to return, we very much hope that this will not be the case again. Whilst in years gone by the music has been in keeping with the beautiful surroundings even this has changed and is now more like a rock concert.

HF response: This point is not relevant to the present variation application. The main reason for the variation, is to create a dining area for guests to eat prior to going in to the Festival site. This will have no impact on noise levels associated with the Festival. All activity in this area would cease at 21:30 latest.

However, in response to the general point made about noise levels at the Festival - the Henley Festival's Health & Safety Consultant instigates regular noise assessments during the Festival evenings. On no occasion has the level exceeded the statutory regulation that is permitted within the licencing hours of the Festival.

One final point is regarding the fireworks. We know these are all part of the festival experience but even these are now incredibly louder and distressing to pets, animals and the wildlife in general.

HF response: Henley Festival understands fireworks are not a licencable activity. They are part of the Festival evening's experience and should they be fired this would be prior to 11pm which we understand to be the cut off time.

Click [here](#) to report this email as spam.

APPENDIX FIVE  
 ENVIRONMENTAL  
 HEALTH  
 RESPONSE

**PRO 259**  
**Stewards Enclosure – Henley Festival**

**Noise**

There have been a number of representations made concerning noise from the Henley Festival following the recent application for a minor variation.. Other complaints have been received following last year’s event. Some originated from residents in Henley-on-Thames (that lies within the administrative district of South Oxfordshire District Council).but there have been other more recent complaints from Wokingham residents. It is possible that more complaints would have been received at the time of or just after the event had it had not been the general understanding that 2013 was the last year at the current location.

As a result of the representations and complaints received Environmental Health, as the responsible authority for the Public Nuisance objective, has made plans to actively monitor noise from the 2014 event on behalf of the Licensing Authority

It has been stated that the nature of the event has changed over the years and is nowadays more of a rock concert than the previous more gentile entertainment that was provided

The Licence currently permits the performance of live music and recorded music at the following times during the days of the festival:

	From	To
Wednesday	1800	Midnight
Thursday	14.45 18:00	17:45 Midnight
Friday	14.45 18:00	17:45 01:00 (Saturday morning)
Saturday	11:30 18:00	17:45 02:00 (Sunday morning)
Sunday	11:30 18:30	18:00 23:30

There are a number of conditions relating specifically to the Public Nuisance Objective that have been in place for several years. These are as follows:

Annex 2

Conditions consistent with the operating schedule:

d) Prevention of public nuisance

[A towpath diversion is applied for each year] (assume typo error) Environmental Health Policy adhered to in respect of sound levels

Fireworks are fired once nightfalls (sic) rather than at the end of the evening so as to prevent public nuisance

Traffic management deals efficiently with the traffic flows in and out of the event.

Annex 5

Additional Conditions Agreed by Applicant

2) Fireworks will not be fired after 11pm

3) The applicant will

a) Take reasonable steps to control noise levels from licensable activities and shall be available to receive and respond to complaints, while the premises are open to the public for regulated entertainment and when the applicant or its subcontractors or agents are carrying out any preparation or practicing for the regulated entertainment activities

b) Take reasonable steps to ensure that noise levels for regulated entertainment activities are consistent with the recommendations set out in the Code of Practice on Environmental Noise Control at Concerts. To this end periodic and regular observation will be undertaken at or near the boundary to the premises and the observations entered in a log book. This log book shall be made available for inspection by an authorised officer or the owner of noise sensitive premises.

6) The applicant agrees that after the conclusion of the regulated entertainment activities, it will not give their staff or subcontractors staff or permit their staff or subcontractors staff to have a party either within the tents or the car parks and that staff and subcontractor staff will evacuate the premises and the car parks on closure of the premises. The applicant will have security staff on duty to ensure that this happens in an orderly way

Environmental Health have concerns about the wording and content of the above conditions but have noted the intention to comply with recommendation set out in the Noise Council Code of Practice on Environmental Noise Control at Concerts.

The code of practice states that the music noise level (MNL) should not exceed the guidelines shown in table 1 at 1 metre from the façade of any noise sensitive premises for events held between the hours of 0900 and 2300. Table 1 is replicated below:

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

When carrying out compliance monitoring at noise sensitive locations the Environmental Health team will check that the noise levels do not exceed 65 dB(A) when measured at 1 metre from the façade up until 23:00 each evening.

It should be noted however that the event continues beyond 23:00 each day of the event. The Code of Practice states that *“the music noise should not be audible within noise sensitive premises with windows open in a typical manner for ventilation”*. The Code of Practice acknowledges that it is not easy for those monitoring to assess inaudibility within somebody’s home and suggests the following:

*“Control can be exercised in this situation by limiting the music noise so that it is just audible outside the noise sensitive premises. When that is achieved it can be assumed that the music noise is not audible inside the noise sensitive premises.”*

The Environmental Health team will assess music noise after 23:00 in accordance with the above guidance.

The Code of Practice goes on to address low frequency noise that can be very noticeable indoors. It states that *“even if the dB(A) guidelines are being met, unreasonable disturbance may be occurring because of the low frequency noise. With certain types of events, therefore, it may be necessary to set an additional criterion in terms of low frequency noise, or apply additional noise controls”*. Depending on the type of music being played it may be necessary to take this guidance into account during compliance monitoring.

As noted above Environmental Health have concerns about the wording of the conditions currently applied to the Licence and would, given the opportunity, request that they be amended to ensure that :

- 1) clear noise limits are applied to reflect the guidance given by the Noise Council Code of Practice;
- 2) the applicant takes responsibility for the monitoring and control of noise and employs suitably qualified noise consultants to carry out this work;
- 3) a noise management plan is prepared and updated year on year in response to complaints or issues arising;
- 4) a noise compliance report is submitted to the licensing authority after each event.