



# **WOKINGHAM BOROUGH COUNCIL**

A Meeting of the **LICENSING AND APPEALS HEARINGS  
SUB COMMITTEE** will be held at the Civic Offices, Shute  
End, Wokingham Civic Offices, Shute End, Wokingham  
RG40 1BN on **WEDNESDAY 26 AUGUST 2015 AT 2.00PM**

A handwritten signature in black ink, appearing to read 'Andy Couldrick', written in a cursive style.

Andy Couldrick  
Chief Executive  
Published on 11 August 2015

## **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**

## MEMBERSHIP OF THE LICENSING AND APPEALS HEARINGS SUB COMMITTEE

### Councillors

Malcolm Richards

Philip Houldsworth

Abdul Loyes

ITEM NO.	WARD	SUBJECT	PAGE NO.
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- |    |                 |   |        |
|----|-----------------|---|--------|
| 1. |                 | <b>ELECTION OF CHAIRMAN</b><br>To elect a Chairman for the meeting  |        |
| 2. |                 | <b>DECLARATION OF INTEREST</b><br>To receive any declarations of interest   |        |
| 3. | Shinfield South | <b>APPLICATION FOR A REVIEW OF PREMISES LICENCE - LAGOONA PARK, PINGEWOOD ROAD SOUTH, PINGEWOOD, READING RG30 3UH</b><br>To consider and determine the application for a review of premises licence PRO353.<br><br>The application will be determined in line with agreed procedure.<br><br>The enclosed report includes copies of the application and the representation received. | 5 - 62 |

### CONTACT OFFICER

**Madeleine Shopland**

**Tel**

**Email**

**Postal Address**

Principal Democratic Services Officer

0118 974 6319

Madeleine.shopland@wokingham.gov.uk

Civic Offices, Shute End, Wokingham, RG40 1BN

# Agenda Item 3.

## HEARING PROCEDURE – APPLICATION FOR REVIEW OF 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.
7. The Licence Holder and any other 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.
9. The Applicant and the Licence Holder 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. Each Interested Party that has made representations to present their representations including any witnesses. Each Interested Party has 7 minutes to present their representation.
11. The Licence Holder and the Applicant may ask questions of each Interested Party if permitted to do so by the Sub-Committee.
12. 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.
13. Questions by the Sub-Committee and, when permitted, by the Applicant and the Licence Holder, will be directed to the nominated spokesman in the first instance.
14. The Licence Holder to make their case including any witnesses. This can last no longer than 7 minutes.
15. The Applicant may ask questions of the Licence Holder if permitted to do so by the Sub-Committee.
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.
18. All parties other than the Sub-Committee, Sub-Committee's Legal advisor and the Clerk 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.

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<b>TITLE</b>	<b>LAGOONA PARK, PINGEWOOD ROAD SOUTH, PINGEWOOD, READING RG30 3UH APPLICATION FOR REVIEW OF THE PREMISES LICENCE</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Sub Committee on 26 August 2015
<b>WARD</b>	Shinfield South
<b>DIRECTOR</b>	Paul Anstey, Joint Service Delivery Manager for Environmental Health & Licensing

<b>OUTCOME / BENEFITS TO THE COMMUNITY</b>
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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 has been received.
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<b>RECOMMENDATION</b>
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That the Sub Committee determine the application to grant or refuse the application, with conditions and/or amendments as appropriate.
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<b>SUMMARY OF REPORT</b>
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To provide relevant information for the Sub Committee to consider and determine the application from Mr Michael Heslehurst of Environmental Health to review the premises licence PR0353 for Lagoona Park.
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## **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 Mr Michael Heslehurst on behalf of Environmental Health as a responsible authority on 2 July 2015. The application includes details of monitoring carried out during the Waterworks Festival event on 10/11 June 2015, officer statements and a supporting email from Thames Valley Police.

The grounds for review are:

- Public nuisance arising from non compliance with licence conditions as well as a significant number of complaints received by both local authority and police
- Environmental Quality are concerned that public nuisance will recur if events of this nature are permitted in future

Annex 3 of the current premises licence dated 10 June 2015 (following a variation in May 2015) attached the following Environmental Health conditions:

### **Annex 3 – Responsible Authority Conditions Environmental Health**

- 1) Within 3 months of the date of granting of the premises licence the licence holder shall submit in writing to the Licensing Authority for written approval a noise management plan that will include the following details.
  - a) A plan identifying noise sensitive receptors in the vicinity of the licensed premises and proposed monitoring location(s)
  - b) The steps that will be taken to monitor and control the amplified sound emitted from events.
  - c) How visiting DJs and others will be briefed on the noise control measures in place
  - d) The steps that will be taken to notify local residents about planned potentially noisy events including the provision of a phone number residents can use to lodge complaints when noisy events are taking place.
  - e) The noise management plan shall be reviewed and updated as necessary following the receipt of complaints or any other relevant incident.
- 2) Amplified speech, amplified music or other amplified sound emitted from the



premises shall not be audible within noise sensitive premises between the hours of 2300 and 0800 with windows open for normal ventilation.

3) Between the hours of 0800 and 2300 noise from amplified speech, amplified music or other amplified sound emitted from the premises shall not at any time exceed 65dB LAeq (measured at 15 minute intervals) when measured at the boundary of noise sensitive premises in the vicinity.

Also to clarify, there is no application to reduce the hours on the premises licence; these remain as 10.00am to 5.00am the following day Monday to Sunday for regulated entertainment and supply of alcohol.

Upon receipt the application was checked and confirmed to be correctly made. The 28 day consultation period ran from 3 to 30 July 2015. The licence holder (Lagoona Park Watersports Limited), other responsible authorities, ward members and parish council were advised of the application by email on 2 July 2015.

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 3 July 2015 by Karen Court and Michael Heslehurst)

During the statutory consultation period of 28 days, the following responses were received:

- Trading Standards – no response
- Environmental Health (Health & Safety) - no response
- Children and Young People's Services – no response
- Planning - no objections.
- Thames Valley Police – supportive of the review application (Appendix C)
- Fire authority – no comments
- Public Health – comments on sleep loss, not representation (Appendix D)

At the request of Shirley and Andrew McLeod Ross, a mediation meeting was arranged with Environmental Health. This was held on 9 July 2015 and attended by Julia O'Brien (facilitator) and Karen Court of Licensing, Anna Smy and Michael Heslehurst of Environmental Health, Steve Deane of Thames Valley Police, Andrew and Shirley McLeod Ross and Toby Mullins the event organiser. Points for action were agreed and confirmed in an email by Karen Court on 10 July, copy attached in Appendix B.

It was agreed that Environmental Health would propose revised noise conditions with the aim of reaching agreement with the licence holders before the closing date.

In addition, to discuss the follow up licensing issues confirmed for Stage Two, a meeting has been arranged for 5 October 2015.

Following the mediation meeting there have been various emails exchanges between Shirley and Andrew McLeod Ross and Environmental Health from 10 July until 30 July 2015, these are included in Appendix B. However no agreement on additional noise conditions had been reached by the closing date of 30 July 2015 and the application was therefore referred for a hearing, as required by the legislation. Karen Court's email to Shirley McLeod Ross on 31 July 2015 confirms this.

The following documentation is attached – copy of the review application with

supporting documentation (Appendix A), Environmental Health subsequent negotiation emails (Appendix B), Thames Valley Police response (Appendix C), Public Health response (Appendix D) and copy of the current premises licence (Appendix E)

## 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	Not applicable	Not applicable
Next Financial Year (Year 2)	Not applicable	Not applicable	Not applicable
Following Financial Year (Year 3)	Not applicable	Not applicable	Not applicable

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

None

### Cross-Council Implications

Not applicable

### Reasons for considering the report in Part 2

None

### List of Background Papers

Application, location plans, representations

<b>Contact</b>	Karen Court	<b>Service</b>	Licensing Service
<b>Telephone No</b>	01635 519791	<b>Email</b>	kcourt@westberks.gov.uk
<b>Date</b>	3 August 2015	<b>Version No.</b>	1

Wokingham Borough Council

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 Michael Vincent Heslehurst

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Lagoona Park Pingewood Road South Pingewood Reading Berkshire	
<b>Post town:</b> Reading	<b>Post code:</b> RG30 3UH



<b>Name of premises licence holder or club holding club premises certificate</b> Lagoona Park Watersports Limited
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<b>Number of premises licence or club premises certificate</b> PR0353
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Part 2 - Applicant details

I am

Please tick ✓ yes

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

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

Please tick ✓ yes

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

**Surname**

**First names**

**I am 18 years old or over**

Please tick ✓ yes

**Current postal  
address if  
different from  
\*  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

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

Name and address West Berkshire and Wokingham Environmental Health and Licensing Service Environmental Health and Licensing Department Wokingham Borough Council Shute End Wokingham Berkshire RG40 1BN
Telephone number 0118 9746765
E-mail address environmental.health@wokingham.gov.uk

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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

During the Waterworks Lakeside Festival held on Wednesday 10<sup>th</sup> and Thursday 11<sup>th</sup> June 2015 at Lagoona Park, Pingewood, the following issues were noted;

- 1) Premises Licence PR0353 - Condition 2 of Annex 3 - was not adhered too.
- 2) Premises Licence PR0353 - Condition 3 of Annex 3 - was found not to be adequate to stop noise causing a nuisance.
- 3) Premises Licence PR0353 - Condition'd' of Annex 2 - Insufficient noise monitoring undertaken and inappropriate noise monitoring locations chosen.

During and following the event, a significant number of complaints all relating to noise disturbance were received by both the Local Authority and the Police.

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

Please see Monitoring Report (MZH/JZD/001/LAG/06/2015) giving a full description of the investigating officer findings during their noise monitoring visits during the Waterworks Festival.

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

Please tick ✓ yes

If yes please state the date of that application

Day Month Year

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

Please tick ✓

yes

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

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

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

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

Signature *mheslehurst*  
.....

Date **2 July 2015**  
.....

Capacity Environmental Health Officer  
.....

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)	
Mr M Heslehurst West Berkshire and Wokingham Environmental Health and Licensing Service Environmental Health and Licensing Department Wokingham Borough Council Shute End Wokingham Berkshire RG40 1BN	
<b>Post town</b> Wokingham	<b>Post Code</b> RG40 1BN
<b>Telephone number</b> 01635 519673	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address</b> mheslehurst@westberks.gov.uk	

**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.



**Environmental Quality Team – monitoring report (MZH/JZD/001/LAG/06/2015).**

- 1) **Name of Event:** Waterworks Festival 2015
- 2) **Date:** Wednesday 10<sup>th</sup> June 2015 to Thursday 11<sup>th</sup> June 2015 (1300 – 0200)
- 3) **Officers Attending:** Joe Dray (JPD) (Acting Team Manager, Environmental Quality Team) and Michael Heslehurst (MH)(Environmental Health Officer).
- 4) **Premises Licence:** Lagoon Park Watersports Limited Reference no. PR0353.

Licence Holder: Mrs Shirley Anne McLeod-Ross, Hartley Court House, Hartley Court Road, Three Mile Cross, Berkshire, RG7 1NJ.

The premises license permits the following;  
Opening Hours, Playing of Live Music, Playing of Recorded Music, Facilities for Dancing and the Supply of Alcohol – Monday to Sunday 10:00 – 05:00, indoors and outdoors, including bank or public holidays.

Late Night Refreshment – Monday to Sunday 23:00 – 05:00, indoors and outdoors, including bank or public holidays.

**Licence Conditions (relevant to noise)**

Premises License PR0353; Annex 2 – Conditions consistent with the operating schedule

d) Prevention of Public Nuisance – if necessary noise level monitoring will take place from pre agreed datum points.

Premises License PR0353; Annex 3 – Responsible Authority Conditions

2) Amplified speech, amplified music or other amplified sound emitted from the premises shall not be audible within noise sensitive premises between the hours of 2300 and 0800 with windows open for normal ventilation.

3) Between the hours of 0800 and 2300 noise from amplified speech, amplified music or other amplified sound emitted from the premises shall not at any time exceed 65dB LAeq (measured at 15 minute intervals) when measured at the boundary of noise sensitive premises in the vicinity.

**5) Plan of site**

See **appendix 1** for map of area including Lagoon Park and 2 Keepers Cottage which are approximately 635 metres apart.

## 6) Monitoring Equipment

Hand –held sound level meter:  
Brüel & Kjær Precision Integrating Sound Level Meter, Serial No. 1778121  
Calibrated 20th March 2014.

RION Sound Calibrator NC-74, Serial Number 34251510 which itself was last calibrated on 19<sup>th</sup> August 2014.

## 7) Calibration Statement

The Sound level Meter was calibrated before and after use and there was no deviation from the sound level recorded.

## 8) Background Information

The organisers of the event attended a Safety Advisory Group (SAG) Meeting on Friday 24<sup>th</sup> April 2015 0930 at Council Office Shute End. The issue of noise was discussed and advice was given by EH. A plan of the site showing distances to noise sensitive locations was provided by EH. (See JPD Witness Statement)

The event risk assessment (UK Event Safety) Section 28 Sound Management states as follows:

*“Sound engineer to manage levels and not produce excessive noise levels. Sound engineer to be aware of any domestic dwellings or businesses that might be affected by the festival. If necessary, sound level recording to be carried out at pre determined datum points. Activities overseen by Event Safety Manager at all material times”*

The organisers subsequently applied for a premises licence and the Environmental Quality team, as ‘responsible authority’ for the public nuisance objective were duly consulted. Having concerns about noise and the likelihood of Public Nuisance we recommended the imposition of various noise related conditions. These were accepted by the applicant and now form part of the premises licence (see above)

## 9) Monitoring activity

During the afternoon of the event Michael Heslehurst visited the site briefly to informally assess the level of noise in the area. He liaised with the organisers who stated that they had monitored and that the sound level was not exceeding the 65db day-time limit. The repetitive bass element of the music noise was dominant at that time.

At 10.50pm Michael Heslehurst and Joe Dray arrived at 2 Keepers Cottage, Pingewood Road South, Pingewood, Reading, Berkshire, RG30 3UG in order to monitor the sound level. Witness Statements are listed as **appendix 2 & 3**.

There was no perceptible change in the sound level immediately after 2300 as is required by the licence and in our opinion the noise would have been clearly audible within residential dwellings in the vicinity. Between 23:00 and 00:48 JPD recorded

the sound levels in the vicinity of 2 Keepers Cottage and results of monitoring are tabulated below:

### Table of results

Time Period	dB LAeq (15 minute period)
11.00pm – 11.15pm	65.2 (at day time limit)
11.24pm – 11.39pm	61.9
12.15am – 12.30am	59.3
12.34am – 12.44am	61.2 (10 minute period)

### 10) Conclusions of monitoring

Using the guidance given in BS8223 the 'Good' standard for resting conditions for living rooms and bedrooms is 30dB LAeq,t.

In addition to the requirements for compliance with BS8223, the local authority also seeks compliance with the World Health Organisation maximum L<sub>max</sub> noise levels to minimise sleep disturbance. The guidelines suggest that excesses over 45dB L<sub>max</sub> inside bedrooms can give rise to sleep disturbance.

Assuming the typical 13 dB(A) attenuation offered by an open window in a brick facade, all four of the measurements taken between 2300 and 00:44 would not meet the requirements of BS8223 or the WHO guidance.

The level of noise within noise sensitive premises would have been clearly audible after 2300. Local residents reported that the music did not stop until approximately 0228 and that they were kept awake during this period. This is in breach of Annex 3 – Condition 2 of the premises license.

### 11) Summary of complaints received.

#### Complaints received by West Berkshire and Wokingham - Environmental Health and Licensing Service

During and following the event at Lagoona Park, a total of 22 complaints were received all relating to noise disturbance.

See **appendix 4** for map showing spread of complaints in relation to Lagoona Park.

#### Complaints received by Thames Valley Police

Thames Valley Police received a total of 31 complaints 30 of which related to noise. Types of complaints received include:

- 1) Loudness of music and bass noise
- 2) Children being woken and not getting back to sleep
- 3) Children having to get up for exams the following morning
- 4) People having to get up for work the following morning

See **appendix 5** for map showing spread of complaints in relation to Lagoon Park.

The Police Licensing Officer has stated that he will support any subsequent enforcement actions or review of the premises licence and has made recommendations for changes to the premises licence. **Appendix 6**

## **12)Conclusion**

The Environmental Quality Team are satisfied that there was a breach of one of the noise related conditions (Annex 3 – Condition 2) in that the noise from the event continued to be audible within noise sensitive premises between 2300 and 0230. Significant disturbance was caused to residents in the vicinity of the site and beyond and we are satisfied that there was a public nuisance

Statements have been provided by JPD and MH. Some local residents have said they are willing to provide statement if required

The EQ team are concerned that a 'public nuisance' will recur if events of this nature are permitted in the future. In view of this the EQ team are likely to call for a review of the licence and will be completing the necessary application for a review form in due course.

Total: 0 METERS

Segment: 635.13 METERS

Area: 0 Sq METERS

XY: 468930.6, 169151.94

UNITS Metres

SCALE 1: 5850

JUMPSTART Aldermaston

200m zoom in pan go back go next info street view measur select add back add time clear address print

show location show information

Zoom to Scale

Produced by West Berkshire Council Information Communication Technology Service.

Current Selected Address

### Map Layers

- Visible Group
- Visible Layer
- Active Layer
- Base Mapping
  - OS Mastermap Area
  - OS Mastermap Lines
  - OS Mastermap Text
  - OS 10000
  - OS 25000
  - OS 50000
  - OS 250000
  - Aerial Photo 1999
  - Aerial Photo 2003
  - Aerial Photo 2010
- Administration
  - Authority Boundaries
  - Parishes
  - Towns and Villages
  - Wards
  - Address Points
- Highways and Transport

## Wokingham Borough Council

### STATEMENT OF WITNESS

(C.J. Act 1967, S.9; M.C. Act 1980 SS 5A and 5B; Criminal Procedure Rules 2011, Rule 27.1)

**STATEMENT OF:** Jonathan Peter Dray

**AGE OF WITNESS (IF OVER 18 ENTER "OVER 18"):** Over 18

**OCCUPATION:** Principal Environmental Health Officer

**This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

Dated the 22<sup>nd</sup> June 2015

I am a Chartered Environmental Health Practitioner and I hold the post of Principal Officer in the Environmental Quality Team within the West Berkshire and Wokingham Environmental Health and Licensing Service. I have worked in Environmental Health for twenty two years. The team in which I work deals with commercial nuisances and is the 'responsible authority' for the 'public nuisance' licensing objective under the Licensing Act 2003. During the relevant period I was the Acting Team Manager for the Environmental Quality Team.

On 24<sup>th</sup> April 2015 I attended a Safety Advisory Group Meeting held at Wokingham Borough Council's Offices to which the organisers of a proposed Waterworks Festival at Lagoona Park, Pingewood had been invited. The event was to be held on Wednesday 10<sup>th</sup> June from 1300 until Thursday 11<sup>th</sup> June at 0500. During the meeting I raised concerns about noise that might arise from the event and I advised the organisers that they would need to monitor and control the noise. In particular I expressed concern about noise after 2300. The organisers assured me that they would take noise seriously and that they would be monitoring. They also stated that the music would finish at 0200 not 0500. I handed Mrs McCleod-Ross, the current licence holder, a map of the area that I had prepared showing the location of the event site and the locations and distances to potentially noise sensitive residential locations.

Following the meeting an application for a premises licence to cover the proposed and subsequent events at the Lagoona Park site was received by the Licensing Authority. The Environmental Quality

## Continuation of Witness Statement of

Team was duly consulted on this application and I allocated the task to respond to my colleague Michael Heslehurst (Environmental Health Officer). We discussed the wording of conditions to control noise that we would recommend be applied to the licence. The draft conditions were sent to the applicant, Mrs Shirley Anne McLeod-Ross and I understand that she agreed to accept them. The conditions were applied to the licence and currently remain in force. A noise limit of 65dB LAeq (15mins) when measured at the boundary of noise sensitive premises was set for the period running up to 2300 and another condition stated that amplified noise shall not be audible within noise sensitive premises after 2300 with windows open for ventilation.

On Wednesday 10<sup>th</sup> June at approximately 2250 I attended to monitor noise from the event. I was accompanied by my colleague Michael Heslehurst. We started by monitoring directly outside 2 Keepers Cottage Pingewood. The amplified music from the event was clearly audible with a very dominant and repetitive bass beat. I noticed no reduction in the level of noise after 2300. I started recording noise using a sound level meter from 2300 for a period of 15 minutes. The 15 minute LAeq measurement was 65.2dB slightly above the day time permitted noise limit. At 23:23 I phoned event control on the given number and left a voicemail message stating that the music noise was too loud and needed to be turned down. I then took another 15 minute reading of 61.9 dB. The music noise level was still loud, particularly the bass beat that would clearly have been audible inside 2 Keepers Cottage. I called event control again just after 2330, the call was answered but then immediately disconnected. I was unable to leave a message. During this period the noise particularly from the repetitive base beat was clearly audible. At one stage I rested my hand on a window pane of 2 Keepers Cottage and could feel it vibrating with the bass beat.

At 2334 I received a phone call from Toby Mullins who said he had received my voicemail message. He said that he was currently monitoring at 'Keepers' and that he could hardly hear the bass beat from the music. I informed Toby that I was at Keepers Cottage that the music was loud and that I could not see him. Toby said that he was probably at the wrong Keepers Cottage and that he was in Kybes Lane. He agreed to come and join us to discuss the matter. I handed the phone to Michael Heslehurst who gave directions to where we were standing. Toby and Simon Brown arrived in a van about five minutes later and they agreed that the music was too loud. They agreed to contact the mixer desk and the bass frequency was turned down. I measured the noise for another 15 minutes and the reading had reduced

## Continuation of Witness Statement of

to 57dB LAeq – there was a clear improvement but the bass beat was still audible. Toby seemed reluctant to turn the music down any further because he said that there were still 1800 people on the site. I assumed that he was concerned what would happen if the music was turned down so I did not pursue the matter. Both Toby and Simon left us at about 00:11.

At 00:30 I measured the noise for another 15 minutes and the reading had increased slightly to 59.3 dB. At this stage the noise from higher frequencies was more perceptible in particular the noise from the DJ was clear including occasional swear words.. In my opinion the noise would have been audible inside the nearby dwellings even though all the windows were closed.

At 00:44 I took another measurement for 10 minutes, the level had increased to 61.2dB. At this stage we drove to the site entrance and spoke briefly to Simon who was standing by the side of the road. I told him that the noise level appeared to be creeping up and that it needed to be turned down again. The road outside the site entrance was extremely busy with taxis queuing and coaches picking up customers. We were not able to stop and park the car so we decided to leave the site at approximately 01:00. We were informed subsequently by a local resident that the music continued



## WEST BERKSHIRE DISTRICT COUNCIL

### STATEMENT OF WITNESS

(C.J. Act 1967, S.9; M.C. Act 1980 SS 5A and 5B; Criminal Procedure Rules 2011, Rule 27.1)

**STATEMENT OF:** Michael Vincent Heslehurst

**AGE OF WITNESS (IF OVER 18 ENTER "OVER 18"):** Over 18

**OCCUPATION:** Environmental Health Officer, Environmental Quality Team, West Berkshire and Wokingham Environmental Health and Licensing Service

**This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

Dated the 24<sup>th</sup> June 2015

I am an Environmental Health Officer with West Berkshire and Wokingham Environmental Health and Licensing Service and have been working in Environmental Health for over 15 years.

I was aware that the Waterworks Lakeside Festival was being held at Lagoona Park, Pingewood Road South, Pingewood, Reading, Berkshire, RG30 3UH starting at 1:00pm on Wednesday 10<sup>th</sup> June 2015 and finishing at 2:00am on Thursday 11<sup>th</sup> June 2015. On Wednesday 10<sup>th</sup> June I attended the site and stood on the grass verge close to 2 Keepers Cottage, Pingewood Road South, Pingewood, Reading, Berkshire, RG30 3UG in order to monitor the noise from the event.

I was aware that under Lagoona Parks Premises Licence, PR0353, Annex 3 – Paragraph 3, it states that between the hours of 8:00am and 11:00pm noise from amplified speech and music emitted from the premises shall not at any time exceed 65dB LAeq (measured at 15 minute intervals) when measured at the boundary of noise sensitive premises in the vicinity. I was also aware that Paragraph 2 required noise from amplified speech and music should not be audible within noise sensitive premises after 11:00pm.

I arrived at 2 Keepers Cottage at 2:45pm to get a feel for the level of noise being emitted from the site. The amplified music from the event was clearly audible with a high bass beat. I was concerned that it might be exceeding the day time 65dB noise limit so I drove to the gates of Lagoona Park and asked to speak with Toby Mullins the Event Organiser. He was unavailable and I therefore spoke with Simon Brown, Head of Security, who informed me he had monitored the noise level using a hand held noise level monitor and that it was not going over the 65dB limit as stated on the premises licence.

At 10:50pm on Wednesday 10<sup>th</sup> June 2015 my colleague Joe Dray, Acting Team Manager of the Environmental Quality Team, and I arrived at 2 Keepers Cottage in order to monitor the noise level coming from Lagoona Park.

**Continuation of Witness Statement of: Michael Heslehurst**

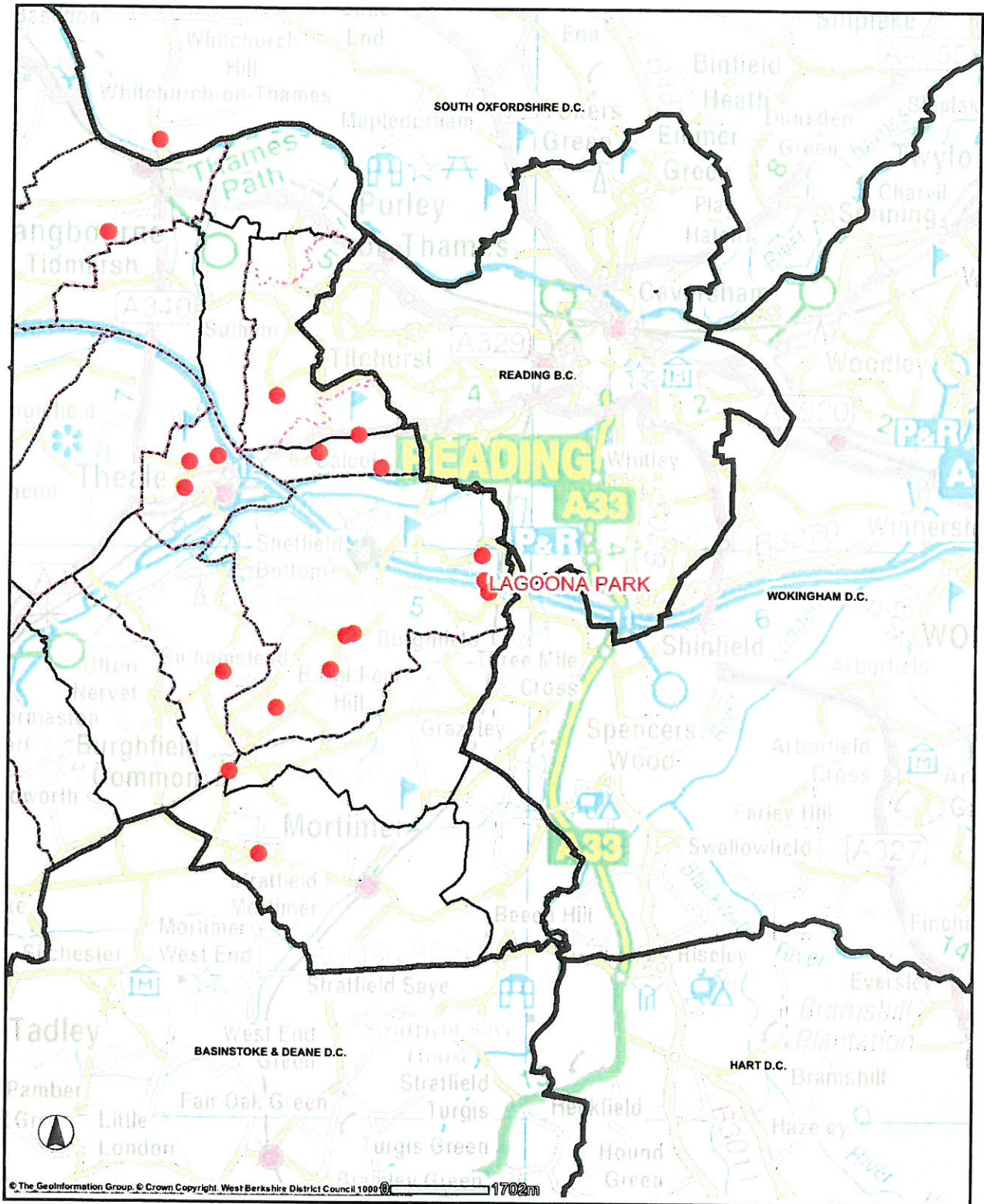
The amplified music from the event was clearly audible with a high repetitive bass beat. I noticed no reduction in the noise or bass beat after 11:00pm. We stood approximately one metre away from the facade of 2 Keepers Cottage, and my colleague Joe Dray started measuring the noise from 11.00pm for a period of 15 minutes and a level of 65.2dB LAeq (15mins) was recorded. At 11.23pm Joe Dray rang the number given for Event Control and left a voice mail message.


Joe continued to monitor the noise from the event and at 11.34pm he rang the Event Control number again but was unable to get through or leave a message. Soon afterwards Joe received a call from Toby Mullins at Event Control. I understand that there was some confusion as to where Mr Mullins was monitoring.

Joe Dray passed the phone to me to instruct Toby Mullins on how to get to our location. Around 11.40pm Toby Mullins and Simon Brown arrived at our location, they immediately agreed the noise and bass level was higher than they had expected and should be. Simon was reading between 61 and 62 dB on his hand held sound level meter stood in the middle of the green at the front of 2 Keepers Cottage. Toby and Simon both agreed it was too loud and after 10 minutes and several conversations with the people on the mixer desk the volume reduced to around 57dB.

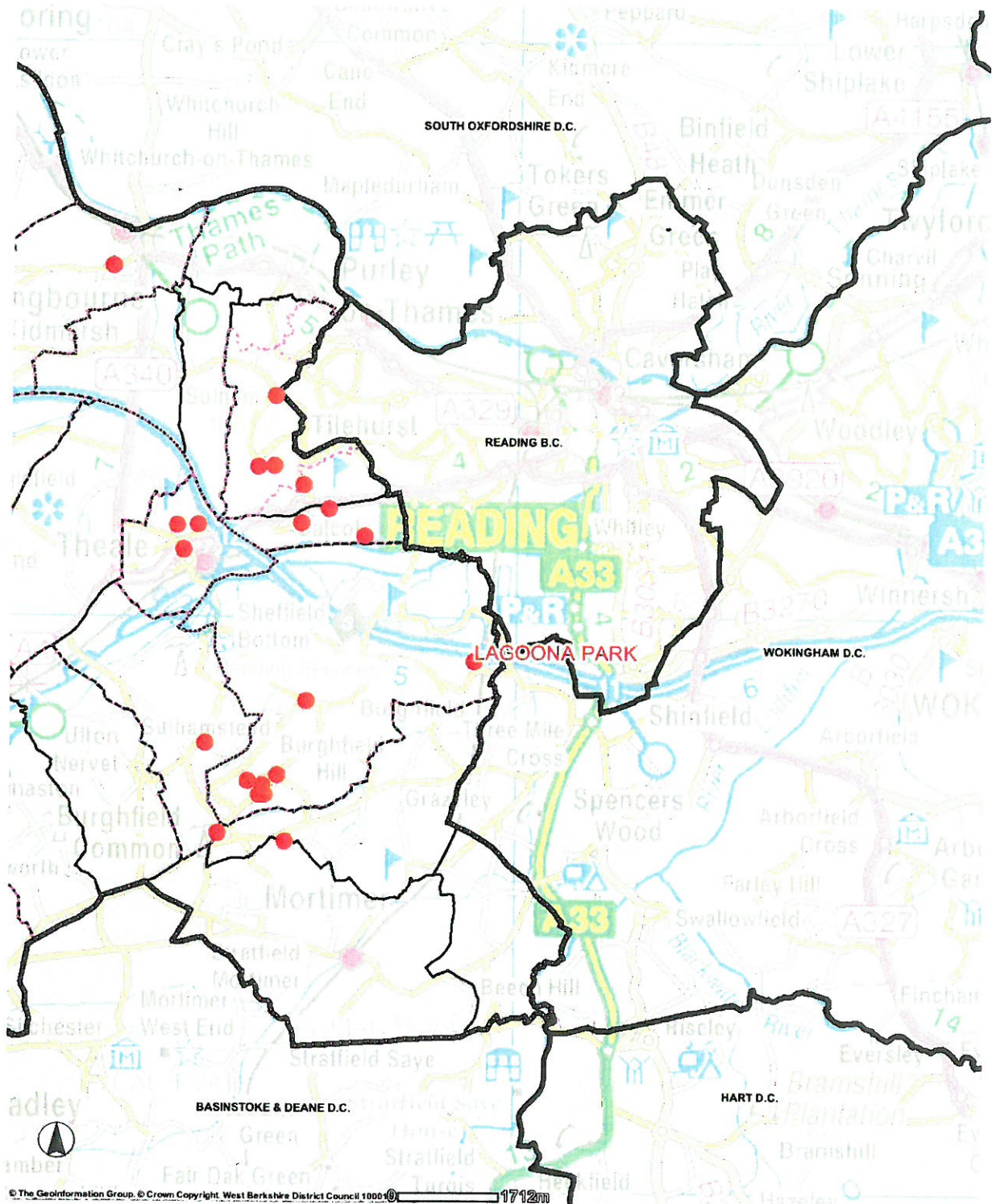
I asked Simon Brown where he was sited when he took noise level checks earlier that day that were under 65dB and he confirmed right where we were standing now. Toby and Simon left us at 12:11am.

At 12.30am Joe Dray recorded 59.3 Leq and at 12.44am a 61.2 Leq over a 10 minute period was recorded. We left the site at 12.48am and as we drove by the entrance to Lagoona Park Joe informed Simon Brown that the noise level had crept back up again and needed turning down. Simon confirmed he would let Toby know.



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At:	11:41 15 <sup>th</sup> Jun 2015	1:98298		
Notes:				
This map was produced from the West Berkshire Council intranet. This map is for internal use by members and staff of the authority only.				

# Appendix 5



**From:** Deane Steve [Steve.Deane@thamesvalley.pnn.police.uk]  
**Sent:** 18 June 2015 12:18  
**To:** Michael Heslehurst  
**Cc:** Greenwood Michael; Julia OBrien  
**Subject:** Lagoona Park - Noise Complaints Received by Police  
**Attachments:** Lagoona Park Waterworks Noise Complaints June 15.docx

Dear Mike,

As spoken, please see attached breakdown of complainants you wished to compare with your list.

When you have considered the action you wish to take, please liaise. I shall be more than willing to support your department.

If you are not considering the prosecution route & purely go for a review of the licence, my recommendation (off the top of my head) would be to go for a reduction in hours of the sale of alcohol & live/regulated entertainment i.e. Sunday to Thursday inclusive reduced hours till 23:00hrs, Friday & Saturday till 02:00hrs (close by 02:30hrs).

**Regards**

**Steve Deane - Licensing Officer - West Berkshire & Wokingham Police Areas**

**Address:** Licensing Officer, Wokingham Police Station, Seymore House,  
The Courtyard, Denmark Street, Wokingham, RG40 2AZ  
**Tel:** 0118 936 5919 **Mobile:** 07800 70 20 60 **Internal:** 739 5919:  
**Email:** [steve.deane@thamesvalley.pnn.police.uk](mailto:steve.deane@thamesvalley.pnn.police.uk)

For information, guidance and the Licensing Toolkit, visit: <http://knowzone/kz-lic-homepage.htm>

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**Karen Court**

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**From:** Karen Court  
**Sent:** 10 July 2015 15:58  
**To:** 'Shirley McLeod-Ross'  
**Cc:** Julia O'Brien; 'Deane Steve'; Anna Smy; Michael Heslehurst;  
'karen.court@wokingham.gov.uk'  
**Subject:** LAGOONA PARK MEDIATION MEETING - POINTS FOR ACTION

Hello Shirley

Following our meeting yesterday morning Thursday 9 July at Shute End to discuss Environmental Health's application for review of your licence, I thought it would be useful to confirm the points for action which were agreed:

**Environmental Health Application for Review of the Premises Licence**

1. Environmental Health to submit proposed amendments to noise conditions for you to consider and agree if acceptable – Anna Smy has emailed to you this afternoon
2. Environmental Health will carry out background level noise monitoring at your site
3. Licensing to email scanned copy of current premises licence (dated June 2015) and arrange for another original to be sent to you – this was emailed yesterday afternoon and the original will follow by post
4. If revised conditions are agreed by 30 July 2015 (which is the closing date of the consultation period) Environmental Health will withdraw their review application
5. Otherwise Licensing will proceed to the formal hearing to determine the application, to be arranged by Democratic Services

**Stage Two - Premises Licence PR0353**

1. Once the application has been resolved or determined, Licensing will assess the current licence conditions and propose amendments which will assist to tidy up the licence and remove any redundant conditions. We will work with the police on this and suggest a meeting with you and Andrew to discuss, probably late September or October after your busy season is over.
2. You will propose reduced hours for the licence, after discussion these were agreed as:
  - Friday and Saturday – alcohol and regulated entertainment to 0230 hours, closing 0300 hours
  - Sunday to Thursday – alcohol and regulated entertainment to 0030 hours, close 0100 hours
  - And specify that the large events (1000+) to be limited to a maximum of four per calendar year, to be notified to the local authority and police at least three months in advance including a SAG notification.
3. These could be done as a minor variation application which you agreed will be submitted by January 2016 well in advance of the next event which is likely to be May or June 2016

I hope this helps, if you have any queries please let me know.

Best regards

Karen Court  
Licensing Officer  
Licensing Service

## Karen Court

---

**From:** Anna Smy <ASmy@westberks.gov.uk>  
**Sent:** 10 July 2015 14:19  
**To:** Shirley McLeod-Ross (shirley@lagoonapark.com)  
**Cc:** Karen Court; Michael Heslehurst (West Berks)  
**Subject:** Lagoona Park - Licence Review by Environmental Health  
**Attachments:** Lagoona Park mediation letter.docx

Shirley

Please find attached a letter to yourself as DPS following up on the discussions yesterday. If you have any questions or are unclear on any points please let me know as soon as possible.

I have not mentioned this in the letter but if either you, Andrew or Toby wish me to pass on your concerns with the SAG process please drop me an email and I will ensure this is passed on to the relevant officers.

I look forward to hearing from you.

Regards

**Anna Smy**

**Team Manager**

Environmental Quality | West Berkshire & Wokingham Environmental Health & Licensing

Market Street Newbury Berkshire RG14 5LD

(01635) 503257 | Ext 3257 | Fax (01635) 519172 | [asmy@westberks.gov.uk](mailto:asmy@westberks.gov.uk)

[www.westberks.gov.uk](http://www.westberks.gov.uk)

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10th July 2015

Mrs S McLeod-Ross  
Hartely Court House  
Hartley Court Road  
Three Mile Cross  
Berkshire  
RG7 1NJ

**Culture And Environmental Protection  
Environmental Health and Licensing**  
West Berkshire District Council  
Council Offices  
Market Street Newbury  
Berkshire RG14 5LD

**Our Ref:** 15/01961/EP\_A  
**Your Ref:** \*  
**Please ask for:** Anna Smy  
**Direct Line:** 01635 503257/ 01635 503242  
**Fax:** 01635 519172  
**e-mail:** asmy@westberks.gov.uk

Dear Mrs McLeod-Ross

**Review of the Premises Licence for Lagoona Park, Pingewood Road South, Burghfield, Reading, Berkshire, RG30 3UH**

I write further to our mediation meeting yesterday. The meeting was called as Environmental Health has requested a Review of the current Premises Licence following the recent Waterworks Festival event at Lagoona Park.

As discussed and outlined in our review application we are concerned about the impact noise from licensable activities has had on local residents and one of the tools at our disposal for managing this is through the licensing regime. It was useful to clarify a number of issues today and hopefully the information below will enable an agreement to be reached prior to the 30<sup>th</sup> July 2015. If agreement is reached we will be able to withdraw the review and cancel any hearing.

As it stands any conditions agreed will be applicable to any licensable activities at the premises so the minor variation relating to a reduction in hours and number of "large scale events" will need to be made relatively quickly.

Taking into account your concerns and in the spirit of the licensing legislation we would suggest the following 'types' of conditions be agreed. We will be undertaking some external background noise monitoring to assist in us agreeing an  $L_{Aeq}$  (15 mins), once we have done this we will advise you of our findings. Having looked again at the guidance and given the points you raised with the existing background traffic noise levels it may be appropriate to have a comparative condition (one that looks at not exceeding the background level by a set amount) rather than setting an absolute limit. However this will need more intense monitoring and more likely the services of an acoustic consultant. Once we have completed our external noise monitoring we will be in a better place to make a decision regarding this.

I have provided both options in the list below and left the figures within the conditions blank. I would hope following the meeting that you will be able to agree in principle to the overall package of conditions.



Existing Conditions on Licence PR0353 (dated 10<sup>th</sup> June 2015)

Amended text in **Yellow**, text to be removed in **Green**

1. **At least 3 months prior to the next "large scale event"** the licence holder shall submit in writing to the Licensing Authority for written approval a noise management plan that will include the following details.
  - a) A plan identifying noise sensitive receptors in the vicinity of the licensed premises and proposed monitoring location(s)
  - b) The steps that will be taken to monitor and control the amplified sound emitted from events.
  - c) How visiting DJs and others will be briefed on the noise control measures in place
  - d) The steps that will be taken to notify local residents about planned potentially noisy events including the provision of a phone number residents can use to lodge complaints when noisy events are taking place.
  - e) The noise management plan shall be reviewed and updated as necessary following the receipt of complaints or any other relevant incident.
2. **Amplified speech, amplified music or other amplified sound emitted from the premises shall not be audible within noise sensitive premises between the hours of 2300 and 0800 with windows open for normal ventilation.**
3. **Between the hours of 0800 and 2300 noise from amplified speech, amplified music or other amplified sound emitted from the premises shall not at any time exceed 65dB LAeq (measured at 15 minute intervals) when measured at the boundary of noise sensitive premises in the vicinity.**

Replacement conditions for 2 & 3 above

4. Between the hours of 10.00 and 23.00 noise levels from the event shall not exceed **XXdB LAeq (15 mins)** and between the hours of 23.00 until the terminal hour on the licence for regulated entertainment noise levels shall not exceed **XXB LAeq (15 mins)**. (*Measurement positions as outlined in condition X below*)  
  
or
5. Between the hours of 10.00 until the terminal hour on the licence for regulated entertainment the noise levels from the event shall not exceed the background noise level by more than **XXdB LAeq (15mins)**. (*Measurement positions as outlined in condition X below*)

Proposed additional conditions

6. Between the hours of 1000 and 00.30 (Sun-Thurs) and 10.00-02.00 (Fri-Sat) noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed **XXdB(L<sub>eq</sub>, 15 mins)**.

7. All noise levels from music shall be measured as above (Conditions X&X) in free field conditions at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.
8. The sound systems of the principal stages shall be tested to ensure compliance with (Conditions 4&5) prior to the commencement of the event. The Licensing Authority shall be notified no less than 24 hours in advance of such testing being undertaken
9. Thereafter the Premises Licence Holder shall ensure compliance with all aspects of the Noise Management; any changes shall be notified to the Licensing Authority 28 days before any "large scale event".

### Noise Management Plan

There are a number of noise management plans in existence which vary from a single sheet of A4 to folders full of information and data. You need to look at the type of event and premises which you have. The condition above gives an indication of what to include and below I have listed typical "chapters".

- Summary of Licensing Requirements
- Controlling Noise Levels
- Sound Check
- Noise Monitoring and Control
- Patron Noise
- Communications
- Complaint Management

Some of these may not be relevant and for others you may need to add chapters. Below is a very detailed noise policy document which has some information in it which you may find of use.

<http://www.stmarys.ac.uk/about/docs/2014-july-noise-management-policy.pdf>

I hope that this reflects your understanding of our position and the need to tighten up on conditions. If you want to have a further meeting to discuss this please let us know otherwise we await your comments.

We undertake to provide you with the background noise readings as soon as possible so we can put some figures in the conditions and reach agreement prior to the 30<sup>th</sup> July 2015.

Thank you again for your time this morning.

Regards

Anna Smy  
Team Manager – Environmental Quality  
Environmental Health and Licensing

## Karen Court

---

**From:** Anna Smy <ASmy@westberks.gov.uk>  
**Sent:** 10 July 2015 16:53  
**To:** 'Shirley McLeod-Ross'  
**Cc:** 'BWM'  
**Subject:** RE: Lagoona Park - Licence Review by Environmental Health

Shirley

Thanks for the prompt response.

The Hz figures relate to the frequency of the noise. The human perception generally ranges 20Hz up to 20kHz on a spectrum. 63Hz and 125Hz tend to be the points on the spectrum where music with a heavy bass content is, if this is controlled then the overall impact on residents should be reduced. What we need to agree on is the noise levels to set at these frequencies.

Once we have our background figures we can look at the guidance and conditions on other events and licences and determine a reasonable level which will reduce the public nuisance impact on residents whilst maintaining the experience of those attending the events.

Have a good weekend and we will be in contact once we have the background figures.

Regards

**Anna Smy**  
**Team Manager**  
Environmental Quality | West Berkshire & Wokingham Environmental Health & Licensing  
Market Street Newbury Berkshire RG14 5LD  
(01635) 503257 | Ext 3257 | Fax (01635) 519172 | [asmy@westberks.gov.uk](mailto:asmy@westberks.gov.uk)  
[www.westberks.gov.uk](http://www.westberks.gov.uk)

**From:** Shirley McLeod-Ross [<mailto:shirley@lagoonapark.com>]  
**Sent:** 10 July 2015 15:08  
**To:** Anna Smy  
**Cc:** 'BWM'  
**Subject:** RE: Lagoona Park - Licence Review by Environmental Health

Hello Anna

Thanks for your letter in relation to our meeting yesterday and we are in agreement with the contents but would like clarification on the point below as we are a bit confused with the hz figures?

### Proposed additional conditions

1. Between the hours of 1000 and 00.30 (Sun-Thurs) and 10.00-02.00 (Fri-Sat) noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed XXdB(L<sub>eq, 15 mins</sub>).

Apart from that we look forward to your decibel readings and hopefully agreeing all points and noise levels.

Kind regards

*Shirley*

## Karen Court

---

**From:** Karen Court <KCourt@westberks.gov.uk>  
**Sent:** 23 July 2015 16:09  
**To:** Karen Court  
**Subject:** FW: Suggested conditions for Lagoona Park  
**Attachments:** Lagoona Park background chart.docx; Lagoona Park suggested conditions.docx

**From:** Anna Smy  
**Sent:** 23 July 2015 15:51  
**To:** 'Shirley McLeod-Ross'; 'BWM'  
**Cc:** Karen Court; Michael Heslehurst  
**Subject:** Suggested conditions for Lagoona Park

Shirley

We have gone through the data and have come up with the attached list of conditions. The suggestions are made with consideration of the background noise levels measured, the results of monitoring of the event on the 10<sup>th</sup> June (and officers comments), licence conditions for similar "events" and the guidance available.

The levels were measured at a residential property along Pingewood Road South and I have attached a chart showing the measurements for the period 16<sup>th</sup>-20<sup>th</sup> July

The background level is taken as the L90 (which the noise 90% of the time) and in my previous correspondence we were looking at the potential for having a condition which said the levels from events should not result in the background level being exceeded by XdB. Given the results and the variation in the L90 we are proposing a fixed level be set but with variations at different times of the day. Should you believe there to be a valid reason for having a comparative condition we would still consider this. The suggested conditions are with regards to the current licensed hours.

When considering the frequency information (63Hz and 125Hz) we have taken into account the existing levels and the proposed overall event noise level. We would anticipate that these levels would control the impact of bass music from any of the larger "events" that may be held. Again they lower at night as the general noise levels in the area reduce.

I am not in the office tomorrow, although I will be able to pick up emails. If you have any queries feel free to email me, or I am available on the phone this afternoon (until 5pm), Monday morning and Tuesday.

We will need to advise Licensing of any agreement as soon as possible so any hearing can be cancelled.

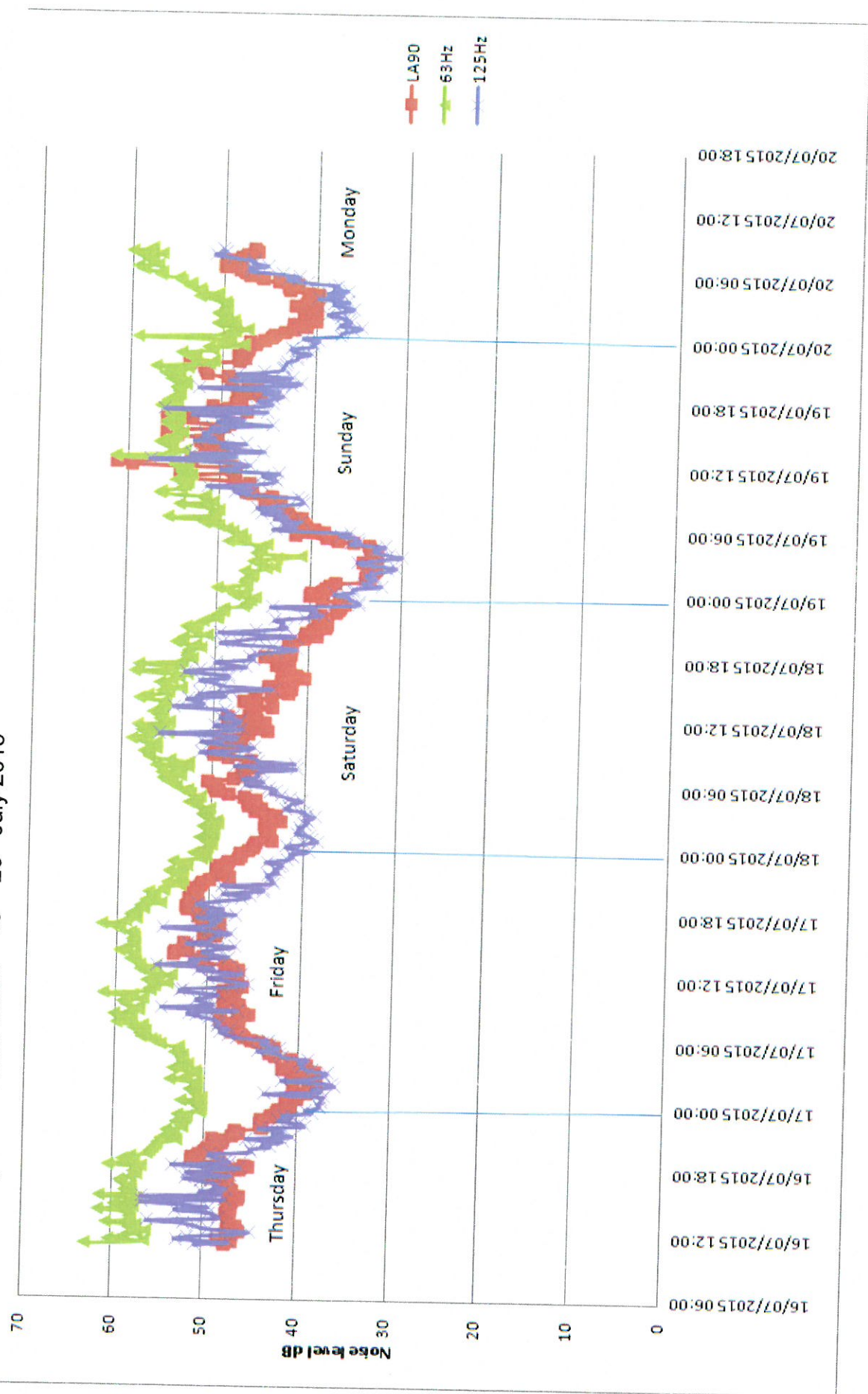
Regards

Anna Smy  
Team Manager  
Environmental Quality | West Berkshire & Wokingham Environmental Health & Licensing  
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Noise Levels at Pingewood Road South – 16<sup>th</sup> -20<sup>th</sup> July 2015



Proposed Conditions on Licence PR0353 (dated 10<sup>th</sup> June 2015)

1. At least 3 months prior to the next “large scale event” the licence holder shall submit in writing to the Licensing Authority for written approval a noise management plan that will include the following details.
  - a) A plan identifying noise sensitive receptors in the vicinity of the licensed premises and proposed monitoring location(s)
  - b) The steps that will be taken to monitor and control the amplified sound emitted from events.
  - c) How visiting DJs and others will be briefed on the noise control measures in place
  - d) The steps that will be taken to notify local residents about planned potentially noisy events including the provision of a phone number residents can use to lodge complaints when noisy events are taking place.
  - e) The noise management plan shall be reviewed and updated as necessary following the receipt of complaints or any other relevant incident.
2. Between the hours of 10.00 and 19.00 noise levels from the event shall not exceed 65dB  $L_{Aeq, 15 \text{ mins}}$ , between the hours of 19.00 and 23.00 noise levels from the event shall not exceed 55dB  $L_{Aeq, 15 \text{ mins}}$  and from 23.00 until the terminal hour on the licence for regulated entertainment noise levels shall not exceed 45B  $L_{Aeq, 15 \text{ mins}}$ . (*Measurement positions as outlined in condition 4 below*)
3. Between the hours of 10.00 and 19.00 noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed 70dB( $L_{eq, 15 \text{ mins}}$ ). Between the hours of 19.00 and 23.00 noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed 65dB( $L_{eq, 15 \text{ mins}}$ ) and from 23.00 until the terminal hour on the licence for regulated entertainment noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed 55dB( $L_{eq, 15 \text{ mins}}$ ) (*Measurement positions as outlined in condition 4 below*)
4. All noise levels from music shall be measured as above (Conditions 2 and 3) in free field conditions at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.
5. The sound systems of the principal stages shall be tested to ensure compliance with (Conditions 2&3) prior to the commencement of the event. The Licensing Authority shall be notified no less than 24 hours in advance of such testing being undertaken
6. Thereafter the Premises Licence Holder shall ensure compliance with all aspects of the Noise Management; any changes shall be notified to the Licensing Authority 28 days before any “large scale event”.

*For clarity the table below outlines the noise levels in conditions 2 and 3 above (it is not a condition of the licence)*

Hours on the licence for regulated entertainment	Overall Noise Levels from the "Event" $L_{Aeq} (15 \text{ mins})$	Level which music in the octave band frequency range with a centre frequency of 63 Hz and octave band frequency range with a centre frequency of 125Hz shall not exceed
10.00-19.00	65 $L_{Aeq} (15 \text{ mins})$	70dB $L_{eq} (15 \text{ mins})$
19.00-23.00	55 $L_{Aeq} (15 \text{ mins})$	65dB $L_{eq} (15 \text{ mins})$
23.00 until terminal hour on the licence for regulated entertainment	45 $L_{Aeq} (15 \text{ mins})$	55dB $L_{eq} (15 \text{ mins})$

## Karen Court

---

**From:** Karen Court <KCourt@westberks.gov.uk>  
**Sent:** 30 July 2015 14:52  
**To:** Karen Court  
**Subject:** FW: Suggested conditions for Lagoona Park

**From:** Anna Smy  
**Sent:** 29 July 2015 21:02  
**To:** 'BWM'  
**Cc:** 'Shirley McLeod-Ross'; Karen Court  
**Subject:** RE: Suggested conditions for Lagoona Park

Andrew

Sorry, for clarity I meant Sunday to Thursday to remain as proposed in my email of 23<sup>rd</sup> July 2015 with the 10.00-19.00 hr, 19.00-23.00hr and 23.00 until 05.00 staggers and not as per your current licence.

I am happy to look at any data you may have gathered, it may be that the background levels at your property are slightly higher, however we are looking at the impact on the residents along Pingewood Road South where our measurements were taken. I have taken into account the potentially lower background levels due to the works on the Motorway by looking at the higher Friday night readings and making a reasonable judgement of setting levels around or above the background levels. We do recognise that this is a snapshot of time, but in the absence of any measurements prior to this it was appropriate to gather some information to ensure the levels being set were workable.

Environmental Health have looked at this in an independent manner trying to ensure a balance of your abilities to hold events with the concerns of local residents (corroborated by Officers), if you wish to engage the services of an acoustic consultant that is your decision.

Unfortunately the timescales with a review are set within the licensing legislation so once the paperwork was accepted we were on a relatively short timescale to reach an agreement. I will ask Karen to clarify what the next position is if we feel an agreement can be made within the next few days.

Regards

**Anna Smy**  
**Team Manager**  
Environmental Quality | West Berkshire & Wokingham Environmental Health & Licensing  
Market Street Newbury Berkshire RG14 5LD  
(01635) 503257 | Ext 3257 | Fax (01635) 519172 | [asm@westberks.gov.uk](mailto:asm@westberks.gov.uk)  
[www.westberks.gov.uk](http://www.westberks.gov.uk)

**From:** BWM [<mailto:andy@bwmribs.co.uk>]  
**Sent:** 29 July 2015 20:30  
**To:** Anna Smy  
**Cc:** 'Shirley McLeod-Ross'  
**Subject:** RE: Suggested conditions for Lagoona Park

Hello Anna,

Thank you for your reply.



If Sunday - Thursday remain as they are (65db from 10.00am - 05.00am) surely this a contradiction?

It seems we are squabbling over an hour...

10.00am - 00.00am 65db Friday/Saturday - 00.00am - 02.00am 55db and thereafter 45db.

I guess we need to get an independent noise assessor to verify the background noise as we have done some ourselves and they are more than your graph shows...

Also (as mentioned at the meeting) the motorway has roadwork's which slows the traffic significantly reducing the regular background noise levels?

If we can move forward on the above we can discuss the 05.00am issue at a later stage - in fact Shirley and I feel that we should be able to come to a negotiated resolution if we had more time?

Look forward to your comments.

Regards,

*andrew*

Andrew McLeod-Ross  
Lagoona Park  
Pingewood Road South  
Pingewood  
Reading  
RG30 3UH  
United Kingdom  
Tel: +44 (0)1189 885953  
mobile: +44 (0)7836326000  
Website: [www.bwmribs.co.uk](http://www.bwmribs.co.uk)

\*\*\*\*\*  
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**From:** Anna Smy [<mailto:ASmy@westberks.gov.uk>]  
**Sent:** 29 July 2015 16:55  
**To:** Anna Smy; 'Shirley McLeod-Ross'; 'BWM'  
**Cc:** Karen Court; Michael Heslehurst  
**Subject:** RE: Suggested conditions for Lagoona Park

Andy

Thank you for your call this morning, it was useful to talk things through and discuss your concerns. My apologies that it has taken me some time to get back to you.

I have spoken to Karen Court about the process of reducing your hours within this mediation process, however as a reduction of the licensed hours was not called for within the Environmental Health review request we can not add these in at this stage. My understanding is that you can do a minor variation for this and at this point we could also look at amending the noise levels further as the hours of exposure to noise to local residents will naturally reduce.

Therefore we are looking at the licence with respect to the existing hours and the control of public nuisance.

You have expressed concern with the restriction of levels at the residential properties to 45B  $L_{Aeq}$  (15 mins). I have explained the reasoning behind this and our preference over an "inaudibility" condition. You suggested to me that you would like conditions on a Friday and Saturday nights to be different. I have noted your request to be:

Between the hours of 10.00 and 00.00 (Friday and Saturday) noise levels from the event shall not exceed 65dB  $L_{Aeq}$  (15 mins), between the hours of 00.00 and 02.00 (Saturday and Sunday) noise levels from the event shall not exceed 55dB  $L_{Aeq}$  (15 mins) and from 02.00 until the terminal hour on Saturday and Sunday on the licence for regulated entertainment noise levels shall not exceed 45B  $L_{Aeq}$  (15 mins). (*Measurement positions as outlined in condition X below*)

You did confirm to me that you would be in agreement for the proposed conditions in my email of 23<sup>rd</sup> July to yourself and Shirley to apply on Sunday 10am through to Friday 10am (if this is not correct please let me know as soon as possible)

I have looked the background monitoring data and have compared the levels you proposed against the measured background. I have also looked at the levels if we were to take the 15dB above background level as suggested in guidance (which is only advised until 23.00hrs) and compared it to the figures we have discussed. From this I would not be able to agree your proposals as for periods the noise levels permitted could be over 20db above the background. (for a limited amount of events this may be acceptable, however we are having to review this licence on the basis of the current licenced hours and not the limited number of events you have assured me that you would have).

I would therefore suggest the following:

Sunday-Thursday nights remain as they are.

For Fridays and Saturdays 65dB  $L_{Aeq}$  (15 mins) until **23.00** hours with a reduction to 55db  $L_{Aeq}$  (15 mins) until **01.00** and then at 01.00 dropping back to 45dB  $L_{Aeq}$  (15 mins) until 05.00

I have attached a graph to show to try and demonstrate the drop off in levels. The guidance refers to inaudibility after 23.00hrs which the Council and yourselves would both prefer not to have. The levels proposed will still exceed the background but not as much as 15db but not as low as to be inaudible which I believe to be an appropriate balance with the protection of the public and your ability to provide entertainment to those attending events at Lagoona Park.

I appreciate this has arrived late to you. If you are able to respond as soon as possible we would be grateful. If you agreeable we can then cancel the hearing and liaise with Licensing to issue the revised licence.

Regards

Anna Smy

**From:** Anna Smy  
**Sent:** 23 July 2015 15:51

**To:** 'Shirley McLeod-Ross'; 'BWM'  
**Cc:** Karen Court; Michael Heslehurst  
**Subject:** Suggested conditions for Lagoona Park

Shirley

We have gone through the data and have come up with the attached list of conditions. The suggestions are made with consideration of the background noise levels measured, the results of monitoring of the event on the 10<sup>th</sup> June (and officers comments), licence conditions for similar "events" and the guidance available.

The levels were measured at a residential property along Pingewood Road South and I have attached a chart showing the measurements for the period 16<sup>th</sup>-20<sup>th</sup> July

The background level is taken as the L90 (which the noise 90% of the time) and in my previous correspondence we were looking at the potential for having a condition which said the levels from events should not result in the background level being exceeded by XdB. Given the results and the variation in the L90 we are proposing a fixed level be set but with variations at different times of the day. Should you believe there to be a valid reason for having a comparative condition we would still consider this. The suggested conditions are with regards to the current licensed hours.

When considering the frequency information (63Hz and 125Hz) we have taken into account the existing levels and the proposed overall event noise level. We would anticipate that these levels would control the impact of bass music from any of the larger "events" that may be held. Again they lower at night as the general noise levels in the area reduce.

I am not in the office tomorrow, although I will be able to pick up emails. If you have any queries feel free to email me, or I am available on the phone this afternoon (until 5pm), Monday morning and Tuesday.

We will need to advise Licensing of any agreement as soon as possible so any hearing can be cancelled.

Regards

Anna Smy  
Team Manager  
Environmental Quality | West Berkshire & Wokingham Environmental Health & Licensing  
Market Street Newbury Berkshire RG14 5LD  
(01635) 503257 | Ext 3257 | Fax (01635) 519172 | [asmy@westberks.gov.uk](mailto:asmy@westberks.gov.uk)  
[www.westberks.gov.uk](http://www.westberks.gov.uk)

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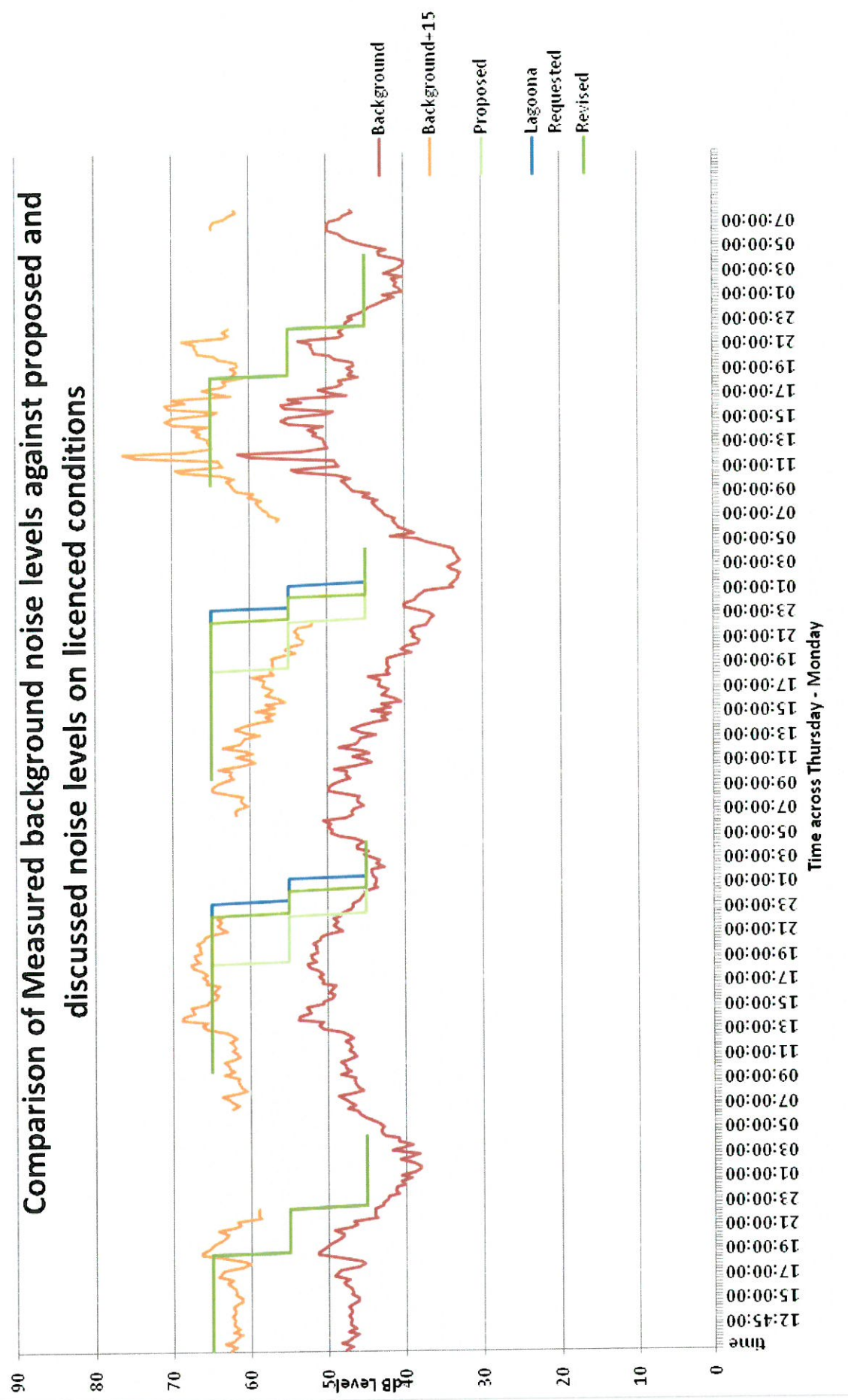
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# Comparison of Measured background noise levels against proposed and discussed noise levels on licenced conditions



## Karen Court

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**From:** Karen Court  
**Sent:** 31 July 2015 11:08  
**To:** Shirley McLeod-Ross (shirley@lagoonapark.com)  
**Cc:** Madeleine Shopland  
**Subject:** LAGOONA PARK EH APPLICATION FOR REVIEW - REFERRED FOR HEARING  
~[OFFICIAL]~

Hello Shirley

As you know, the consultation period closed yesterday, 30 July.

You're welcome to take down all the blue site notices now.

As conditions have not been agreed with Environmental Health they have not been able to withdraw their review application.

Therefore this morning I have referred this for a hearing which is the next stage of the process. A panel of three members from the Licensing and Appeals Committee will hear and determine the application. The hearing will follow a formal procedure which will be detailed in the agenda.

Madeleine Shopland in our Democratic Services team is making the arrangements for the hearing, this will be held on Thursday 20 August at 10am in the Council Chamber at Shute End. She has your details and will be in touch with you to confirm the arrangements and invite you to the hearing.

The agenda will be sent out next week, if you have any information which you would like me to include in my report please let me have this by 5pm on Monday 3 August.

Regards  
Karen Court  
Licensing Officer  
Licensing Service

**West Berkshire and Wokingham Environmental Health & Licensing Service**

[kcourt@westberks.gov.uk](mailto:kcourt@westberks.gov.uk)  
☎ 01635 519791 📠 (0118) 900 7479

**Karen Court**

**From:** Deane Steve <Steve.Deane@thamesvalley.pnn.police.uk>  
**Sent:** 09 July 2015 15:57  
**To:** Karen Court  
**Cc:** Licensing  
**Subject:** Lagoona Park Review  
**Attachments:** Lagoona Park Police Mediation Report to Council July 15.docx

To Licensing Dept – Wokingham Borough Council.

Thames Valley Police, as a responsible authority under the Licensing Act 2003 are fully supportive of the review of the premises licence for Lagoona Park, submitted by E.H.O. Wokingham Borough Council on 2<sup>nd</sup> July 2015. Please see attached report confirming the number of calls received by Police in respect of an event held on 10<sup>th</sup> / 11<sup>th</sup> June 2015 and possible representations for consideration.

**Regards**

Confidential - personal data - confirm  
 TUP received 31 calls, 30 relating to noise.

**Steve Deane - Licensing Officer - West Berkshire & Wokingham Police Areas**

KCourt

Address: Licensing Officer, Wokingham Police Station, Seymore House,  
 The Courtyard, Denmark Street, Wokingham, RG40 2AZ  
 Tel: 0118 936 5919 Mobile: 07800 70 20 60 Internal: 739 5919:  
 Email: [steve.deane@thamesvalley.pnn.police.uk](mailto:steve.deane@thamesvalley.pnn.police.uk)

For information, guidance and the Licensing Toolkit, visit: <http://knowzone/kz-lic-homepage.htm>

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## Karen Court

---

**From:** Deane Steve <Steve.Deane@thamesvalley.pnn.police.uk>  
**Sent:** 09 July 2015 15:28  
**To:** 'shirley@lagoonapark.com'; Karen Court  
**Cc:** John Donachy; Greenwood Michael  
**Subject:** Lagoona Park Police Mediation Report July 2015.  
**Attachments:** Lagoona Park Police Mediation Report July 15.docx

Andrew / Shirley,

As spoken this morning. Attached is my report with my representations as to what may assist you in the management of your premises from a police perspective. Item 4. may be one proposed or replicated by EHO.

Should you have any questions regarding the report please do not hesitate to contact me.

May I please remind you both. Mediation between EHO & Police must be completed by the end of the consultation period. Without an amicable agreement within this time frame will still possibly result in a hearing going ahead.

**Regards**

**Steve Deane - Licensing Officer - West Berkshire & Wokingham Police Areas**

Address: Licensing Officer, Wokingham Police Station, Seymore House,  
The Courtyard, Denmark Street, Wokingham, RG40 2AZ  
Tel: 0118 936 5919 Mobile: 07800 70 20 60 Internal: 739 5919:  
Email: [steve.deane@thamesvalley.pnn.police.uk](mailto:steve.deane@thamesvalley.pnn.police.uk)

For information, guidance and the Licensing Toolkit, visit: <http://knowzone/kz-lic-homepage.htm>

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# THAMES VALLEY POLICE

Division/Station : Wokingham

From : Steve Deane  
Licensing Officer

To : Licensing Department  
Wokingham Borough Council

Ref :

Date : 9 July 2015

Tel.No. 0118 936 59129

Subject :

## **Review of Premises Licence - Lagoona Park Premises Licence - PR 0353**

Thames Valley Police, as a responsible authority under the Licensing Act 2003 are in receipt of a Premises Licence Review for Lagoona Park submitted by Environmental Health Department at Wokingham Borough Council on 2<sup>nd</sup> July 2015. Thames Valley Police are supportive of this review.

This report has been compiled due to the application and the mediation meeting held on Thursday 8<sup>th</sup> July 2015 between the respective authorities and mediated by Council Licensing Officers.

I confirm the below information has also, by way of an attachment to an email, has been forwarded to the premises licence holder Shirley McLeod-Ross

I confirm as a result of the Waterworks Event held at your premises over 10<sup>th</sup> / 11<sup>th</sup> June 2015, Thames Valley Police received a total of 31 calls in respect of the event. One relating to a possible report of an "illegal rave", the others in relation to noise related issues. Complainants emanating from Theale, Calcot, Tilehurst, Burghfield & Sulhamstead.

As a result of the mediation meeting I stated that I would like you to consider reducing the hours of the Sale of Alcohol and the timings of Live & Recorded Music and the Closing Times. It is understood you will give consideration to reducing these times. I.e. Sunday – Thursday alcohol sales / music to cease at 00.30hrs, patrons cleared by 01:00hrs. Friday & Saturday Alcohol Sales / Music till 02:30hrs, patrons cleared by 03:00hrs.

I also mentioned possible conditions on a licence which may assist you in the management of the premises. They are as follows:

1. All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose. The names of the person recording the incident and those members of staff who deal with the incident shall also be recorded. Where known, any offenders name shall also be recorded.
2. Written records shall be kept of staff having been trained and refresher trained every four months in basic law in relation to the Licensing Act 2003. This shall include sales to under age persons and licensing conditions on the premises licence.
3. Whenever Live and or Recorded Music Events are held with attendances of over 400 expected, the Premise Licence holder shall provide a written risk assessment of the event in order to ascertain if provide an adequate number of Security Industry Authority (SIA) licensed door supervisors, (at a minimum ration of 1 to 100 customers) is deemed necessary.



4. The Premises Licence holder shall prepare an Event Management Plan for each of the permitted four permissible larger events, 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 personnel. The finalised version of such a plan must be submitted to and approved by the Licensing Authority not later than 3 months prior to commencement of the events.

Please do not hesitate to contact me should you have any questions.

**Steve Deane** – Police Licensing Officer.

**Karen Court**

---

**From:** Patricia Knight  
**Sent:** 27 July 2015 09:35  
**To:** Karen Court  
**Subject:** LAGOONA PARK - NOTIFICATION OF APPLICATION FOR REVIEW OF PREMISES LICENCE ~[UNCLASSIFIED]~

Dear Karen,

Thank you for the licensing review re Lagoona Park. The comments on this application from Public Health are that it appears that there are public health implications associated with sleep loss, particularly if sleep loss is frequent. This would be connected with the protection of children from harm criteria, reflected in the comments from local people. Sleep loss has been demonstrated to impact upon metabolism, and potentially may be a risk factor for obesity and type 2 diabetes ( Van Cauter, Spiegel, Tasali & Leproult, 2008) .

Additionally, the potential impacts, due to noise exposure leading to sleep disturbance may impact upon school performance, sleep quality, heart rate and mood the next day.( Passchier-Vermeer and Passchier, 2000).

References:

Van Cauter E., Spiegel K., Tasali E., & Leproult R., *Metabolic consequences of sleep and sleep loss*. Sleep Medicine, 2008, 9(0 1) S23-S28.

Passchier-Vermeer W., & Passchier W., *Noise Exposure and Public Health*. Environmental Health Perspectives, 2000, Vol 108, Supplement 1.

Kind regards,

Patricia

Patricia Knight PhD M Phil · Health Checks  
Wokingham Borough Council  
PO Box 154  
Shute End  
Wokingham RG40 1BN  
Mobile: 0790 9767862

Tel: 0118 9088449

---

**From:** Darrell Gale  
**Sent:** 02 July 2015 15:52  
**To:** Patricia Knight  
**Subject:** FW: LAGOONA PARK - NOTIFICATION OF APPLICATION FOR REVIEW OF PREMISES LICENCE ~[OFFICIAL-SENSITIVE]~

Darrell Gale FFPH Consultant in Public Health

---

## Karen Court

---

**From:** Shirley McLeod-Ross <shirley@lagoonapark.com>  
**Sent:** 27 July 2015 12:38  
**To:** Karen Court  
**Cc:** 'BWM'  
**Subject:** RE: LAGOONA PARK - NOTIFICATION OF APPLICATION FOR REVIEW OF PREMISES LICENCE ~[OFFICIAL]~

Hi Karen

Thanks for the information – Andy and I are currently discussing the email received from Environmental Health and will update by tomorrow.

Thank you

*Shirley*

Shirley McLeod-Ross  
Lagoon Park Limited  
Pingewood Road South  
Pingewood  
Reading  
RG30 3UH  
Tel: 0118 988 5959  
Web: [www.lagoonapark.com](http://www.lagoonapark.com)  
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**From:** Karen Court [<mailto:Karen.Court@wokingham.gov.uk>]  
**Sent:** 27 July 2015 12:34  
**To:** Shirley McLeod-Ross ([shirley@lagoonapark.com](mailto:shirley@lagoonapark.com))  
**Cc:** [asmy@westberks.gov.uk](mailto:asmy@westberks.gov.uk); Michael Heslehurst (West Berks); Julia O'Brien (West Berks)  
**Subject:** FW: LAGOONA PARK - NOTIFICATION OF APPLICATION FOR REVIEW OF PREMISES LICENCE ~[OFFICIAL]~

Hello Shirley

I've received the following comments this morning from Public Health as a responsible authority, after speaking with Patricia Knight I have confirmed that this is not a formal representation but she would like you to take into account Public Health's views.

Best regards  
Karen

Karen Court  
Licensing Officer  
Licensing Service

**West Berkshire and Wokingham Environmental Health & Licensing Service**

[kcourt@westberks.gov.uk](mailto:kcourt@westberks.gov.uk)  
☎ 01635 519791 📠(0118) 900 7479



**WOKINGHAM  
BOROUGH COUNCIL**

APPENDIX E

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

**Lagoona Park Watersports Limited**  
Pingewood Road South, Pingewood, Reading, Berkshire, RG30 3UH

WHERE THE LICENCE IS TIME LIMITED THE DATES

Start: 24 August 2011

End: Indefinite

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Live Music  
Recorded Music  
Performance of Dance  
Other Entertainment Similar to Live or Rec Music or Dance Performance  
Facilities for Dancing  
Other Entertainment Facilities Similar to Making Music or Dancing  
Late Night Refreshment  
Supply of Alcohol

THE OPENING HOURS OF THE PREMISES

Mon 10:00-05:00  
Tue 10:00-05:00  
Wed 10:00-05:00  
Thu 10:00-05:00  
Fri 10:00-05:00  
Sat 10:00-05:00  
Sun 10:00-05:00  
Occasional events which may fall on Bank Holidays may require Live Music finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.

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

Live Music	Mon 10:00-05:00 Tue 10:00-05:00 Wed 10:00-05:00 Thu 10:00-05:00 Fri 10:00-05:00 Sat 10:00-05:00 Sun 10:00-05:00 a performance of live music Possible Amplified Music. Indoors and Outdoors Bank or Public Holidays Occasional events which may fall on Bank Holidays may require Live Music finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.
------------	--

<p><b>Recorded Music</b></p>	<p>Mon 10:00-05:00                  Tue 10:00-05:00                  Wed 10:00-05:00                  Thu 10:00-05:00                  Fri 10:00-05:00                  Sat 10:00-05:00                  Sun 10:00-05:00                  any playing of recorded music                  A selection of DJ's will be playing recorded music on temporary stages.                  Outdoors                  Bank or Public Holidays                  Occasional events which may fall on Bank Holidays may require recorded music finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p>
<p><b>Performance of Dance</b></p>	<p>Mon 10:00-05:00                  Tue 10:00-05:00                  Wed 10:00-05:00                  Thu 10:00-05:00                  Fri 10:00-05:00                  Sat 10:00-05:00                  Sun 10:00-05:00                  a performance of dance                  Indoors and Outdoors                  Bank or Public Holidays                  Occasional events which may fall on Bank Holidays may require finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p>
<p><b>Other Entertainment Similar to Live or Rec Music or Dance Performance</b></p>	<p>Mon 10:00-05:00                  Tue 10:00-05:00                  Wed 10:00-05:00                  Thu 10:00-05:00                  Fri 10:00-05:00                  Sat 10:00-05:00                  Sun 10:00-05:00                  Entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance                  Indoors and Outdoors                  Bank or Public Holidays                  Occasional events which may fall on Bank Holidays may require finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p>
<p><b>Facilities for Dancing</b></p>	<p>Mon 10:00-05:00                  Tue 10:00-05:00                  Wed 10:00-05:00                  Thu 10:00-05:00                  Fri 10:00-05:00                  Sat 10:00-05:00                  Sun 10:00-05:00                  Entertainment facilities for dancing                  Outdoors                  Bank or Public Holidays                  Occasional events which may fall on Bank Holidays may require finishing</p>

<p>Other Entertainment Facilities Similar to Making Music or Dancing</p>	<p>in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p> <p>Mon 10:00-05:00 Tue 10:00-05:00 Wed 10:00-05:00 Thu 10:00-05:00 Fri 10:00-05:00 Sat 10:00-05:00 Sun 10:00-05:00</p> <p>Entertainment of a similar description to that falling within entertainment facilities for making music or dancing Indoors and Outdoors Bank or Public Holidays Occasional events which may fall on Bank Holidays may require finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p>
<p>Late Night Refreshment</p>	<p>Mon 23:00-05:00 Tue 23:00-05:00 Wed 23:00-05:00 Thu 23:00-05:00 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-05:00</p> <p>provision of late night refreshment Alcohol will be provided from Temporary Outside Bars under a gazebo. Indoors and Outdoors Bank or Public Holidays Occasional events which may fall on Bank Holidays may require finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p>
<p>Supply of Alcohol</p>	<p>Mon 10:00-05:00 Tue 10:00-05:00 Wed 10:00-05:00 Thu 10:00-05:00 Fri 10:00-05:00 Sat 10:00-05:00 Sun 10:00-05:00</p> <p>the sale by retail of alcohol Bank or Public Holidays Occasional events which may fall on Bank Holidays may require finishing in the early hours. The rural location only has a few local residents who will be informed prior to the event taking place.</p>

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES  
On Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Lagoona Park Watersports Limited, Pingewood Road South, Pingewood, Reading, Berkshire, RG30 3UH

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

7649141

Licensing Act 2003

# Premises Licence Summary

PR0353

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

**Mrs Shirley Anne MCLEOD-ROSS**

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

**Date of Issue: 10 June 2015**

  
.....  
**Julia O'Brien**  
**Principal Environmental Health Officer**

ANNEXES

**Annex 1 – Mandatory Conditions under the Licensing Act 2003**

**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 Licensing Conditions) (Amendment) Order 2014 (In force 1 October 2014)**

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
5. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.  
A 'relevant person' means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence or the personal licence holder who makes or authorises a supply of alcohol under such a licence. For the purposes of this condition,
  - a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;



- b. "permitted price" is the price found by applying the formula  $P = D + (D \times V)$  where -  
P is the permitted price,  
D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

[NB where this is not a whole number, it should be rounded up to the nearest penny].

"valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. Where there is a change to the rate of duty or value added tax, the change to the permitted price shall not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

**Annex 2 – Conditions consistent with the operating schedule**

**a) General**

We have appointed a registered security firm who will be wearing high visibility vests. They will be located on site at all times. All visitors will be directed around the location with fencing, including in front of the water. Parking for organisers will be in a designated field off site and be monitored at all times by security staff.

As this is a ticket only event several shuttle buses to and from Reading will be provided. Adequate lighting will be provided around the site and also car parking area, and an emergency/first aid area will be designated on site if required.

No Children will only be onsite during the event.

**b) Prevention of Crime and Disorder**

The event is contained within a secure (fenced), rural site thus reducing the risk of people presenting themselves at the gate unexpectedly. There is only one entrance of significance which is to be managed by competent security staff. The gate will be floodlit during the hours of darkness.

All ticket holders are brought to and taken from the site by contracted buses which in turn reduces any likelihood of 'walkups' arriving at the event and additionally it prevents people becoming involved with opportunist crime in the locality. Information relating to the expectations of the event promoter will be on their website in addition to the social networking sites

As above we are employing the services of a registered security organisation, they have a wide base of experience in this field and with this audience profile

The event organisers have entered into agreement to attend joint SAG meetings with the local Council and in doing so the relevant documentation will be circulated to the necessary partnership organisations.

**c) Public Safety**

The event organisers have entered into agreement to attend joint SAG meetings with the local Council and in doing so the relevant documentation will be circulated to the necessary partnership organisations.

The event organisers have employed the services of UK Event Safety as their safety providers. They have been involved during the planning process, compiling all of the health, safety & welfare documentation in addition to attending the above meeting.

The services competent Event Safety Manager have been employed to oversee public safety at the event, that person will work in partnership with the landowners and also with all of the contracted services on site

In relation to the lake, all activities will be managed by Lagoona Park working in partnership as above

A competent medical team have been contracted, the resource assessment being sourced from the revised Purple Guide.

**d) Prevention of Public Nuisance**

In addition to all of the points above, if necessary noise level monitoring will take place from pre agreed datum points.

Existing control measures as described above include: -

- Secure site
- Ticket only
- Ticket holders transported in to and from the venue by bus
- Competent security staff
- Attending SAG meeting and circulating documentation
- Floodlighting where necessary Expectations of event promoters in relation to behaviour published on web site and social networking outlets

**e) Protection of Children from Harm**

N/A the festival is not open to anyone under 18 years old

**Annex 3 – Responsible Authority Conditions**

**Environmental Health**

1) Within 3 months of the date of granting of the premises licence the licence holder shall submit in writing to the Licensing Authority for written approval a noise management plan that will include the following details.

- a) A plan identifying noise sensitive receptors in the vicinity of the licensed premises and proposed monitoring location(s)
- b) The steps that will be taken to monitor and control the amplified sound emitted from events.
- c) How visiting DJs and others will be briefed on the noise control measures in place
- d) The steps that will be taken to notify local residents about planned potentially noisy events including the provision of a phone number residents can use to lodge complaints when noisy events are taking place.
- e) The noise management plan shall be reviewed and updated as necessary following the receipt of complaints or any other relevant incident.

2) Amplified speech, amplified music or other amplified sound emitted from the premises shall not be audible within noise sensitive premises between the hours of 2300 and 0800 with windows open for normal ventilation.

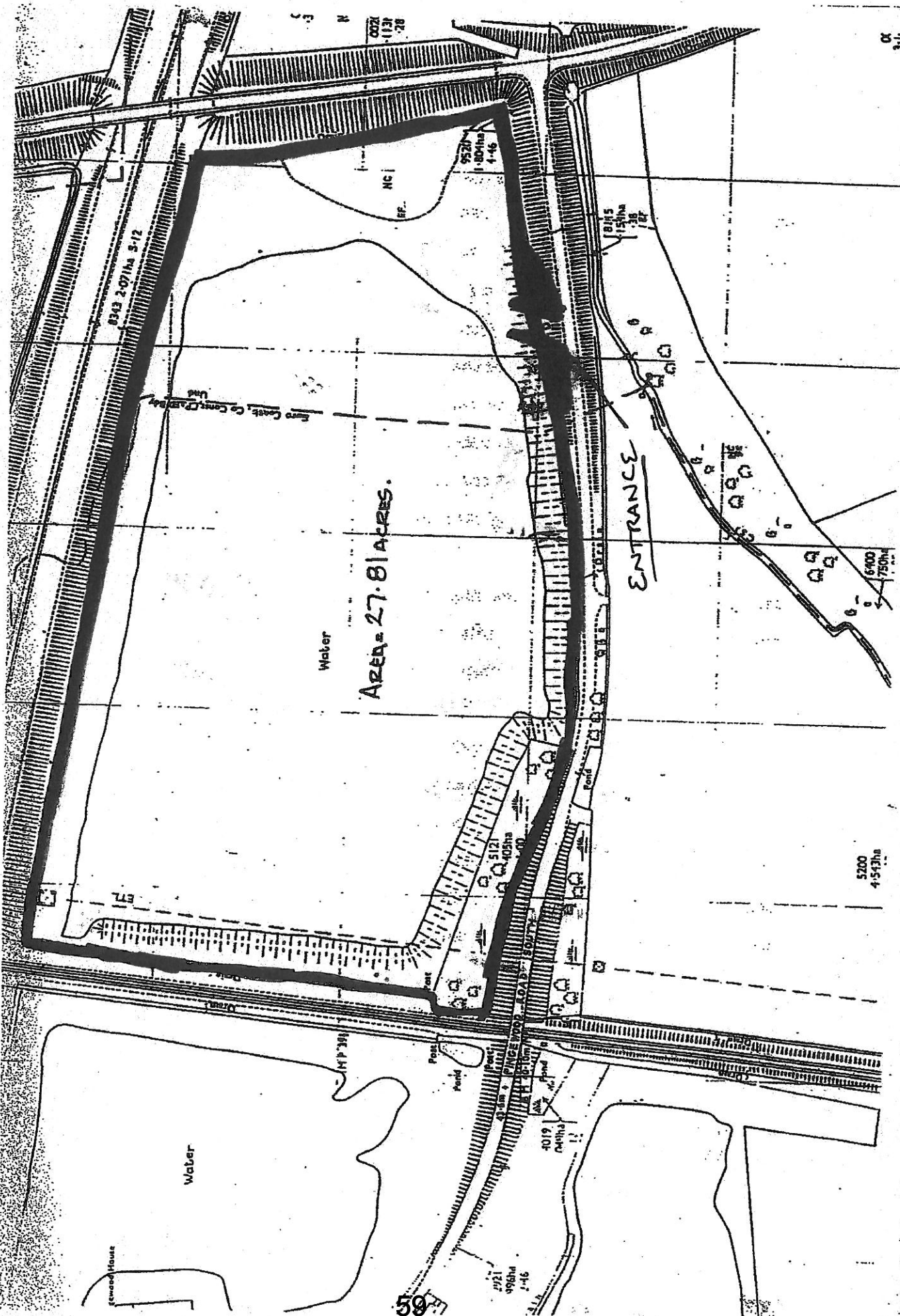
3) Between the hours of 0800 and 2300 noise from amplified speech, amplified music or other amplified sound emitted from the premises shall not at any time exceed 65dB LAeq (measured at 15 minute intervals) when measured at the boundary of noise sensitive premises in the vicinity.

**Annex 4 -Conditions attached after a Hearing by the licensing authority**

Not applicable

**Annex 5 – Plans**

Plans of premises attached - please note this is a temporary plan only to cover the Waterworks Student End of Exam Party from Wednesday 10th June 2015 - Thursday 11th June 2015



AREA = 27.81 ACRES.

Water

ENTRANCE

5200  
4-543ha

59

Remod. House

Water

8343 2-071ha S-12

Ramp Gate Co Cont. Dam

0021  
1-131  
-28

9574  
1-804ha  
1-46

1845  
1-151ha  
-38  
-27

512  
405ha

4019  
4Mha

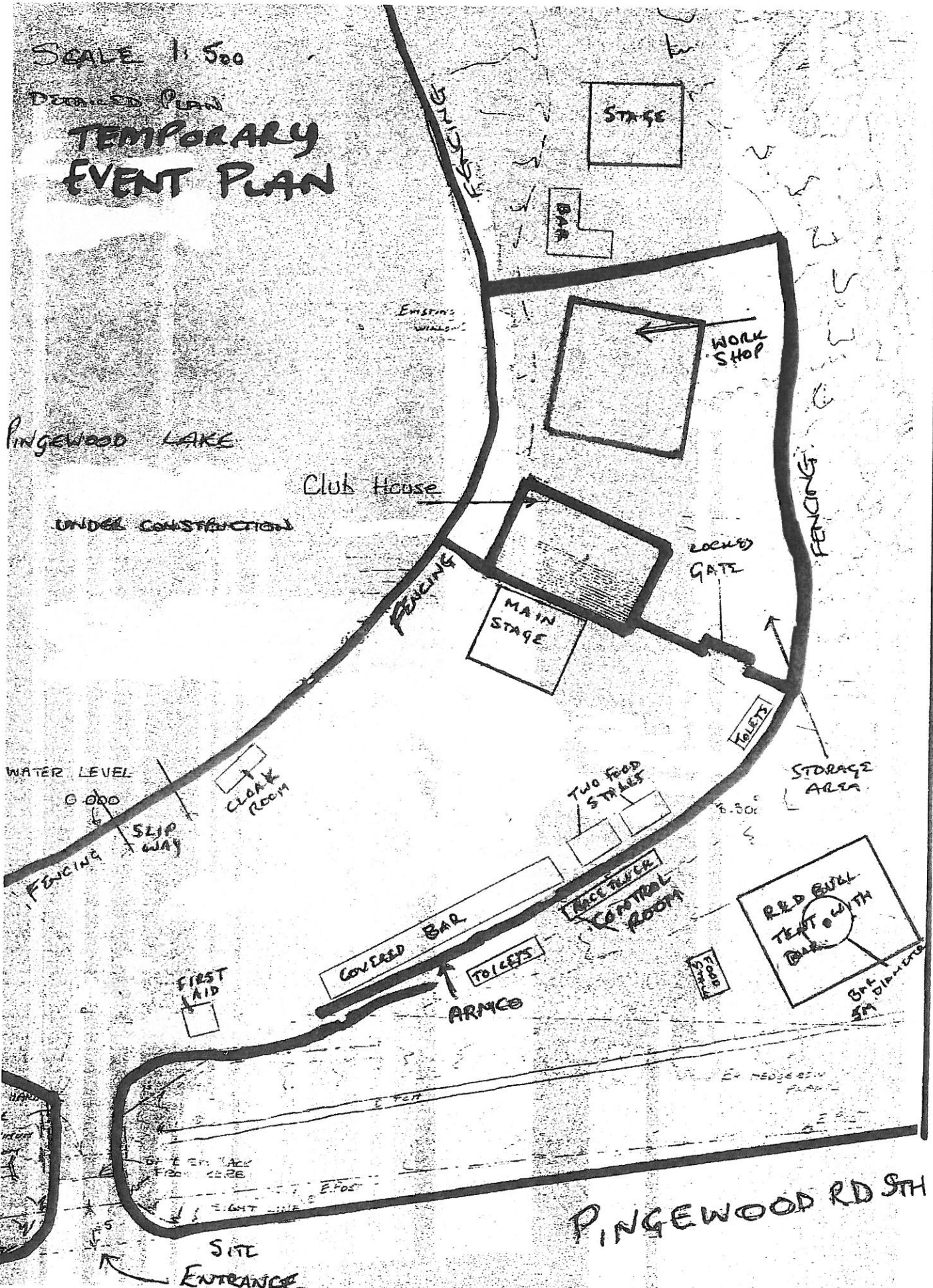
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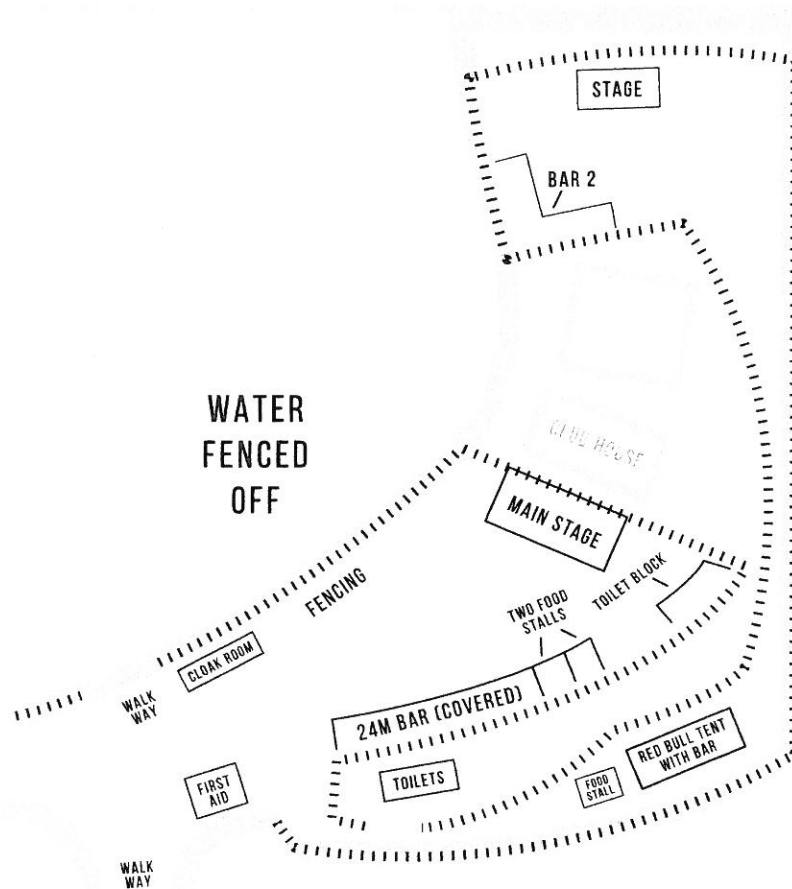
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SCALE 1:500

DETAILED PLAN

# TEMPORARY EVENT PLAN





# waterworks

- Existing temporary race truck to be removed
- Permanent new club house exterior will be completed including doors and windows and will be un-accessible for the event
  - The site main entrance will be manned by security and have a festival entrance system in place
  - A control room will be placed on the bank next to the main entrance to view the whole main stage
    - A first aid and welfare point will be by the main entrance
- Heras fencing will cover the perimeter of the whole site as shown on the drawing to keep people within the allocated areas.
  - The main stage will be placed in front of the club house and will be 10m by 9m covered stage
- Toilets will be place across the whole site in total 20 female and 15 male. These will be individual toilets and place evenly across the site.
  - Bar 1 will be a 24m in length bar and ..... depth
    - The bar will be covered \*\*
    - North of the bars are two food stalls
- Next to the bar and armco will be a walkway down to a lower area which opens up a leads down to a wigwam tent
  - large amount of toilets will be on the walkway down to the wigwam
    - The wigwam tent will be 16m in length and 13.4m in width
  - The wigwam through the center will have a pole which will have a modular bar around the middle of the tent
    - To the left of the wigwam tent will be extra catering facilities
  - The wigwam has an open front to the rear is an opening leading down to the 3rd and final area which will only be opened if sufficient tickets are sold. If sufficient tickets haven't been sold this will be shut off where the door shaped area is on this walkway
    - Toilets will be placed along this walkway
- Area 3 will have a stage measure 10m by 9m and a 12m bar as well as fencing to cordon off the area to keep people in the allocated event area

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