



## Licensing Sub-Committee agenda

Date: Thursday 10 June 2021

Time: 10.00 am

Venue: Via Video Conference

Membership: To be confirmed

### Webcasting notice

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If you have any queries regarding this, please contact the monitoring officer at [monitoringofficer@buckinghamshire.gov.uk](mailto:monitoringofficer@buckinghamshire.gov.uk).

Agenda Item	Time	Page No
<b>1</b>		
<b>Introductory remarks by the Chairman</b>		
<b>2</b>		
<b>Apologies for absence</b>		
<b>3</b>		
<b>Declarations of interest</b>		
To receive any disclosure of disclosable pecuniary interests by Members relating to any items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the		

District Solicitor prior to the meeting.

Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.

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|----------|---|----------------|
| <b>4</b> | <b>Hearing Procedure Rules</b><br>To note the hearing procedure rules and virtual licensing sub-committee procedural rules.   | <b>3 - 10</b>  |
| <b>5</b> | <b>The Legends Festival, The Henley Showground, Marlow Lane, Henley-on-Thames, Buckinghamshire, RG9 3AP</b><br>To consider an application under s.17 of the Licensing Act 2003 for a new premises licence in respect of The Legends Festival, The Henley Showground, Marlow Lane, Henley-on-Thames, Buckinghamshire, RG9 3AP (application and report attached). | <b>11 - 72</b> |

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Liz Hornby on 01494 421261, email: [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk)

### **Licensing and Regulatory Sub-Committee Virtual Procedural Rules**

#### **Introduction**

The Secretary of State for Housing, Communities and Local Government made [Regulations](#) (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020) to ensure local authorities can conduct business during the current public health emergency and this legislation was passed on 4 April 2020. The Regulations will apply to local authority meetings (full council, executive, joint committee, committee or sub-committee) held before 7 May 2021 from 4 April 2020. Councils can make standing orders in respect of virtual meetings, and will not be constrained by any existing restrictions. The Licensing Act 2003 and the Licensing Act 2003 (Hearing) Regulations 2005 provide flexibility to Licensing Authorities in determining their own hearing procedures.

#### **Before the Hearing**

##### Access to Information

The Council can hold and alter the frequency and occurrence of meetings without requirement for further notice.

The new 2020 Regulations make provision for local authority members and officers, and the public, to have access to documents without attending council buildings and it will be sufficient for local authorities to publish the documents on their website. This includes notices, agendas, reports, background papers and minutes. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting which will be available on the website.

The obligation under the old Regulations (Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ) to supply copies of such documents in response to requests made by members of the public and on behalf of newspapers is disapplied.

The requirement in England for 5 clear days' notice to be given of principal council meetings, including annual meetings, still applies however notice can now be given on the council's website. However, it should be noted that Licensing is not subject to this but is bound by the Licensing Act 2003 and there may be occasional times when these requirements cannot be met.

##### Time and Place of Meetings

Meetings can be held remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming even if particular members of the public cannot access them. This Council will use Microsoft Teams to hold virtual meetings and will invite external participants to virtual meetings, if any, via email or telephone. Virtual meetings will be webcast where the Hearing is held in public via a link published on the meeting webpage.

The Constitution states that when reasonably practical, a sub-committee meeting should be held at the Council facility which is closest to the premises or issue that is the subject of the meeting. However, this requirement cannot be met during this current period.

### **During the Hearing**

It is a requirement for such hearings that:

- a) proper notice is given, with all papers served timeously on the authority and published online;
- b) the actual parties to the hearing are able to participate;
- c) any member of the public can see or hear, albeit not participate in, the hearing.

Although held in a virtual format, Hearings dealing with new licences or variations to existing licences will follow the standard procedure. Panel Members may ask questions of any party at any time. Questions are usually taken after each person has spoken. It is helpful to undertake a document check at the start of the Hearing.

In terms of issues that may arise during the Hearing the following rules apply:-

### Quorum for Meetings

The rules for quorum will still apply. This is 3 Councillors for a licensing or regulatory sub-committee. It is also considered good practice to have a reserve member, in case of interests. The constitution states that if a quorum is not present within 10 minutes of the scheduled start of the meeting or such longer time as allowed by the Chairman, the business of the meeting will be adjourned. The Chairman may allow for flexibility around the start time of the meeting where there are any technical issues.

In the event of any apparent failure of the technology the Chairman should immediately determine if the meeting is still quorate. The Chairman could adjourn for 10-15 minutes to allow the connection to be re-established. If an individual remote participation fails the Chairman may call a short adjournment. As the hearing must have 3 members present, the meeting will be reliant on the lost connection being re-established to ensure all members are present for the entire discussion in order to hear all of the facts and vote on the matter.

Only 3 members are permitted on Licensing and Regulatory Sub-Committees (LSC) for each Hearing (as per Section 9 of the Licensing Act 2003 and the Constitution Terms of Reference for the LSC). The reserve member is present in case an interest arises at the beginning of the Hearing or one of the 3 members identified as being on the LSC fails to attend the virtual meeting. It is only those 3 members who have been identified as being on the LSC for that Hearing who can ask questions of the other parties. A reserve member would not be able to participate if the technology fails for one of the members present as whilst they would be listening they will not have taken an active role nor been included in the process/asked to see if they have any questions etc.

### Attendance at meetings and webcasting



A roll call or introductions will be made at the start of the meeting to record those present. There is no requirement for councillors to sign their names on the attendance sheets when attending a virtual meeting. The Democratic Services Officer will maintain a list of attendance throughout the meeting.

To be classified as a 'member in attendance' and attend a meeting remotely, the following conditions must be satisfied;

- a) councillors must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other councillors in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak at the meeting.
- b) All other members of the public must as a minimum be able to hear (but if practicable be seen as well).

In practice this means that if councillors and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the requirements of holding a virtual meeting.

Members of the press and public may only be excluded from a meeting in accordance with the Access to Information Rules.

The Regulations state that meetings being open to the public include access by remote means. Such access includes (but is not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person. For clarity, a meeting recorded and then posted online after the event would not satisfy this requirement.

In the event that the live webcast fails and cannot be resumed the meeting will be opened and adjourned to allow for it to take place at a hearing (the date and time of which will be fixed prior to the matter being adjourned).

The people on the Teams call who are present throughout the meeting are the Members of the Sub-Committee, , any officer supporting the meeting and those who have submitted valid representations, applicant and/or legal representative . The public gallery, where Members can sit and observe the meeting alongside members of the public, is the webcast version. It is important to keep numbers in the meeting (except for those allowed to be present as Members) to a minimum to enable the proper flow of the virtual meeting.

Conflicts of interest

Councillors should consider if they have an interest, and, if required, seek advice from the Monitoring Officer, or their deputy, before the meeting starts. If a Councillor appointed to a licensing hearing considers that their interest is prejudicial they should notify Democratic Services as soon as possible so that an alternative councillor can be appointed to the licensing hearing. Where a councillor has an interest they must declare their interest and the nature of

it at the start of the meeting. If the interest is 'personal' having declared a personal interest the councillor may continue to speak and vote on the item of business concerned. If the councillor has a prejudicial interest they will not be able to take part in the discussion or decision and must leave the meeting. A reserve councillor, if available, will then be called upon to serve on the hearing in their absence.

### Minutes of meetings

The Minutes of meetings will be published on the website if the meeting is held in public.

### Questions

Questions will be asked in the normal way as set out in the Constitution.

Order of business (as normal)

1. The Chairman will open the Hearing and start the introductions of the Sub-Committee and Officers and ask each party to introduce themselves. The Chairman will confirm that if a party is not present their representations/application will have been read and will be considered in reaching the decision.
2. The Chairman will address any interest arising under the Code of Conduct.
3. The Chairman will consider any submitted requests from a party for permission for another person to appear at the virtual Hearing. If necessary, the sub-committee will retire to deliberate before making a decision.
4. The Chairman will confirm that the Hearing will take the form of a virtual round the table discussion led by the Sub-Committee in accordance with this procedure. If all parties present confirm that they have seen and understand the procedure to be followed at the virtual Hearing and agree they are ready to proceed then the Hearing **shall commence as set out from para 9 below**.
5. The Chairman will remind everyone that the purpose of the virtual Hearing should be borne in mind at all times i.e.
  - to enable those with a right to appear at the virtual meeting to advance their point of view and concerns and to test the case of their opponents and
  - to assist the Sub-Committee to gather evidence and understand the relevant issues.
6. The Chairman will confirm what advance papers have been received and that these have been read and therefore there is no need to repeat these matters.
7. The Chairman will make clear that parties should only address the Sub-Committee in relation to matters previously raised/submitted. Late evidence to be submitted at the Hearing will only be considered by the Licensing Sub-Committee with the consent of all parties present.

8. The Chairman will then outline the procedure to be followed by reading out the order of oral presentations **unless** all parties present have confirmed that they have seen and understood the procedure and are ready to proceed with the virtual Hearing.
9. The Chairman will ask the Applicants whether they wish to make any amendments to their application with a view to addressing issues raised by the representations.
10. A) Order of oral presentations for an application:-
  - a. The Licensing Officer will present their report outlining the details of the application/notice and representations received.
  - b. Any party may question the Licensing Officer.
  - c. The Members may question the Licensing Officer.
  - d. The Responsible Authorities will present their case and call their witnesses (in the case of a review hearing, the responsible authority bringing the review will present their case and call their witness(s
  - e. Any other party may question the Responsible Authorities.
  - f. The Members may question the Responsible Authorities.
  - g. Each Interested Party will present their case in turn and call their witnesses.
  - h. Any other party may question the Interested Party.
  - i. The Members may question the Interested Parties.
  - j. The Applicant/licence Holder will present their case and call their witnesses.
  - k. The other parties may question the Applicant/Licence Holder.
  - l. The Licensing Officer may question the Applicant/Licence Holder.
  - m. The Members may question the Applicant/Licence Holder.

B) Order of oral presentation for a review

Add in

Once they have made their representations under the requirements of the constitution they will need to switch off their microphone and not participate any further in the meeting unless they are asking any questions or wish to sum up. No speaking is timed.

11. Before moving onto the next party, the Chairman will check there are no further points the current party wishes to make or any further questions that need to be put to that party.
12. . There may be a discussion at the hearing, on a without prejudice basis, where each party will be asked to address/give their views on any proposed conditions and suggest any other appropriate conditions to assist the Sub-Committee. If possible an agreed schedule of conditions will result. It will remain however for the Sub-Committee to determine any final conditions that will apply should the application be successful
13. Each party will be invited to make closing submission as set out in paragraph 10.

14. The Chairman will then close the Hearing and the Sub-Committee will meet virtually together with the Committee Clerk and the Sub-Committee Legal Advisor for the matter to be determined.
15. The Sub-Committee will come to a decision which will be sent to the Applicant and all other parties' who submitted relevant representations within the time limits set out in Regulations together with details of the right of appeal.

#### When can the Chairman be interrupted?

There are circumstances allowed for in the Constitution where the Chairman can be interrupted such as:-

- Technology is not working effectively
- Officer needs to provide advice
- Point of order or personal explanation

or any other area where the Constitution or Chairman allows.

#### Disturbance during proceedings

The Constitution states that if anyone interrupts proceedings the Chairman will warn the person concerned and if they continue to interrupt the Chairman will order their removal from the virtual meeting room. There may be circumstances where the person needs to be removed immediately, for example if they are being inappropriate, and the Chairman can do this by muting their microphone. If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as they consider necessary.

#### Adjournments

People will remain on the call with mics muted and cameras off until the meeting starts again. The Chairman may also want to consider having a comfort (screen) break for longer meetings. If there is a problem with the technology the Chairman should pause the meeting until that issue has been resolved. However, this does not stop a meeting going ahead because a person does not have access to the required technology in the first place. If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful which renders the whole meeting incapable of proceeding and therefore the Chairman should adjourn until the remote meeting can be restored within a reasonable period, or at a time and date fixed by the Chairman . Any interested party eligible to speak who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding unless they are happy to submit their comments through a written representation.

The Council will try and achieve the best possible outcome.

#### **Deliberations and Exclusion of the Press and the Public**

Under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing authority may exclude the public from all or part of the hearing where it considers that the

public interest in doing so outweighs the public interest in the Hearing or part of that Hearing taking place in public. In addition there may be information in the agenda pack pertaining to the hearing be exempt from publication or discussion in public under Schedule 12A of The Local Government Act 1972 as amended. In these circumstances the public will be excluded from part or the whole of the Hearing as appropriate.

At the conclusion of the Hearing, the Sub-Committee together with the Democratic Services Officer and Legal Advisor, will remain in a private virtual meeting in order to deliberate on the decision. Interested parties will then be notified of the outcome of the hearing in writing after the meeting in accordance with required timescales.

Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

The Sub-Committee may depart from this procedure (as varied/amended from time to time based on changes to law and practice) if it considers it necessary and/or equitable to do so.

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<b>SUBJECT:</b>	<b>APPLICATION FOR A NEW PREMISES LICENCE at: The Henley Showground, Marlow Lane, Henley-on-Thames, RG9 3AP</b>
<b>REPORT OF:</b>	<b>Application under section 17, Licensing Act 2003</b>
<b>Responsible Officer</b>	<b>Brian Whittall – Licensing Officer</b>
<b>Report Author</b>	<b>Brian Whittall – Licensing Officer</b>
<b>Ward/s Affected</b>	<b>Chiltern Villages</b>

### 1. Purpose of Report

To provide Members with information enabling the determination of an application for a new Premises Licence, in respect of which relevant representations have been received.

The Application has been submitted by Starlight Concerts Live (Entertainment), Starlight Concerts, Kemp House, 152 - 160 City Road, Islington, London, EC1V 2NX in respect of The Legends Festival, The Henley Showground, Marlow Lane, Henley-on-Thames, Buckinghamshire, RG9 3AP (“the premises”).

### 2. Background

2.1 The Henley Showground comprises of approximately 60 acres of pasture on the banks of the river Thames near Henley and is owned by the Caulden Faw Estate.

The proposed premises licence is intended to be used for tribute acts performing on an outdoor stage over a 2-day event on the 7 and 8 August 2021.

A location plan showing the premises location is attached to this report marked **Appendix 1**.

### 3. The Application

3.1 This application is for a new Premises Licence for up to 9,999 persons to commence with immediate effect upon the decision to grant by this licensing authority. A copy of the application, including a premises plan is attached to this report marked **Appendix 2**.

3.2 The licensable activities sought are as follows:

<u>Proposed activity</u>	<u>Proposed hours</u>
<b>Supply of alcohol</b> (On the premises only)	Friday 16:00 – 23:00 Saturday 12:00 – 23:00 Sunday 12:00 – 23:00
<b>Exhibition of Films (Outdoor)</b>	Friday 16:00 – 23:00 Saturday 12:00 – 23:00 Sunday 12:00 – 23:00
<b>Provision of Live Music (Outdoor)</b>	Friday 16:00 – 23:00 Saturday 12:00 – 23:00 Sunday 12:00 – 23:00
<b>Playing of Recorded Music (Outdoor)</b>	Friday 16:00 – 23:00 Saturday 12:00 – 23:00 Sunday 12:00 – 23:00
Performance of Dance (Outdoor)	Friday 16:00 – 23:00 Saturday 12:00 – 23:00 Sunday 12:00 – 23:00
<b>Hours premises are open to the public</b>	Friday 15:00 – 23:59 Saturday 11:00 – 23:59 Sunday 11:00 – 23:59

#### 4. Relevant Representations

##### 4.1 Responsible Authorities:

- 4.1.1 **The Chief Officer of Police:** Response received - no objection, **Appendix 3.**
- 4.1.2 **The Licensing Authority:** No objection
- 4.1.3 **The Fire and Rescue Authority:** Response received – no objection
- 4.1.4 **The Local Planning Authority (Head of Sustainable Development):** No response received - no comment
- 4.1.5 **The Local Environmental Health Authority (Head of Environmental Health):** Response received - No objection, **Appendix 4.**
- 4.1.6 **Weights and Measures Authority (Trading Standards Officer):** No response received - no comment
- 4.1.7 **The Safeguarding and Child Protection Unit:** No response received - no comment
- 4.1.8 **The Primary Care Trust:** No response received - no comment
- 4.1.9 No responses were received from any other Responsible Authority.



4.2 **Any other persons: Four** (4) objections were received during the 28 day consultation process a copy of which are attached marked **Appendix 5**.

4.3 No letters of support were received.

## 5. Licensing Officer's Observations:

5.1 The Relevant Representations received raise the follows issues:

- The prevention of public nuisance

Representations mention concerns regarding noise pollution occurring on the premises.

Residents living nearby have expressed concerns that their right to enjoy the peaceful possession of their property is undermined, and that a statutory nuisance may occur as a result of the granting of the application.

5.2 Mediation

The applicant has engaged in mediation with interested parties following the conclusion of the consultation period via The Licensing Unit. Additional conditions were offered, which was sent to all parties, **Appendix 6**.

This mediation did not result in any representation being withdrawn. Responses to the applicant's communications are attached marked, **Appendix 7**.

5.4 In addition to the Mandatory Conditions, the Licensing Sub-Committee should consider those conditions offered in the operating schedule and decide whether they are appropriate for the promotion of the licensing objectives and address any valid representations made by Interested Parties.

## 6. Policy Considerations

6.1 Regard must be had to the Council's adopted Statement of Licensing Policy (last published December 2018) when determining this application.

In relation to the prevention of public nuisance the Policy states (p.10)

3.16 The Council wishes to protect the amenity of residents and businesses in the immediate area surrounding the licensed premises. Applications should demonstrate that public nuisance will not increase as a result of the application being granted.

3.17 The Authority will particularly take into account the following:

- The measures proposed to prevent noise and vibration escaping from the premises. Such measures may include installation of sound insulation and sound limitation devices;

- Measures proposed to prevent public nuisance from use of outside areas, including smoking areas and outdoor events;
- The measures proposed to prevent disturbance by customers arriving at or leaving the premises, in particular after 11pm, for example appropriate signage at exits and in car parks, parking provision, the provision of door supervisors, use of “quiet last half hour” at dance venues and provision and availability of safe transport home;
- The measures proposed to prevent light pollution from external lighting, including security lighting;
- The measures proposed for refuse storage or disposal and management of any additional litter;
- Representations by Control of Pollution, Thames Valley Police and Environmental Health;
- Representations by local residents in the vicinity of the premises;

6.2 Regard must also be had to the national Guidance issued by the Home Office under Section 182 of the Licensing Act 2003, as amended.

In relation to prevention of public nuisance the guidance states (p.13)

- 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.
- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **7. Links to Council Policy Objectives**

- 7.1 The Authority regards existing and future environmental qualities and character of the District to be important when consideration is given to granting licences for any purpose. When considering licensing applications where relevant representations have been made the Authority will consider its effect on the licensing objectives and in particular the effect the licence will have on the public nuisance objective.

## **8. Resources, Risk and Other Implications**

- 8.1 **Resource:** The only resource implications to date has been officer time. If the applicant or persons making relevant representations appeals against the decision of the Licensing Sub – Committee, however, this would result in legal fees to defend the appeal and further costs. In the event of a successful appeal the Council may also have to pay the applicant/other party's costs.

### **8.2 Human Rights**

The Panel should consider its responsibilities under the Human Rights Act when considering the fair balance between the interests of the applicant and the rights of local residents.

Any decision taken must be appropriate and proportionate to the objective being pursued. In particular the following should be taken onto consideration:

Article 6 - the right to a fair hearing

Article 8 - respect for private and family life

Article 1, First Protocol - peaceful enjoyment of possessions (which can include the possession of a licence)

- 8.3 Interference with these rights is acceptable within the terms of the Human Rights Act 1998 if it safeguards the rights of others, is legitimate, proportionate and balanced in that there is a need to find a fair balance between the protection of individual rights and the interests of the community at large – other than rights under Article 6 and 14 which are absolute rights and can not be interfered with.
- 8.4 Therefore if Members refuse to grant the application for a new Premises Licence in whole or part or grant it subject to conditions, this will be a breach of the rights of the Applicant unless such refusal (in full or part) is, and/or the conditions imposed are, appropriate, proportionate and can be justified, on balance, by being outweighed by the rights of the community at large to peaceful enjoyment of their property/possessions. Any restriction placed upon the Premises Licence must not go beyond what is strictly necessary to achieve its legitimate purpose in order to mitigate the interference with the community at large's enjoyment of their property/possessions.
- 8.5 By taking into consideration all the material considerations relating to this application and balancing the interests/rights of all parties involved it is considered that the Licensing Sub-Committee's decision will be both proportionate and justified having had regard to the Human Rights Act 1998.
- 8.6 The Equality Act 2010, including the Council's Public Sector Equality Duty, must be taken into account when making decisions in relation to licensing applications.

## **9. Determination by the Licensing Sub-Committee**

- 9.1 The Sub Committee is obliged to determine applications in the light of the above and any other material considerations with a view to promoting the four licensing objectives. Which are:
- The prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm

Regard must also be had to the Council's Statement of Licensing Policy, Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended, relevant representations received and the evidence presented at the Hearing.

- 9.2 Each application must be considered on its own merits and any conditions attached to premises licences must be tailored to the individual style and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to promote the licensing objectives in any individual case.

- 9.3 The Sub-Committee must avoid duplication of other legal requirements and should only impose conditions on a premises licence which are appropriate and proportionate for the promotion of the licensing objectives and where additional and/or supplementary measures are required in order to promote the licensing objectives.
- 9.4 The following options are available to the Licensing Sub Committee:
- 9.4.1 Grant the Premises Licence - subject to any conditions which are consistent with the Operating Schedule and which are considered appropriate and proportionate for the promotion of the four licensing objectives in response to relevant representations received - and any relevant mandatory conditions.
  - 9.4.2 Exclude from the scope of the Premises Licence granted under Para 9.4.1 above any of the licensable activities to which the application relates.
  - 9.4.3 Refuse to specify a person in the Premises Licence granted under Para 9.4.1 as the premises supervisor.
  - 9.4.4 Reject the whole of the Application.
  - 9.4.5 Grant the Premises Licence subject to different conditions for different parts of the premises or the different /reduced licensable activities if this is considered appropriate and proportionate to promote the four licensing objectives and in response to the representations received).
- 9.5 The Sub-Committee is asked to note that it may not reject the whole or part of the application or attach conditions - merely because it considers it desirable to do so. It must actually be **appropriate and proportionate** in order to promote the 4 licensing objectives and be in response to the representations received and full reasons must be given for the Sub-Committees decision.

## **THE SCHEDULE**

### **The Mandatory Conditions**

For the purposes of this schedule;

"the Act" means the Licensing Act 2003;

"Anti-Social Behaviour" has the meaning given in section 36 of the Anti-social Behaviour Act 2003;

"Disability" has the meaning given in section 1 of the Disability Discrimination Act 1995;

"Relevant Premises" has the meaning given in paragraphs (a) and (b) of the definition in section 159 of the Act;

"Responsible Person" has the meaning given in paragraphs (a) and (b) of the definition in section 153(4) of the Act (the relevant parts of which are attached to this licence)

#### **Mandatory Condition – s19 of the Licensing Act 2003**

No supply of alcohol may be made under the premises licence:

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made authorised by a person who holds a personal licence

#### **MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS) ORDER 2010 AS AMENDED BY THE LICENSING ACT 2003 (MANDATORY LICENSING CONDITIONS)(AMENDMENT) ORDER 2014:**

##### **Mandatory Condition 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)

**Mandatory Condition 2**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**Mandatory Condition 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

**Mandatory Condition 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.”

**MANDATORY CONDITIONS SPECIFIED BY THE LICENSING ACT 2013 (MANDATORY CONDITIONS) ORDER 2014:**

**Mandatory Condition 5**

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

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,

- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny
  - 4.—(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### Mandatory Condition - s21 of the Licensing Act 2003 - Door Supervision

Where a condition of this licence requires one or more individuals to be present to carry out a security activity (as defined by the Private Security Industry Act 2001 as amended from time to time) must be licensed with the Security Industry Authority.

#### **Proposed conditions**

##### The prevention of crime and disorder

- SIA Licensed Staff and Event Marshals shall control and monitor all areas of the site. This includes providing security, monitoring access and exits points, removing individuals who pose a risk to the public and any reasonable matters to promote the licensing objectives.
- Event staff shall remain on site overnight to maintain site security and safety.
- SIA security staff shall operate bag search procedures adopted to identify and confiscate drugs, weapons and any prohibited items. There shall be a zero tolerance policy in relation to drugs at the site. Drugs seized shall be stored securely and handed to the Police.
- Behaviour on site shall be monitored. Any person behaving inappropriately shall be spoken to and warned about their behaviour. If attendees persistently behave inappropriately, they shall be ejected from the site. A list of evicted people shall be maintained and provided on request to the Police.



- There will be no use of glass drinking vessels at the event with alcoholic drinks served in non-glass/safety/polycarbonate vessels. Glass containers shall not be permitted to be brought onto site by event attendees. Drug amnesty bins shall be provided at the entrance points with any deposited substances securely kept and provided as soon as practicable to the Police.
- Staff to be trained to report any suspicious or criminal activities to security team who shall, where justified, report matters to the Police. Any person deemed unfit due to drink or drugs at the event shall be asked to leave the event after organisers have considered it safe for them to leave the site.
- No dogs on site except for guide, assistance dogs and passive search dog teams.
- DPS to remain on site throughout operation of event.

#### Public safety

- Secure fencing shall be erected around the site perimeter to restrict access and create a safe event area.
- Internal and external lighting shall illuminate the concert field during fading and dark light times. All powered or electrical apparatus, sanitary units and other installations shall be regularly inspected to ensure it is maintained in good order at all times.
- Sufficient number of onsite toilets and facilities shall be provided to accommodate attendee numbers.
- A clear method of communication between all key personnel shall be operated on site in the event of minor and major incidents.
- A free provision of drinking water will be available from the bar, provided on request, in disposable small cups.
- Numbers of SIA staff at entry and exit points shall be based on risk assessment.
- We have developed a full site evacuation procedure.
  - Well trained and expert staff to adhere to environmental health requirements
  - Training and implementation of underage ID checks.
  - A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made of all areas of the operation including backstage.
  - The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
  - All powered or electrical apparatus, sanitary units and other installations, will be maintained in good order at all times and regularly inspected.
  - The provision of a sufficient number of onsite toilets and facilities to accommodate the number of attendees.
  - The Licence Holder will ensure that there is a detailed, fit for purpose written Contingency Plan in place for each event that has been agreed by the Emergency Services and the safety

## Advisory Group

- A list of restricted items is emailed to customers prior to the event.

### The prevention of public nuisance

- There shall be a named person appointed to monitor and co-ordinate noise issues to the approval of the Environmental Protection Service. The noise co-ordinator shall liaise with the EHO and relevant event staff regarding sound systems relating to noise control prior to and during the event.
- The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music most likely to be produced during the event.
- The noise co-ordinator shall ensure that prior to the event during any testing of equipment, minimum noise levels are emitted from the sound equipment, to reduce to its lowest level any noise nuisance to local residents. The licensee shall ensure that sound testing is only carried out between the hours of 10:00 and 19:00 and is of the shortest duration practicable.
- Facilities shall be provided on the mixing desk(s), or other appropriate position(s), for an EHO to monitor and where necessary secure a reduction in noise level to a reasonable level.
- Monitoring of sound levels will be undertaken at regular intervals both on site and at agreed locations within the community. Records of noise recordings shall be maintained and provided on request to officers from the responsible authorities. Any excessive noise levels identified shall be reported to control and reduced accordingly.
- A contact number will be provided to responsible authorities/communities to provide accessible number in the event of needing to be contacted during event. The Premises Licence Holder will comply with any reasonable request made by a nominated officer of the Environmental Health Team (Noise Officer) to reduce the sound emanating from the amplification system if it is deemed a noise nuisance.
- To ensure that the speakers face away from the major nearby settlements (where possible). To adopt a full waste management plan to limit any litter waste around the site. The Premises Licence Holder shall ensure that adequate waste receptacles are in place for use by customers at the exit(s) to the site.
- The Premises Licence Holder shall ensure that there is no live or recorded music audible at the pre-agreed noise monitoring locations after 23.00 on any day.

### The protection of children from harm

- A Challenge 25 age verification policy shall be in place to prevent sale of alcohol to underage people. This shall detail age verification conditions, ID requirements, staff training and signage conditions wording.
- Nobody under the age of 12 shall be permitted on site unless accompanied by an adult. This will be clearly set out within event marketing material.
- Security staff with responsibility for the welfare of children shall be satisfactorily DBS checked

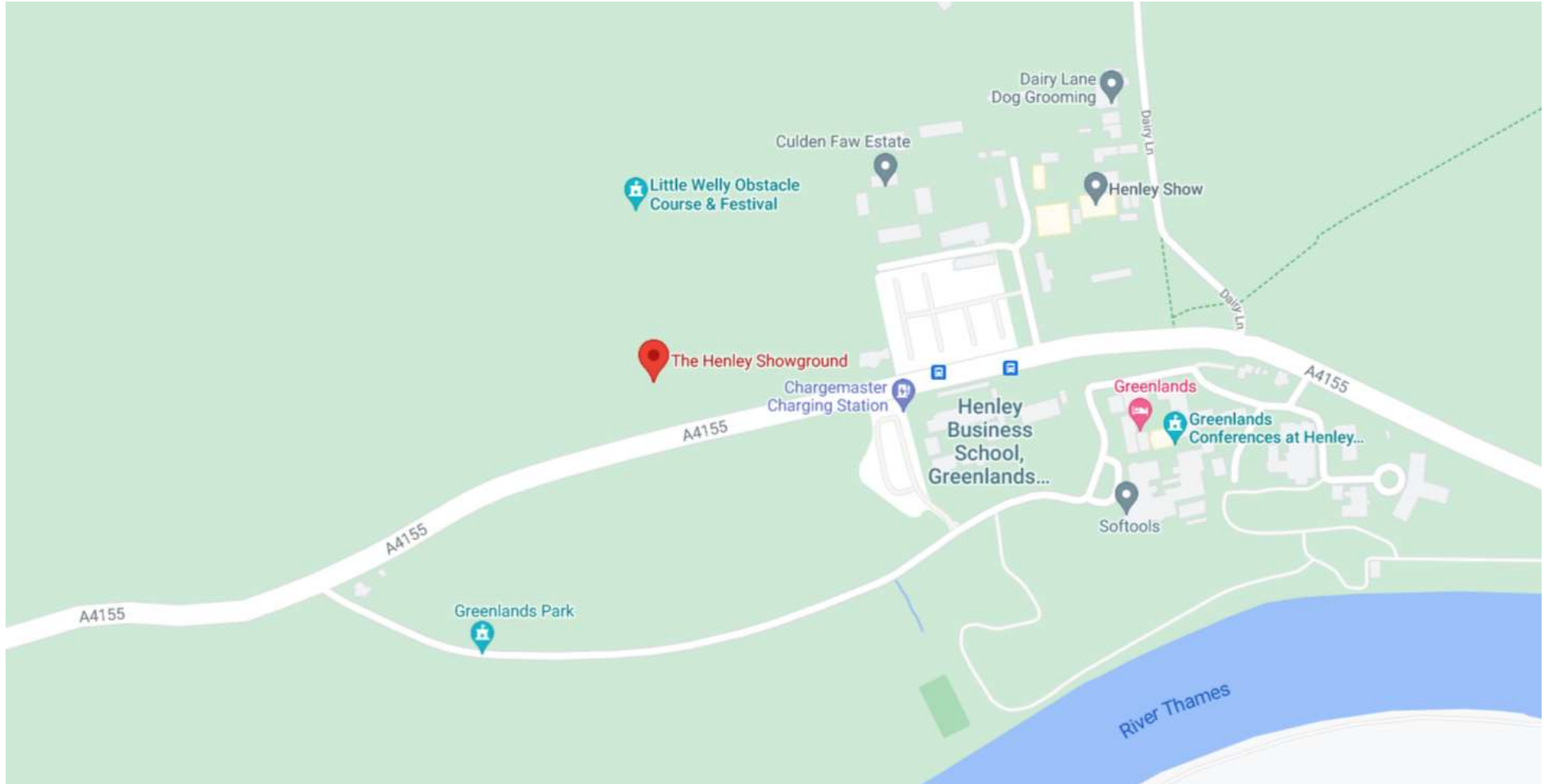
and carefully selected for the role they will be carrying out.

- No under 18s shall work at the licensed site unless a suitable and sufficient risk assessment has been carried out and all control measures effectively implemented.
- Any persons believed to be drinking under-age shall be intercepted by security personnel and alcohol disposed of.
- Any person under the age of 18 attempting to purchase alcohol, or any adult attempting to purchase alcohol for any person under 18 shall be asked to leave the event after event organisers have considered that it is safe for them to leave site. The Premises Licence Holder will deliver training and implement underage ID checks.
- The security & medical teams will be trained and at the events to deal with vulnerable children.

**Informative/s -**

<b>Officer Contact:</b>	<b>Brian Whittall (01494 421 346) – email address:</b> <a href="mailto:brian.whittall@buckinghamshire.gov.uk">brian.whittall@buckinghamshire.gov.uk</a>
<b>Background Papers:</b>	<b>Application Ref 21/00326/LAPREN Licensing Act 2003, as amended Licensing Policy – Wycombe Area Published December 2018. Home Office Guidance issued under Section 182 of the Licensing Act 2003, as amended.</b>

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**Buckinghamshire**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing.wyc@buckinghamshire.gov.uk](mailto:licensing.wyc@buckinghamshire.gov.uk)  
 Telephone: 01494 421222

\* required information

**Section 1 of 21**

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

**Applicant Details**

\* First name

Nicholas

\* Family name

Brayne

\* E-mail

nick@starlightconcerts.co.uk

Main telephone number

07825588489

Include country code.

Other telephone number

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

Are you:

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

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

**Applicant Business**

Is your business registered in the UK with Companies House?

Yes  No

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

Registration number

1589310

Business name

Starlight Concerts Live (Entertainment) Ltd

If your business is registered, use its registered name.

VAT number

-

314590219

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

Legal status

Private Limited Company

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)



## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

#### Confirm The Following

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

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

Starlight Concerts Live (Entertainment) Ltd

#### Details

Registered number (where applicable)

1589310

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

This application is for a three day festival, with amplified music, once annually at the Henley Showground, Henley-on-Thames. We are applying for a single consecutive Friday, Saturday and Sunday in either June, July, August or September. We have evidence, in support of our application, demonstrating the site is safe and sufficient for up to 9,999 persons to be in attendance. We seek a license to allow food concessions and a licensed bar to serve beverages to the public, to be

**Continued from previous page...**

present on site throughout the event. Amplified music on site will cease no later than 23:00. Concession service will end 23:00 and the site will be closed by midnight (0:00).

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

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

- Indoors       Outdoors       Both

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

As part of our event a big screen is present. This is to relay live images from the stage to the audience. We may use VT images and graphics, including safety messages.

State any seasonal variations for the exhibition of film

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

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

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

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes       No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes       No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors       Outdoors       Both

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

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

State any seasonal variations for the performance of live music

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

Continued from previous page...

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

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

The artistes will run short sound checks. All sound is professionally monitored with levels recorded.

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

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

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

- Indoors
- Outdoors
- Both

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

State any seasonal variations for playing recorded music

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

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

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

The artistes will run short sound checks. All sound is professionally monitored with levels recorded.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start

End

Start

End

THURSDAY

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End

Start

End

FRIDAY

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End

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End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors       Outdoors       Both

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

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

State any seasonal variations for the performance of dance

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

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

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

On stage dancers may be present during any soundcheck.



Continued from previous page...

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

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

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

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

State any seasonal variations

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

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

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

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

**Name**

First name

Family name

Date of birth  /  /   
dd      mm      yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text" value="50"/>
Street	<input type="text" value="Christophers Close"/>
District	<input type="text" value="Northrepps"/>
City or town	<input type="text" value="Cromer"/>
County or administrative area	<input type="text" value="Norfolk"/>
Postcode	<input type="text" value="NR27 0GA"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LN/000011605"/>
Issuing licensing authority (if known)	<input type="text" value="North Norfolk District Council"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**ADULT ENTERTAINMENT**

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

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

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

**Continued from previous page...**

**TUESDAY**

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

**WEDNESDAY**

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

**THURSDAY**

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

**FRIDAY**

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

**SATURDAY**

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

**SUNDAY**

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:59"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

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

**Continued from previous page...**

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

Starlight Concerts Live (Entertainment) Ltd will provide a draft ESMP [Event Safety Management Plan] to the licensing authority (LA) a minimum of 4 months prior to proposed event dates. The LA shall cascade to responsible authorities and SAG partners to provide adequate time to convene a SAG meeting to discuss and provide feedback to initial event proposals.

The final ESMP shall include; a drugs policy (zero tolerance of illegal and psychoactive substances), alcohol management policy, noise management policy, stewarding, security resourcing provisions, traffic management plan, crowd management, ejection policy, waste management, medical and first aid plans, major incident and emergency plan, fire and all risk assessments, emergency evacuation procedures, and missing person procedure.

The Final ESMP will be provided to the responsible authorities at least 28 days in advance of the event. It is acknowledged this would remain a live document. Each year's ESMP will form part of the premises licence and conditions for the event which will be run in accordance with the ESMP. A copy of the final ESMP will be kept at the event control point and made immediately available to officers of any responsible authority or members of the SAG upon request.

At least one representation of Starlight Event management will attend SAG meetings and work with SAG partners to enhance and improve plans, consult on emergency arrangements and ensure that information about the event is shared with everybody concerned.

The site will be open throughout the event by the Police and local authority inspection and enforcement officers. Ticket only admission with capacity controls in place to monitor and maintain attendee numbers.

Security and marshalling staff shall be easily identifiable by wearing distinguishable uniform/tabards.

Any reasonable requirements of the SAG will be complied with in order to ensure that the event site is suitable for its intended use. Starlight Concerts Live (Entertainment) Ltd will facilitate a site inspection(s) upon request, co-ordinated with the SAG Chair before the licensed activity takes place.

We will not permit patrons to bring alcohol onto the site. SIA Security Guards will be employed to undertake bag checks on the gate. The DPS shall provide suitable training to all staff engaged in the sale of alcohol in relation to the prevention of sales to persons under the age of 18 or persons who are drunk. The licence holder shall ensure all members of staff are informed of the Licensing Act 2003 (the Act) objectives and the statutory requirements in order to ensure compliance with provisions under the Act. Training records shall be signed by the trainee and training provider to demonstrate staff understanding of the training content. Training and incident records shall be kept and made available on request to officers from responsible authorities.

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

SIA Licensed Staff and Event Marshals shall control and monitor all areas of the site. This includes providing security, monitoring access and exits points, removing individuals who pose a risk to the public and any reasonable matters to promote the licensing objectives.

Event staff shall remain on site overnight to maintain site security and safety.

SIA security staff shall operate bag search procedures adopted to identify and confiscate drugs, weapons and any prohibited items. There shall be a zero tolerance policy in relation to drugs at the site. Drugs seized shall be stored securely and handed to the Police.

Behaviour on site shall be monitored. Any person behaving inappropriately shall be spoken to and warned about their behaviour. If attendees persistently behave inappropriately, they shall be ejected from the site. A list of evicted people shall be maintained and provided on request to the Police.

There will be no use of glass drinking vessels at the event with alcoholic drinks served in non-glass/safety/polycarbonate

*Continued from previous page...*

vessels. Glass containers shall not be permitted to be brought onto site by event attendees. Drug amnesty bins shall be provided at the entrance points with any deposited substances securely kept and provided as soon as practicable to the Police.

Staff to be trained to report any suspicious or criminal activities to security team who shall, where justified, report matters to the Police. Any person deemed unfit due to drink or drugs at the event shall be asked to leave the event after organisers have considered it safe for them to leave the site.

No dogs on site except for guide, assistance dogs and passive search dog teams.

DPS to remain on site throughout operation of event.

#### c) Public safety

Secure fencing shall be erected around the site perimeter to restrict access and create a safe event area.

Internal and external lighting shall illuminate the concert field during fading and dark light times. All powered or electrical apparatus, sanitary units and other installations shall be regularly inspected to ensure it is maintained in good order at all times.

Sufficient number of onsite toilets and facilities shall be provided to accommodate attendee numbers.

A clear method of communication between all key personnel shall be operated on site in the event of minor and major incidents.

A free provision of drinking water will be available from the bar, provided on request, in disposable small cups.

Numbers of SIA staff at entry and exit points shall be based on risk assessment.

- We have developed a full site evacuation procedure.
- Well trained and expert staff to adhere to environmental health requirements
- Training and implementation of underage ID checks.
- A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made of all areas of the operation including backstage.
- The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
- All powered or electrical apparatus, sanitary units and other installations, will be maintained in good order at all times and regularly inspected.
- The provision of a sufficient number of onsite toilets and facilities to accommodate the number of attendees.
- The Licence Holder will ensure that there is a detailed, fit for purpose written Contingency Plan in place for each event that has been agreed by the Emergency Services and the safety Advisory Group
- A list of restricted items is emailed to customers prior to the event.

#### d) The prevention of public nuisance

There shall be a named person appointed to monitor and co-ordinate noise issues to the approval of the Environmental Protection Service. The noise co-ordinator shall liaise with the EHO and relevant event staff regarding sound systems relating to noise control prior to and during the event.

The sound system shall be configured and operated in a similar manner as intended for the event. The sound source used for the test shall be similar in character to the music most likely to be produced during the event.

The noise co-ordinator shall ensure that prior to the event during any testing of equipment, minimum noise levels are emitted from the sound equipment, to reduce to its lowest level any noise nuisance to local residents. The licensee shall ensure that sound testing is only carried out between the hours of 10:00 and 19:00 and is of the shortest duration practicable.

*Continued from previous page...*

Facilities shall be provided on the mixing desk(s), or other appropriate position(s), for an EHO to monitor and where necessary secure a reduction in noise level to a reasonable level.

Monitoring of sound levels will be undertaken at regular intervals both on site and at agreed locations within the community. Records of noise recordings shall be maintained and provided on request to officers from the responsible authorities. Any excessive noise levels identified shall be reported to control and reduced accordingly.

A contact number will be provided to responsible authorities/communities to provide accessible number in the event of needing to be contacted during event. The Premises Licence Holder will comply with any reasonable request made by a nominated officer of the Environmental Health Team (Noise Officer) to reduce the sound emanating from the amplification system if it is deemed a noise nuisance.

To ensure that the speakers face away from the major nearby settlements (where possible). To adopt a full waste management plan to limit any litter waste around the site. The Premises Licence Holder shall ensure that adequate waste receptacles are in place for use by customers at the exit(s) to the site.

The Premises Licence Holder shall ensure that there is no live or recorded music audible at the pre-agreed noise monitoring locations after 23.00 on any day.

e) The protection of children from harm

A Challenge 25 age verification policy shall be in place to prevent sale of alcohol to underage people. This shall detail age verification conditions, ID requirements, staff training and signage conditions wording.

Nobody under the age of 12 shall be permitted on site unless accompanied by an adult. This will be clearly set out within event marketing material.

Security staff with responsibility for the welfare of children shall be satisfactorily DBS checked and carefully selected for the role they will be carrying out.

No under 18s shall work at the licensed site unless a suitable and sufficient risk assessment has been carried out and all control measures effectively implemented.

Any persons believed to be drinking under-age shall be intercepted by security personnel and alcohol disposed of.

Any person under the age of 18 attempting to purchase alcohol, or any adult attempting to purchase alcohol for any person under 18 shall be asked to leave the event after event organisers have considered that it is safe for them to leave site. The Premises Licence Holder will deliver training and implement underage ID checks.

The security & medical teams will be trained and at the events to deal with vulnerable children.

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

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

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

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

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

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

**Documents which demonstrate entitlement to work in the UK**

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



**Continued from previous page...**

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

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

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

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

**Continued from previous page...**

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

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

**Home Office online right to work checking service**

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

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

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

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

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

**Continued from previous page...**

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

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

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

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

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

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

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

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

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

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

Continued from previous page...

Capacity 80000-89999 £56,000.00  
Capacity 90000 and over £64,000.00

\* Fee amount (£)

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

## DECLARATION

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

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

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

\* Full name

\* Capacity

Date (dd/mm/yyyy)

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

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

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

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

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

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Brian Whittal

**From:** Dean Andy (Licensing) <Andy.Dean@thamesvalley.pnn.police.uk>  
**Sent:** 20 April 2021 09:37  
**To:** Licensing Wycombe  
**Cc:** Licensing  
**Subject:** [EXTERNAL] TVP Application Response - Premises Licence for Henley Showground, Marlow Road, Mill End: NO OBJECTION

On 06/04/2021, we received a Premises Licence application relating to Henley Showground, Marlow Road, Mill End

=====  
 a three day festival in either June, July, August, September of 9,999 persons, with food and alcohol concessions. Each day ending 23.00 hrs  
 =====

Based on the supplied information, the Thames Valley Police response is: \*\*\* NO OBJECTION \*\*\*

Andy

**Andy Dean C2915 - Licensing Officer (Wycombe & South Oxfordshire);**  
 Address – Police Station, Queen Victoria Road, High Wycombe, Bucks HP11 1BE;  
 Telephone - (Ext) 01865 309275, (int) 312 6077 (mobile); 07970 145 565  
 Headquarters – 01865 542 059  
 (Hours – Mon – Thurs 0700 – 1500, Fri 0700 – 14.30)  
 NOT RESTRICTED;



\*\*\*\*\*  
 This email contains information which is confidential and may also be privileged. It is for the exclusive use of the addressee(s) and any views or opinions expressed within are those of the originator and not necessarily those of the Force. If you are not the intended recipient(s) please note that any form of distribution, copying or use of this email or the information contained is strictly prohibited and may be unlawful. If you have received this communication in error please forward a copy to informationsecurity@thamesvalley.police.uk and to the sender. Please then delete the email and destroy any copies of it. DO NOT use this email address for other enquiries as it will not be responded to, nor any action taken upon it. If you have a non-urgent enquiry, please call the Police non-emergency number 101. If it is an

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**Brian Whittal**

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**From:** Carl Griffin  
**Sent:** 08 April 2021 18:17  
**To:** Brian Whittal  
**Subject:** FW: New application RG9 3AP  
**Attachments:** Henley DPS Form.pdf; Henley LF Licence Application.pdf; Site plan R1 2021 on OS MAP.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello Brian

As they have committed to deal with our team regarding noise, and will be attending SAG, we have no problem with this licence being granted.

If it doesn't go well this year, we will look less favourably on future events.

Yours sincerely

Carl Griffin  
Control of Pollution  
Buckinghamshire Council  
01494 421742

---

**From:** Control of Pollution Wycombe  
**Sent:** 08 April 2021 15:46  
**To:** Carl Griffin <Carl.CGriffin@buckinghamshire.gov.uk>; Maxine Bowen <maxine.bowen@buckinghamshire.gov.uk>  
**Subject:** FW: New application RG9 3AP

Maxine,

LIPREM SR for Carl please, when you're back.

Carl,

If you can respond please.

Thanks,

**Julian**

**Divisional Environmental Health Officer**  
**(Control of Pollution Team)**  
**Wycombe Area**  
Buckinghamshire Council

Direct Line: 01494 421702 (Internally Ext 3702)  
[julian.smith@buckinghamshire.gov.uk](mailto:julian.smith@buckinghamshire.gov.uk)

Council Offices, Queen Victoria Road, High Wycombe. HP11 1BB

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Brian Whittal

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**From:** Wathes, Claire <[REDACTED]>  
**Sent:** 11 April 2021 20:22  
**To:** Licensing Wycombe  
**Subject:** [EXTERNAL] comment on application Reference 21/00443/LAPREN  
**Attachments:** Wycombe DC planning\_April2021.pdf

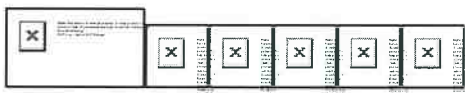
[Please note this has been sent from an external source - treat with caution and do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.]

Dear Mr Wittal,

Please find attached a letter containing my objections to a premises licence application at Henley Showground.  
Yours sincerely,

Claire Wathes

Mrs DC Wathes



This message, together with any attachments, is intended for the stated addressee(s) only and may contain privileged or confidential information. Any views or opinions presented are solely those of the author and do not necessarily represent those of the Royal Veterinary College (RVC). If you are not the intended recipient, please notify the sender and be advised that you have received this message in error and that any use, dissemination, forwarding, printing, or copying is strictly prohibited. Unless stated expressly in this email, this email does not create, form part of, or vary any contractual or unilateral obligation. Email communication cannot be guaranteed to be secure or error free as information could be intercepted, corrupted, amended, lost, destroyed, incomplete or contain viruses. Therefore, we do not accept liability for any such matters or their consequences. Communication with us by email will be taken as acceptance of the risks inherent in doing so.

Mr Brian Wittal,  
Licensing Officer,  
Wycombe District Council,  
Queen Victoria Road,  
High Wycombe,  
Bucks,  
HP11 1BB

11 April 2021

**Re: Premises Licence Application Reference 21/00443/LAPREN**

Dear Mr Wittal,

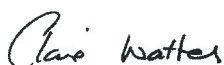
I am contacting you to raise concerns over the application by Starlit Concerts Live to hold outdoor performances on Henley Showground on three consecutive days (Friday to Sunday) from 12 noon until 23.00h on an unspecified date. I have just spent some time trying unsuccessfully to find more information on the Wycombe Council website, so I am uncertain if this is related to the five consecutive days of events currently being advertised at the same location for 12<sup>th</sup> – 16<sup>th</sup> May (<https://thealfrescotheatre.seetickets.com/tour/the-alfresco-theatre-drive-in-henley-marlow/list/1/100>). It may therefore be additional to it. However both sets of planned activities sound similar, involving film, live music, recorded music and alcohol sales.

As you will see from my address, I live in a private property which is immediately adjacent to, and indeed sticks out into, the Henley show ground. While some of the events held there have previously passed relatively peacefully, I have in the past suffered severe disturbance by both Tough Mudder 2018 and 2019 and the Drive and Dine theatre held on 14<sup>th</sup>-19<sup>th</sup> July 2020. In both cases the events generated a totally unacceptable level of noise which could be clearly heard in my house with all the doors and windows shut. Tough Mudder set up their sound system within about 100 m of my garden boundary and broadcast continuously from 7.45 am until 18.50 on the Saturday, and again on Sunday until about 16.00. The Drive and Dine event involved a large number of cars parking in the field in front of the stage. The sound of the films and comedy acts was broadcast to their car radios, but the people attending were actively encouraged to honk their horns to signify laughter or appreciation. There were therefore several hundred car horns sounding off in close proximity to my property for several days, again an extremely unpleasant and intrusive noise. As the same organisers appear to be involved, I am expecting something similar again.

Past history therefore suggests that whatever is being planned for this summer will again make my life very unpleasant due to the noise pollution. The prolonged duration of the events over 3-5 days makes it unrealistic for me to go out to avoid it. As many thousands of people are also expected to go past my property, I also have security concerns to leaving the house unattended.

I think this is an unreasonable situation to expose me to. According to the Council website "Noise can be considered a statutory nuisance if it has a bad effect on you or your enjoyment of your home. The noise would also have to be persistent and regular.." The planned events will clearly fall into this category and I look forward to receiving your comments.

Yours sincerely,



Mrs DC Wathes

## Brian Whittal

---

**From:** Wathes, Claire <[REDACTED]>  
**Sent:** 27 April 2021 12:20  
**To:** Brian Whittal  
**Cc:** Helen Ashworth; David Ashworth  
**Subject:** RE: [EXTERNAL] Re: Star light Concerts -Henley Show Ground RG9 3AS  
**Attachments:** Wycombe DC planning\_27April2021.pdf

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Dear Mr Whittal,

Further to the various emails etc, I do now have a better understanding of what is being planned for the weekend of 7<sup>th</sup>/8<sup>th</sup> of August. I have therefore updated my original letter for consideration by the Council.

Thank you for your continued assistance.

Kind regards

Claire Wathes

---

**From:** David Ashworth <[REDACTED]>  
**Sent:** 22 April 2021 11:07  
**To:** Wathes, Claire <[REDACTED]> Brian Whittal <Brian.Whittall@buckinghamshire.gov.uk>  
**Cc:** Helen Ashworth <[REDACTED]>  
**Subject:** RE: [EXTERNAL] Re: Star light Concerts -Henley Show Ground RG9 3AS

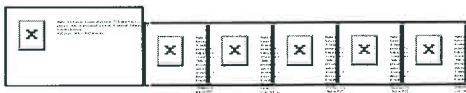
Thank you Claire for you comprehensive response. I apologise for not being able to discuss this with you but I am a bit snowed under at the moment.

Brian can I take this opportunity to introduce myself. Helen and I are neighbours of Claire's and support the concerns that she has raised in previous correspondence to you. We are concerned about the detrimental effect to the natural enjoyment of our properties due to the escalation of events on the Show Ground in relation to nuisance and noise pollution. Therefore, as Claire has eloquently expressed to you, we also support her concerns and wish to have ours listed alongside hers.

Many Thanks.

**David Ashworth MRICS, MRTPI**  
Associate Director (Development)  
Partnerships West London and Thames Valley  
Countryside Properties (UK) Ltd  
Aurora House, 71 – 75 Uxbridge Road, Ealing London W5 5SL.

M: 07554 115725 [www.countrysideproperties.com](http://www.countrysideproperties.com)



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Mr Brian Whittal,  
Licensing Officer,  
Wycombe District Council,  
Queen Victoria Road,  
High Wycombe,  
Bucks,  
HP11 1BB

27 April 2021

**Re: Premises Licence Application Reference 21/00443/LAPREN**

Dear Mr Whittal,

I am writing again to replace the original letter which I sent to you on 11 April 2021. This was written in response to the Notice of Application for a Premises Licence posted at the entry to Henley Showground and I had also looked at the relevant entry on the Buckinghamshire Council Website. At that time, however, neither provided any information as to actual event referred to. I am now aware that this is the Legends music festival <https://www.legendfestival.co.uk/henley-on-thames/>, due to take place over the weekend of 7<sup>th</sup>/8<sup>th</sup> August 2021. According to the licence application, this is to allow sale of alcohol and the provision of film, dance, live and recorded music between the hours of 12.00 to 23.00 each day with an attendance of up to 9,999 persons per day.

As you will see from my address, I live in a private property which is immediately adjacent to, and indeed sticks out into, the Henley show ground. I have in the past suffered severe disturbance by both Tough Mudder 2018 and 2019 and the Drive and Dine theatre held on 14<sup>th</sup>-19<sup>th</sup> July 2020. These previous events generated a totally unacceptable level of noise which could be clearly heard for hours at a time inside my house with all the doors and windows shut. I have also had people attending Tough Mudder trespassing into my garden to use it as a toilet and changing area. You will understand, therefore, that I am concerned at yet another event being planned for this summer which is likely to cause disturbance. According to the Buckinghamshire Council website "Noise can be considered a statutory nuisance if it has a bad effect on you or your enjoyment of your home. The noise would also have to be persistent and regular.." The planned event will clearly fall into this category. As many thousands of people are expected to go past my property, I also have security concerns at avoiding listening to the event by leaving the house unattended.

My previous letter has led Mr Conrad, Managing Director of Starlight Concerts, to contact me directly to try and allay my concerns. Regarding security, I appreciate his offer to ensure that the SIA security guards provided will include my property on their control round and that I will be provided with a site phone number in case any issues do arise.

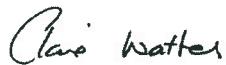
The sound, however, remains a concern. The Council have the authority to set both noise levels and time limits, and to ensure that these are monitored and adhered to. Mr Conrad has suggested that the noise level at my property should be allowed to reach 75db rather than the limit of 65db recommended by the World Health Organisation. I understand that, as sound levels are measured on a logarithmic scale, an increase of 10 dB equates to a 10x increase in the sound energy generated. Although this may not be perceived as 10x louder by the human ear, 75 db is variously described as equivalent to city traffic or a vacuum cleaner in the room. I think that most people would agree that having this level of noise ongoing for 11h per day on two consecutive days in what is otherwise a peaceful location would constitute a disturbance.

Another concern which I have raised with Mr Conrad was the absence of any information associated with the licence application on the Council website relating to COVID. He has informed me that he does indeed

have a COVID management plan, but that this is not publically available. There is also nothing relating to this that I could see mentioned on the event booking website. As the disease will certainly still be in circulation over the summer, I trust that this plan will be adequately scrutinised by the Safety Advisory Group and various other public bodies.

In summary, this event is likely to be added to the calendar of others planned for the summer of 2021 on Henley Showground, contributing to the steady increase in the number of days per year when I am unable to enjoy being in my house and garden. I hope that the Council will therefore review the conditions carefully in an attempt to reduce the amount of disturbance caused below that which is considered a statutory nuisance.

Yours sincerely,



Mrs DC Wathes



## Brian Whittal

---

**From:** Wathes, Claire <[REDACTED]>  
**Sent:** 21 April 2021 13:13  
**To:** Nick Conrad  
**Cc:** Helen Ashworth; David Ashworth; Brian Whittal  
**Subject:** [EXTERNAL] RE: Star light Concerts -Henley Show Ground RG9 3AS

Dear Mr Conrad,

I appreciate your offer to talk things through, but have decided that I would prefer to do this via Mr Whittal at a formal hearing. When I wrote my original letter of concern I only had the information provided on the licence application as posted at the site entrance and what was then available on the Council website, neither of which gave any detail as to the actual event planned or its date. This was why my letter referred to previous events held on Henley Showground which I have experienced. Now that I do know, this has increased my fears that there will be significant disturbance at my property over the weekend of 7<sup>th</sup>/8<sup>th</sup> August. The points you mention in your email below are clearly critical to how far this can be alleviated. However detail is still missing.

1. In your document Reference 21/00443/LAPREN Conditions offered it is stated that steps will be taken to ensure that there will be "reduction in noise level to a reasonable level" but it does not say what is considered reasonable in both my garden and indoors in the house. This needs to be properly defined and supported by calculations of what the anticipated sound levels are likely to be.
2. Regarding security, I have concerns based on previous experience of events at Henley Showground of people trespassing into my garden, as it is close to the route usually used from the car parking area to the event entrance. It has been used as both a toilet (to avoid queuing for the toilets on the site) and a changing area, with soiled clothing left in my garage. The car park is not shown on the site plan, and is more usually in the field to the east of Dairy Lane rather than in the main events field. I am therefore unclear as to the expected flow of people and the extent to which I will be protected by your proposed fencing. It would give me some reassurance to have a phone number available to enable me to contact your security people directly if trespass does occur.
3. Another issue I have now identified is that your document so far fails to mention anything in the section on public safety regarding COVID. It seems extremely unlikely that the risks of infection will be over by August, so I would have expected there to be some plan in place to indicate how such risks will be dealt with, given that you are hoping to have up to 10,000 people in a restricted space. Even though this will be based outdoors there are still going to be undercover areas associated with the toilets and bars.

I remain hopeful that answers to these questions will be built in to the planning. This cannot remove the expected disturbance but could at least reduce its impact somewhat.

Yours sincerely,  
Claire Wathes

---

**From:** Nick Conrad <nick@starlightconcerts.co.uk>  
**Sent:** 20 April 2021 10:18  
**To:** David Ashworth <[REDACTED]>  
**Cc:** Wathes, Claire <[REDACTED]> Helen Ashworth <[REDACTED]>  
**Subject:** Re: Star light Concerts -Henley Show Ground RG9 3AS

Hi David,

Thanks for your email and reaching out - it's really appreciated. I have called you and left a quick message.

I do appreciate your very legitimate concerns and we are keen to do whatever we can to mitigate the impact for local residents. I have included the response, below, I sent to Claire for your reference.

May I suggest we arrange a call, with Claire invited to, so I can talk through our plans and proposals? I'm on hand to answer any questions and I am very keen to listen to your previous experiences and concerns. That way, as we move forward, I can keep those issues at the centre of our planning.

With all good wishes,  
Nick Conrad  
MANAGING DIRECTOR

[www.starlightconcerts.co.uk](http://www.starlightconcerts.co.uk)  
[www.legendsfestival.co.uk](http://www.legendsfestival.co.uk) / [www.80vs90festival.co.uk](http://www.80vs90festival.co.uk)  
[nick@starlightconcerts.co.uk](mailto:nick@starlightconcerts.co.uk)

\*\* My email to Claire:

Dear Claire,

I am emailing to introduce myself. I am the Managing Director of Starlight Concerts. We are proposing the concert licence for the Henley Showground. I was given your email address by the Estate. I hope you do not mind me contacting you directly.

I read your objection to our Premises License Application with interest and sympathy. I wondered if you might be happy to have a quick conversation so I can better understand the problems you experienced in the past at this venue. It is really important for us to work closely with local residents and listen to any concerns.

I was hoping to listen to your views and experiences and then build some concrete conditions into our proposed licence. I hope this would go some way to appeasing your fears. Our licence application is for one single weekend's activity on the site. We aren't attached in any way to the other events you referenced in your objection, or the May event you cited.

We always take on board valuable feedback and I genuinely respect your concerns.

**In brief, I have proposed the following in the application:**

- Limited noise emission agreed with the Council's Environmental Health team ensuring that the volume is lower at your property.
- The mandated use of an intelligent amplification system, ensuring sound is pinpointed and lowered.
- SIA security across the whole site, maintaining security
- The use of Heras fencing around the arena, so our customers are restricted from wandering across the site.

In my experience, if we work together to mitigate the issues, we will achieve a licence which respects all parties. Initially, I would be really keen to hear your concerns and see if I can answer any questions.

We are a family event and often when people understand a little more about our operation, it appeases their concerns. I'd be very happy to offer you tickets as my guest for this summer (if we are successful in obtaining the licence) Here are further details of the proposed concert:

<https://www.legendsfestival.co.uk/henley-on-thames/>

Finally, it goes without saying we hugely respect your right to object. My email only serves to introduce myself and to see if I can better understand the issues raised, ensuring I keep them in mind when planning this concert.

With all good wishes,

Nick Conrad

On 20 Apr 2021, at 09:51, David Ashworth <[REDACTED]> wrote:

## Brian Whittall

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**From:** Mark Turner [REDACTED]  
**Sent:** 27 April 2021 16:33  
**To:** Brian Whittall  
**Subject:** Re: [EXTERNAL] 21/00443/LAPREN Legends Festival

Dear Mr Whittall

Thanks for your reply.

Yes, we are formally objecting to this licence.

Best wishes

Mark Turner  
Fawley Parish Meeting

On 27 Apr 2021, at 08:32, Brian Whittall <[Brian.Whittall@buckinghamshire.gov.uk](mailto:Brian.Whittall@buckinghamshire.gov.uk)> wrote:

Mr Turner,

Thank you for your email.

May I just ask for clarification. Are the Parish council formally objecting to this application for a premises licence? If so, then I can validate your comments below as such.

Please advise.

Regards,

Brian Whittall

Licensing Officer

Communities Directorate

Buckinghamshire Council

Tel: 01494 421346

Email: [Brian.Whittall@buckinghamshire.gov.uk](mailto:Brian.Whittall@buckinghamshire.gov.uk)

Address: Queen Victoria Road, High Wycombe, Bucks, HP11 1BB

---

**From:** Mark Turner [REDACTED]

**Sent:** 23 April 2021 10:52

**To:** Licensing Wycombe <[licensing.wyc@buckinghamshire.gov.uk](mailto:licensing.wyc@buckinghamshire.gov.uk)>

**Subject:** [EXTERNAL] 21/00443/LAPREN Legends Festival

Dear Sir/Madam

Your ref: 21/00443/LAPREN Legends Festival

Our committee is very concerned that the 'Legends Festival' to be held on 7th -8th August 2021 at Henley Showground will create an unacceptable level of noise and nuisance in Fawley Village. Fawley Court Farm, within our parish, has 7 homes and is just a short distance away from the showground. A previous event, the open air cinema a year ago, during which people sitting in their cars were encouraged to hoot their horns, created a cacophony of unwelcome noise. There is also concern regarding the number of people going to the event causing congestion, and pollution on the A4155 Henley Road. Fawley Court Farm properties are adjacent to the Henley Road and suffer the fumes and noise of stationery traffic at such events.

It is also noted that the stage is directed up towards Fawley village. The noise will carry directly to Fawley. You may be aware of socially unwelcome noisy events previously held in Fawley by a landowner in the village which has required Stuart Goodbun to assess the levels

as it has ruined the peaceful amenity of residents. Music events now seem to be 'de rigueur' as we come out of lockdown and not enough is being thought about in terms of protecting residents from noise pollution.

The average noise level in Fawley village from after 7pm is usually below 30 dB LA90,T. and generally tranquil sounds of the countryside other than the odd car at 12 noon when the festival begins. Please can you confirm what will be done to mitigate and reduce to a minimum the potential adverse impacts resulting from noise which gives rise to significant adverse impacts on amenity enjoyment, health and quality of life, especially for our many elderly residents. Many residents would normally be enjoying the sound of birdsong and the peace and tranquility of their gardens during this August weekend which will be blighted. If the council feel this **has** to be permitted, then please can some action be taken to attenuate the noise impact, for instance, the stage be rotated to face out over the river and also test sound levels to ensure the sound does not impact Fawley. It seems to be 'fait accompli' however, as I see that tickets are already on sale.

Yours faithfully

Mark Turner

Chair

Fawley Parish Meeting

M: [REDACTED]



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**From:** Mark Turner <[REDACTED]>  
**Sent:** 23 April 2021 10:52  
**To:** Licensing Wycombe  
**Subject:** [EXTERNAL] 21/00443/LAPREN Legends Festival

Dear Sir/Madam

Your ref: 21/00443/LAPREN Legends Festival

Our committee is very concerned that the 'Legends Festival' to be held on 7th -8th August 2021 at Henley Showground will create an unacceptable level of noise and nuisance in Fawley Village. Fawley Court Farm, within our parish, has 7 homes and is just a short distance away from the showground. A previous event, the open air cinema a year ago, during which people sitting in their cars were encouraged to hoot their horns, created a cacophony of unwelcome noise. There is also concern regarding the number of people going to the event causing congestion, and pollution on the A4155 Henley Road. Fawley Court Farm properties are adjacent to the Henley Road and suffer the fumes and noise of stationery traffic at such events.

It is also noted that the stage is directed up towards Fawley village. The noise will carry directly to Fawley. You may be aware of socially unwelcome noisy events previously held in Fawley by a landowner in the village which has required Stuart Goodbun to assess the levels as it has ruined the peaceful amenity of residents. Music events now seem to be 'de rigueur' as we come out of lockdown and not enough is being thought about in terms of protecting residents from noise pollution.

The average noise level in Fawley village from after 7pm is usually below 30 dB LA90,T. and generally tranquil sounds of the countryside other than the odd car at 12 noon when the festival begins. Please can you confirm what will be done to mitigate and reduce to a minimum the potential adverse impacts resulting from noise which gives rise to significant adverse impacts on amenity enjoyment, health and quality of life, especially for our many elderly residents. Many residents would normally be enjoying the sound of birdsong and the peace and tranquility of their gardens during this August weekend which will be blighted.

If the council feel this **has** to be permitted, then please can some action be taken to attenuate the noise impact, for instance, the stage be rotated to face out over the river and also test sound levels to ensure the sound does not impact Fawley. It seems to be 'fait accompli' however, as I see that tickets are already on sale.

Yours faithfully

Mark Turner  
Chair  
Fawley Parish Meeting

M: [REDACTED]

**Brian Whittal**

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**From:** caroline ingram [REDACTED]  
**Sent:** 27 April 2021 12:09  
**To:** Licensing Wycombe  
**Subject:** [EXTERNAL] 21/00442/LAPREN LEGENDS FESTIVAL

This it to object to the likely noise nuisance that the Legends Festival will cause from lunchtime until far too late. Live music tends to be excessively amplified and past experience of Rewind Festival has shown the noise affects Fawley very badly.

Many residents will be at home enjoying their gardens this coming summer and will not want to hear other people's music.

Please ensure all speakers face AWAY from Fawley if it goes ahead.

Caroline Ingram  
[REDACTED] Fawley

Sent from Samsung Mobile on O2



## Brian Whittal

---

**From:** David Ashworth <[REDACTED]>  
**Sent:** 27 April 2021 12:56  
**To:** Brian Whittal  
**Cc:** Helen Ashworth  
**Subject:** [EXTERNAL] [REDACTED] HENLEY-ON-THAMES, RG9 [REDACTED]

Mr Brian Whittal,  
Licensing Officer,  
Wycombe District Council,  
Queen Victoria Road,  
High Wycombe,  
Bucks,  
HP11 1BB  
27 April 2021

**Re: Premises Licence Application Reference 21/00443/LAPREN**

Dear Mr Whittal,

I appreciate that you have received a letter from Our neighbour Mrs DC Wathes. Our house is next door to her at 5 Dairy Lane, Hambleden, RG9 3AS. Her helpful letter has raised a number of concerns that we share. This letter as hers has been, is written in response to the Notice of Application for a Premises Licence posted at the entry to Henley Showground. At that time, however, the information related to the event was very limited in relation to the actual event referred to. I am now aware that this is the Legends music festival <https://www.legendfestival.co.uk/henley-on-thames/>, due to take place over the weekend of 7<sup>th</sup>/8<sup>th</sup> August 2021. According to the licence application, this is to allow sale of alcohol and the provision of film, dance, live and recorded music between the hours of 12.00 to 23.00 each day with an attendance of up to 9,999 persons per day.

We live in a private property which is immediately adjacent to the Henley show ground. We have in the past suffered severe disturbance by both Tough Mudder 2018 and 2019 and the Drive and Dine theatre held on 14<sup>th</sup>-19<sup>th</sup> July 2020. These previous events generated a totally unacceptable level of noise which could be clearly heard for hours at a time inside our house with all the doors and windows shut. You will understand, therefore, that I am concerned at yet another event being planned for this summer which is likely to cause disturbance. According to the Buckinghamshire Council website "Noise can be considered a statutory nuisance if it has a bad effect on you or your enjoyment of your home. The noise would also have to be persistent and regular.." The planned event will clearly fall into this category. As many thousands of people are expected to go past my property, I also have security concerns at avoiding listening to the event by leaving the house unattended.

We have now been contacted Managing Director of Starlight Concerts, to contact me directly to try and allay my concerns. Regarding security, I appreciate his offer to ensure that the SIA security guards provided will include my property on their control round and that I will be provided with a site phone number in case any issues do arise. The sound, however, remains a concern. The Council have the authority to set both noise levels and time limits, and to ensure that these are monitored and adhered to. Mr Conrad has suggested that the noise level at my property should be allowed to reach 75db rather than the limit of 65db recommended by the World Health Organisation. I understand that, as sound levels are measured on a logarithmic scale, an increase of 10 dB equates to a 10x increase in the sound energy generated. Although this may not be perceived as 10x louder by the human ear, 75 db is variously described as equivalent to city traffic or a vacuum cleaner in the room. I think that most people would agree that having this level of noise ongoing for 11h per day on two consecutive days in what is otherwise a peaceful location would constitute a disturbance.

In summary, this event is likely to be added to the calendar of others planned for the summer of 2021 on Henley Showground, contributing to the steady increase in the number of days per year when we are unable to enjoy being

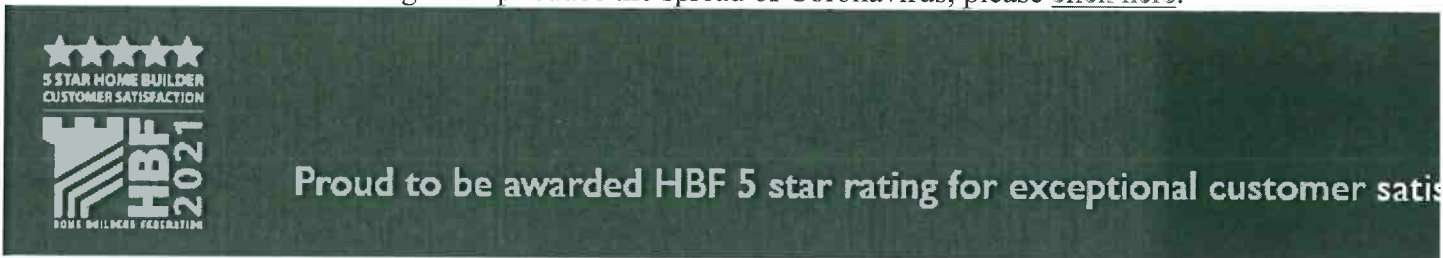
in our house and garden. In addition the Tough Mudder event occurs either during exam time or the revision period prior to exams. This has meant that we have had to relocate our children due to the noise and disturbance. I hope that the Council will therefore review the conditions carefully in an attempt to reduce the amount of disturbance caused below that which is considered a statutory nuisance.

Many Thanks.

David Ashworth MRICS, MRTPI  
Associate Director (Development)  
Partnerships West London and Thames Valley  
Countryside Properties (UK) Ltd  
Aurora House, 71 – 75 Uxbridge Road, Ealing, London W5 5SL.  
M: [REDACTED] [www.countrysideproperties.com](http://www.countrysideproperties.com)



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**Brian Whittal**

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**From:** Nick Conrad <nick@starlightconcerts.co.uk>  
**Sent:** 07 May 2021 10:38  
**To:** Brian Whittal  
**Cc:** Emma Brayne  
**Subject:** Re: [EXTERNAL] Legends Festival License Application

Dear Brian,

Please find the following proposed conditions following my meeting with the residents:

**In response to Mrs Wathes point 1.**

- I have included some wording below, which I am happy to adopt, if agreed, at our hearing or prior in mediation.
  
- *We shall write to residents in the nominated sensitive properties to advise them of our activity and give them an on site telephone number to call in the event of disturbance.*
  
- *We shall monitor sound throughout the event, both on site and at pre-agreed locations throughout the local area. All readings will be shared with Buckinghamshire Council. Sound emissions at properties on Dairy Lane will be monitored at regular intervals.*
  
- *We shall employ the use of relay speakers, where the audience is in excess of 5,000 for any one day, to help reduce the overall noise emissions.*
  
- *We will use an intelligent line array PA system, with pin-point directional sound.*
  
- *The premises licence holder shall ensure that there is no live or recorded music audible at the pre-agreed noise monitoring locations after 23:00 on any day.*
  
- *The premises licence holder shall ensure that music noise levels do not exceed the pre-agreed limit, as set by Buckinghamshire Council, over a 15 minute period at the pre-agreed noise monitoring locations before 23:00 on any day.*
  
- *All pre-agreed limits to be set in writing no later than 1 month prior to the event.*
  
- *The premises licence holder shall ensure that music noise levels in either of the 63Hz or 125Hz octave frequency bands does not exceed the pre-agreed limit, as set by Buckinghamshire Council, over a 15 minute period at the pre-agreed noise monitoring locations before 23:00 on any day.*
  
- *We allow access to Environmental Health to conduct a sound test, on site, at their convenience on the first event day of any performance, or at any point thereafter or a pre-agreed time before an event day.*

In general:

**SIA Security:**

We will place an SIA security guard in the vicinity of your properties to monitor the area throughout the event. Our strategic use of Heras fencing will deter any wandering of concert goers throughout the event.

## Bottom Gate & Traffic:

We wish to use the bottom gate for ingress and egress. This is subject to SAG approval; however, we will put this forward to the Advisory Group in our planning. If this changes, I'll make contact with you.

## Invitation:

Anyone residing in a property on Dairy Lane are invited, with an additional four guests, to attend the concert as our guests on both days. (I have explained this might not be a condition of the license but a goodwill gesture)

## EMP planning and site visits:

I will be on hand to meet you and show you around the site in the build-up to the event. I will also conduct a Zoom chat in advance of the event to talk through the latest planning. I remain on hand to talk at your convenience, including addressing any concerns. I'm happy to place a consultation, for local residents on their request, into the license conditions.

They were very apologetic in their instance that other events have caused them problems and they understand the nature of the event is different from ours. I think we can mediate a solution and compromise as they seemed very reasonable.

With all good wishes,

Nick Conrad  
MANAGING DIRECTOR

[www.starlightconcerts.co.uk](http://www.starlightconcerts.co.uk)  
[www.legendsfestival.co.uk](http://www.legendsfestival.co.uk) / [www.80vs90festival.co.uk](http://www.80vs90festival.co.uk)  
[nick@starlightconcerts.co.uk](mailto:nick@starlightconcerts.co.uk)

On 7 May 2021, at 10:20, Nick Conrad <[nick@starlightconcerts.co.uk](mailto:nick@starlightconcerts.co.uk)> wrote:

Understood, that's no problem. I'll ensure my diary is booked out to allow for travel time.

Kr,

Nick Conrad  
MANAGING DIRECTOR

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[nick@starlightconcerts.co.uk](mailto:nick@starlightconcerts.co.uk)

On 7 May 2021, at 10:18, Brian Whittall  
<[Brian.Whittall@buckinghamshire.gov.uk](mailto:Brian.Whittall@buckinghamshire.gov.uk)> wrote:

The covid regulation for hearings have not been renewed by Govt. So the hearing shall be in person

Dear Mr Whittal,

Thank you for sending through the extra information. Unfortunately this still does not contain the all important point as to what the actual agreed maximum noise level is going to be. Additionally, Mr Conrad has pointed out that the levels are averaged over 15 minute periods. Therefore the actual maximums are clearly going to exceed the agreed average, so I am assuming that they will be clearly audible at my property. Unless this level is pre-agreed at a reasonable level then my objection will remain.

Regards

Claire Wathes

Thank you for your email Mr Whittal.

Looking at the information submitted to you, it does not really give any further guidance to us apropos noise levels or how we are to benefit from the applicants conditions provided.

PA speakers with Pinpoint directional sound, I am sure are great, but it is not mentioned where they will be directed. The position of the stage suggests they will be directed up towards Fawley

Please can I ask what is permitted by the Council in terms of noise levels at a festival like this? What dB noise level is considered acceptable by the council at the nearest residential address? If it 65dB for instance that is nearly 15 times the level of noise a near neighbour would normally experience at 7pm - 11pm. In fact almost like being next to a motorway.

The clever tweaks that can be done to reduce noise levels do not seem to be fully explained in the detail you have copied below.

If noise levels can be contained at low-end frequencies. The detail does not mention if it will be centred around 63 hertz and what the noise levels will be around that octave.

There are no details about the Council pre-agreed noise level within the event itself. Many music events are over 110dB and containing that sound level would be very difficult.

Is it possible to know the more finite info?

Thanks and best wishes

Mark

Mark Turner  
Fawley Parish

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