

TRUNKWELL MANSION HOUSE HOTEL

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STATEMENT OF SWAPANDEEP MANN

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1. I am the manager of Trunkwell Mansion House Hotel. These are my representations in response to the application for review of the licence in respect of these premises brought by Suzanne McLaughlin.
  
2. I should say from the outset that I, together with the premises' DPS Robert Walton, have worked in partnership with Ms. McLaughlin in order to try and find a solution to the issues raised in the review application. I am grateful for the help and advice that she and her colleagues have given me. I have had several meetings with Ms. McLaughlin. The latest of these was on 8<sup>th</sup> November 2016, and I am hopeful that the proposals and concessions that we have made will go a long way to answering her concerns and those of the residents.
  
3. **HISTORY:**

The premises have operated as a high-class function venue with extensive grounds and marquees since 1990. For over 25 years Trunkwell House has operated successfully, hosting over 2,000 weddings and with an average of 20,000 guests a year. They operated without incident until the end of 2014 when Mr. Walton was notified that the council had received noise complaints from a local resident. It is the case that new homes have been built and occupied in the recent past which may have resulted in residents being located closer to the House than previously. In any event, Mr. Walton sought to engage with the residents in order to address their concerns. The WBDC served a noise abatement notice on 10<sup>th</sup> February 2015. Mr. Walton was extremely concerned about the notice and instructed noise consultants to advise him on remedial measures that could be undertaken to address the complaints.
  
4. A number of steps were taken to address the Notice which included:
  - The installation of a noise limiter with a cut off for amplified sound set at a level that allowed for a more acceptable level

- Revised terms and conditions for those booking events, giving the venue greater control over the people who have booked an event (requiring them, for example, to route any external equipment from live bands and DJs through the limiter)
  - The creation of a noise management plan which put in place several important protocols in respect of noise escape from events, and how the venue would address these.
5. As a result of these measures, Ms. McLaughlin was able to report in a letter dated 16<sup>th</sup> January 2016 that, having undertaken seven monitoring visits by EHOs between 21/08/15 and 2/1/16 of events in the marquees (three weddings and four Christmas/New Years parties), and having placed monitoring equipment in two residential properties, and having monitored in a number of locations in the village:
- “Whilst at times noise emitted was audible in some capacity this was not deemed sufficient to be a breach of the Notice. Your noise management from the premises will need to be continued and this is where the role of your noise management plan for continually monitoring and reviewing events is essential.*
- Our review of the officer visits, the noise recorded and feedback from the residents has concluded that there have not been any events sufficient to be a breach of the notice. Therefore no action will be taken by Environmental Health at this time”.*
6. I was very relieved by this sensible and common-sense conclusion. It showed that the venue, through its robust approach to the problem, was capable of containing it.
7. I was dismayed, however, when I received this application for review. I, of course accept, that the licensing objective of public nuisance carries with it different considerations, nevertheless there is considerable overlap between the two regimes. I am confident that, if we could overcome the issues in relation to the Noise Abatement Notice, we can do the same in respect of the concerns over public nuisance.
8. I should add at this stage that the venue has always been very much a part of village life. Robert Walton has lived in the House and in the village for many years and was very active in village affairs (he was a former head of the Village Steering Committee for 2 years). The House itself has been used for very many village activities. By way of example, it has hosted the Beech Hill Village Show for the last four years. This is

an event which provides an opportunity for village groups, associations and charities to come together at a single event to showcase their work and achievements. Every resident of the village attends free of charge, as they have done to the many other village events which have taken place over the last 20 years.

9. Clearly a balance needs to be struck between a venue which needs to run in profit in order to survive, and the interests of the residents who have chosen to live in a village which has had a long-established events facility.
  
10. I am happy to say that, as a result of helpful discussions with Ms. McLaughlin, I can come before the LSC with a number of concessions and proposals which, I say, will go a very long way to providing this balance. These are the measures that I propose to adopt:

i) **Noise Management Plan:**

Following the advice of an accredited acoustic consultant we have formulated an NMP which lays out in clear and specific terms precisely how we propose to run the venue. It contains a number of proposals which I will set out below. Ms. McLaughlin has sensibly proposed that the NMP should be a dynamic or "living" document that can be amended and improved upon. Rather than cherry pick proposals contained in the document and imposing these as conditions on the licence, she has proposed that the document itself becomes a condition on the licence, and that there should be a general condition that the premises should be operated in accordance with the provisions of the NMP. I am happy to agree this

ii) **Operating hours and music:**

From 10 January 2016 (our current bookings for Christmas Events finish on 9 January 2016) there shall be no amplified music played in the marquees after 23.30 (Sunday to Thursday) and 00.00 Friday and Saturday. The current licence permits music until 2am Monday to Saturday and 00.30 on Sundays. It follows that the premises will have 15 fewer hours of amplified music a week. Additionally, it is proposed that there shall be no music played outside the marquees after 5pm save for incidental accompaniment by no more than 3 players. As noted at paragraph 5 earlier, there were no actionable noise issues noted during the equivalent events last year, despite close monitoring by the EHOs.

- iii) **Amplified recorded music:**  
Amplified music played in the marquees shall be subject to a noise limiter which will be set at 87DB LAeq *or such lower level as may be set by the management following walk around checks or otherwise*. I know that Ms. McLaughlin is reluctant to set a limit. I would prefer to have a limit identified that I can be certain about. I have been advised that case law in The High Court favours the setting of an identified limit over other more subjective tests (audibility) because it lays down in clear terms what is expected of the operator.
- iv) **Amplified live music:**  
Shall not be permitted in the marquees except by prior agreement with the licensing department of WBDC and for which a Temporary Event Notice will be sought. I should add here, that there are a small number of events already booked in the near future which will have live music and/or dodgems (see below) and which we are contractually bound to honour. It is hoped that Ms. McLaughlin and the residents will be amenable to these going ahead, in view of the many other permanent concessions that the venue is making. All live music shall be controlled by the sound limiters, and no equipment shall be used which is not controlled by the limiters which are now installed in both marquees. Amplified voices (speeches and the like) must also be routed through the limiters.
- v) **Acoustic instrumentation:**  
Drums and the like are an essential part of some weddings. If they are to be used, then we will restrict the use, number and type (bass drums carry sound over greater distances) as is appropriate to the event. In any event, no drums of this type will be permitted after 10pm.
- vi) **Fireworks:**  
Written notice will be sent to all of the houses in Beech Hill at least 3 days prior to any event. Any display will last no more than 15 minutes and will end no later than 22.15.
- vii) **Dodgems:**  
None will be provided from 10<sup>th</sup> January 2017 except by prior agreement with the licensing department of WBDC. We have existing bookings over the

Christmas and New Year period that we are contractually bound to honour, and it is hoped that the residents and Ms. McLaughlin will show forbearance with these.

viii) **Noise generally from patrons:**

A comprehensive list of the measures that we will take to minimise patron noise is contained in the NMP: SIA; notices; supervision of car park; training; CCTV; information to those who have booked the venue etc.

ix) **Noise monitoring points:**

These are identified in the NMP, together with the establishment of protocols and logs for the monitoring of events.

x) **Complaints:**

The NMP sets out an established procedure for complaint management. We reviewed our procedures when it was said that our existing system needed improvement. It is hoped that residents can be encouraged to contact us directly with their complaints so that we can address them immediately, and at the time that they occur, rather than complaining to the WBDC after the event has taken place.

**11. The Future:**

I have long term plans for the venue which will see the replacement of the Grand Marquee with a new bedroom wing to the hotel. In this way, we can change the emphasis of the venue from an events venue to more of a country house hotel. We have been granted planning permission to do this. However, we cannot go ahead with the project without sufficient funding, and in order to fund this project we need to be able to continue as we are in the short term, but subject to the very real and restrictive concessions that we make in an effort to find the appropriate and proportionate balance in these proceedings.

I confirm that this statement is true and that I understand that 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 the Review application.

Signed



dated 14.11.2016

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Version 0.11 (Eleven)

Implemented on: 13 11 2016

Review Date (at 3 month intervals): 13 02 2017

## **1. Introduction**

As professional entertainment/events business operators we are fully committed to ensuring that our activities do not generate noise disturbance to our community of residents in Beech Hill Village.

The purpose of this Noise Management Plan is to detail our procedures to ensure, as far as possible, the minimisation of disturbance to local residents from our venue and to meet our legal obligations.

This plan has been developed using guidance provided by West Berkshire District Council, and is designed to prevent public nuisance and meet the licensing objectives under the Licensing Act 2003. This plan is a dynamic document which underlays our Premises Licence, and will be reviewed at least quarterly, or as and when necessary.

Any amended document will be deposited with the West Berkshire District Council, Environmental Health and Licensing team (or an appropriate successor body).

This plan will be used proactively and reactively to assess and review each event in order to identify which steps in the policy need to be taken to guard against the potential for noise nuisance. This will also highlight any changes that are needed to the Plan particularly in the light of any complaints, to assess whether changes could be made. This plan will be referred to the Environmental Health Officer at West Berkshire District Council at least quarterly in formal review for comment.

## **2. Summary of premises**

Trunkwell House has been an events venue for the past 25 years. Before this, since 1963, it was a restaurant with rooms. It is one of the oldest establishments in Beech Hill Village, dating back to the 19th Century.

Trunkwell House now hosts weddings and corporate events and offers seven boutique bedrooms. There are three main areas where events are conducted:

- Trunkwell House Restaurant (although this area is without any amplification equipment)
- Garden Marquee, and
- Grand Marquee

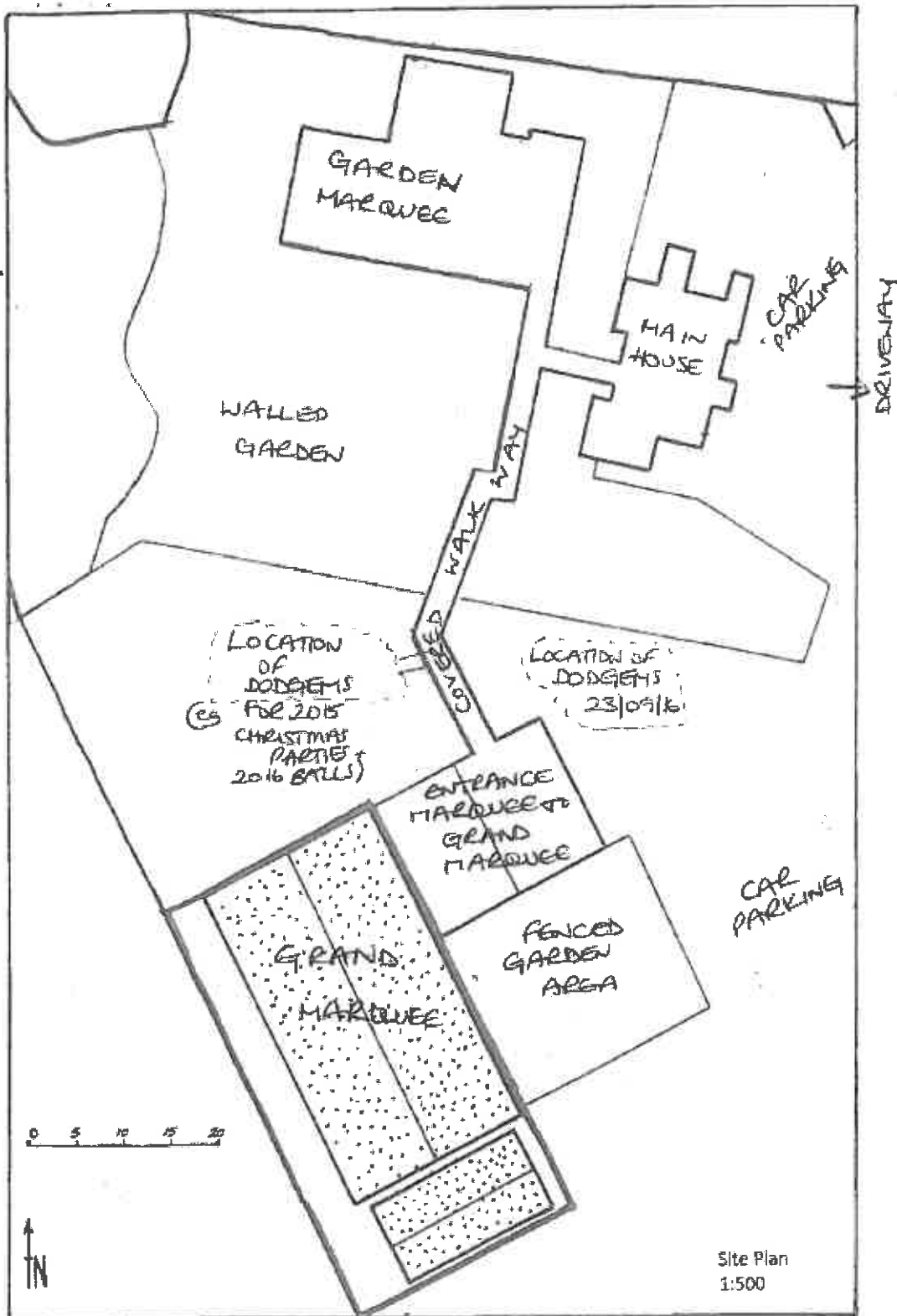
## **3. The Purpose of our Noise Management Plan**

- To identify potential sources of noise from our activities
- To provide controls to minimise the noise impact of our activities on local residents and to prevent nuisance
- To meet the licensing objectives and the conditions of our own Premises Licence
- To provide an appropriate record of and response to complaints

#### 4. Location Plan and Site

##### Site Plan of Trunkwell House

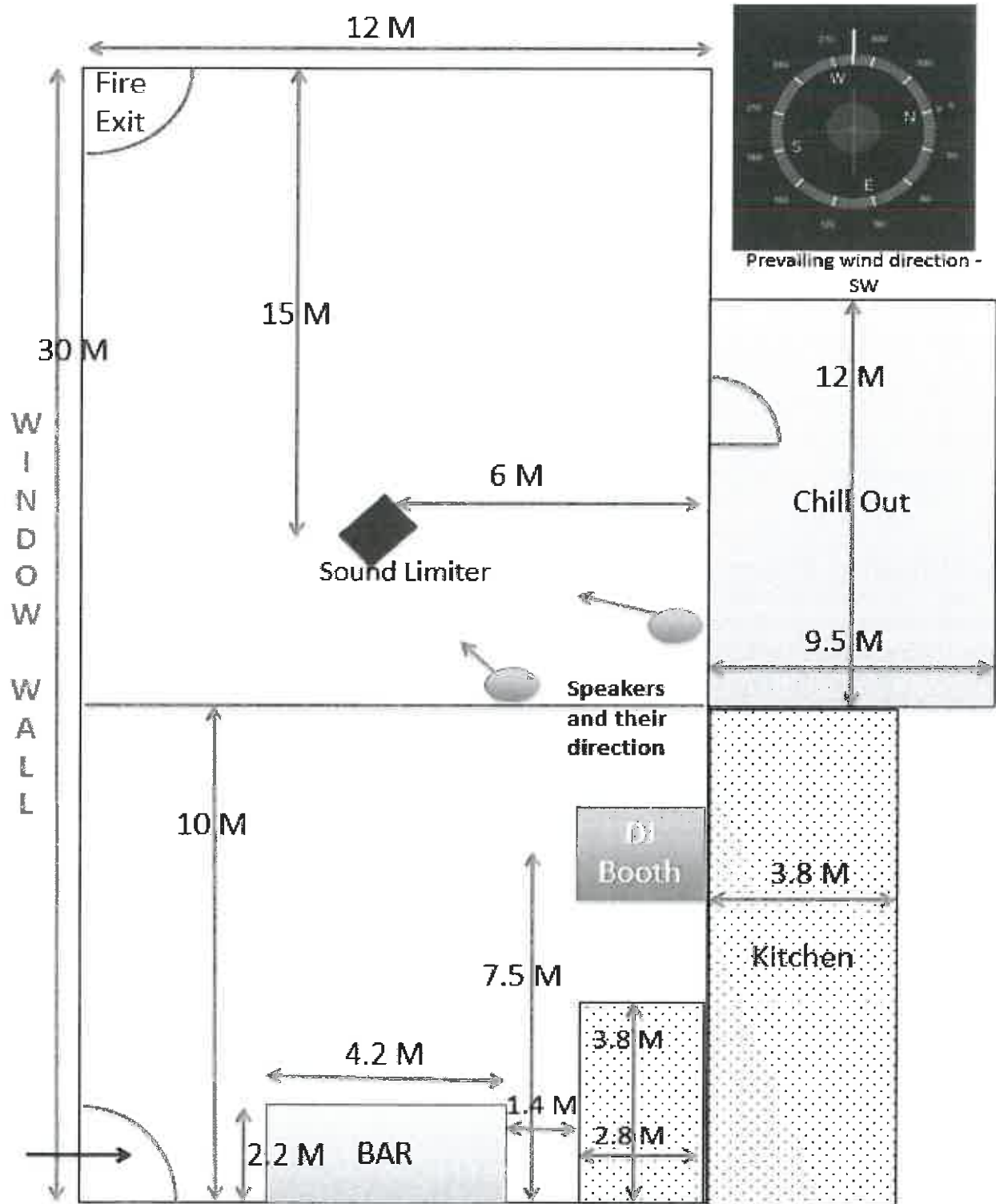
Layout plans of the marquees will vary from event to event. The layout will include consideration of the location and orientation of stages and speakers in order to take account of likely noise impact"



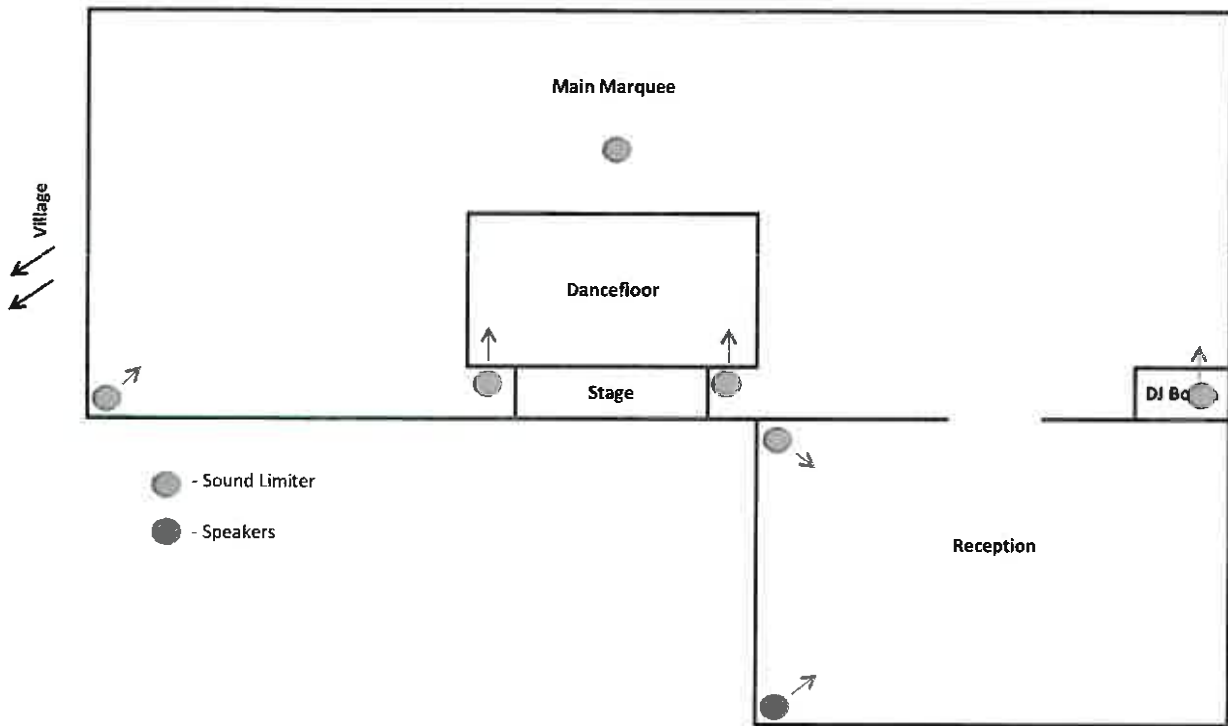


# Specimen Marquee Layouts

## Garden Marquee (plan to be further updated)



**Grand Marquee (plan to be further updated):**



## 5. Inventory of Noise Sources

The following are the identified sources of noise arising from activities at Trunkwell House:

- Amplified Recorded Music
- Amplified Live Music
- Amplified voices (e.g. during presentations, etc.)
- Acoustic Instrumentation (e.g. drums)
- Fireworks
- Noise from persons (e.g. shouting and screaming)
- Fairground rides (e.g. dodgems)
- Vehicle movements
- On site generator

## 6. Controls for Noise Sources

Having identified the Noise Sources, this section provides details of the controls in place for each source.

Notwithstanding the controls below, the following is applicable for every event held at Trunkwell House. Other than **events already booked up to 9/1/2017 and** between the end of permitted hours on 31 December and commencement of permitted hours on 1 January each year, there shall be no amplified music played in the Marquees at the premises after:

- **Sunday to Thursday: 23:30**
- **Friday and Saturday: 00:00**

**For the events booked as Christmas parties up to 9/1/2017, there shall be no amplified music played in the Marquees after 00:30.**

There shall be no live amplified music played outside at the premises after 5pm other than incidental or accompaniment to an event and by groups of no more than 3 performers.

### Amplified Recorded Music

All amplified music played in the Marquees at the premises will be subject to a sealed/tamper-proof noise limiter/noise monitor system to limit volume to no more than 87dB LAeq or such other lower level as may be set by the management following walk around checks or otherwise.

The volume limit will be revised downward if necessary on an event-by-event basis.

No equipment will be used if it cannot be controlled through our Sound Limiters.

The majority of events use our regularly-booked DJs, however any DJ contracted to provide amplified recorded music will only do so following full instruction in the use of the Noise Limiters.

All speakers are directed downwards towards the floor and directed in a way so as to not direct sound towards sensitive noise receptors.

Low frequency sound has been controlled by removing the sub woofers and bass speakers in both marquee sound systems.

Amplified music will only run till 12:30 am on New Year's Eve party night.

### **Amplified Live Music**

There shall be no live bands playing amplified music in the Marquees at the premises except pursuant to a Temporary Event Notice approved by the Licensing Authority.

The only exception to this will be the events currently booked at the time of drafting this version of the NMP, on 28/05/2017, 15/06/2017, 08/09/2017 and 14/10/2017)

All amplified live music is played through and controlled by our Sound Limiters.

No equipment will be used if it cannot be controlled by our Sound Limiters.

Any act contracted to provide live music will only do so following full instruction in the use of the Noise Limiters.

### **Amplified voices (e.g. during presentations, etc.)**

All amplified voices are played through and controlled by our Sound Limiters.

No equipment will be used if it cannot be controlled by our Sound Limiters.

Any amplification for voices during presentations and speeches will only be permitted after instruction in the use of the Noise Limiters.

### **Acoustic Instrumentation (e.g. drums)**

Drums are an essential part of some weddings, with wide variation in the type and size, and therefore the frequency and volume. Should their use be requested, at the time of booking the terms under which they are used will be negotiated to reduce the risk of their use becoming a source of unacceptable noise to local residents.

Should drums be required as part of a wedding celebration, the Booking Manager will ensure that an agreement is reached to ensure that the size and number of drums is appropriate to the venue, that drums will only be used for short periods, and always in a manner which will minimise the noise impact on local residents.

Particular attention will be paid to avoid bass drums where the impact of the frequency of these drums may be heard over a greater distance.

The use of drums of this type will never be permitted after 10.00pm.

## **Fireworks**

We are often requested to provide fireworks at events. To reduce the risk of their use becoming a source of unacceptable noise to local residents, there will be NO fireworks at events at the premises except as follows:

- Written notice will be sent to all the houses in Beech Hill at least 3 days prior to any event including fireworks;
- Other than by prior agreement with the Licensing department of the Licensing Authority, any firework display will last no more than 15 minutes and will end no later than 22:15pm and will use low noise display fireworks

## **Noise from persons (e.g. shouting and screaming)**

We will do all we can to appeal to our customers to enter and leave quietly and to respect the privacy and peace enjoyed by our local residents. To this end we will:

- Give instructions and information to our customers to ensure they are aware of the necessity to appropriately minimise noise
- Erect clear legible notices on the premises requesting customers, patrons and staff to keep noise to a minimum and to respect local residents privacy when entering and leaving the premises and to advise customers, patrons and staff to park considerately
- Train our event managers to work with our customers to reduce the potential noise arising from raised voices
- Taking into account the potential for noise arising from bottle handling, there will be no empty bottles or other similar items placed in outside receptacles between the hours of 22:00 and 09:00
- Have staff on hand to supervise patrons during the anticipated times of arrival and departure
- Have staff to supervise car parking and departure by patrons at any event booked for 100 or more persons
- Provide SIA-registered door supervisors at any event for which more than 100 tickets are sold to the general public and which continues after 19:00pm. There will be a minimum of 2 such door supervisors and 1 additional door supervisor for each further 100 tickets sold
- Install a CCTV system at the premises and maintain it in good working order and be continuously recording at all times that licensable activities are taking place. All CCTV footage shall be kept for a minimum period of 14 days and shall, upon reasonable request, be made available to authorised officers of the police or the Licensing authority
- Keep a register of any incidents at the premises, including any refused sales of alcohol, and a copy retained for at least 12 months. The register shall be available at the premises for inspection by authorised officers of the police or the Licensing authority upon request
- Provide training to all customer-facing staff in relation to their duties regarding alcohol sales and noise nuisance at the premises before commencing work at events at the premises and refresher training at least annually. A register of such training will be kept and a copy retained for at least 12 months. The register shall be available at the premises for inspection by authorised officers of the police or the Licensing authority upon request

## **Fairground rides (i.e. dodgems)**

There will be no dodgems or similar fairground rides likely to risk unacceptable customer noise provided at events at the premises after 9 January 2017 except by prior agreement with the Licensing department of the Licensing Authority. Should there be any other fairground rides provided, children's "tea-cup" rides or similar, these will always be subject to a review of appropriate controls (including a consideration of appropriate location, prior to the event to ensure that the potential for noise disturbance is minimised and, for every event, appropriate noise monitoring will be carried out.

## **Vehicle movements**

We will do all we can to ensure that vehicle movements do not cause unnecessary disturbance to local residents. To this end we will:

- Ensure that our instructions as to how to find the venue are clear to ensure that our visitors access the premises safely and appropriately
- Place clear signage to ensure that the access and egress from the site is safe and well managed
- Ensure that any helicopter movements at the premises will only be permitted between the hours of sunrise and sunset and in any event no later than 9pm
- Only permit any particularly noisy vehicles to be used during events before 9pm

## **On site generator**

Our on site generator is contained within a suitable housing and as yet, has never been the subject of any noise complaint.

## **7. Our sound systems and speakers**

This section details our sound systems in the Grand Marquee and in the Garden Marquee.

### **Grand Marquee**

1. Max. 3x full range active Speakers- no subwoofers (reception)
2. Max. 4x full range active Speakers- no subwoofers (main marquee)
3. 1x speaker amplifier to power passive speakers if needed
4. PA System
5. Wired Microphone
6. Set of Wireless Microphone in case of speeches
7. Independent speaker volume controller
8. A Formula Sound Sentry Mark 2 Sound Limiter

### **Small Marquee**

1. DJ Controller with Laptop
2. Max. 2x full range active speakers- no subwoofers
3. 1x speaker amplifier
4. Wired Microphone
5. Set of Wireless Microphone in case of speeches
6. A Formula Sound Sentry Mark 2 Sound Limiter

## 8. Our Sound Limiters

- Our Sound Limiters are permanently controlling ALL amplified sound on site
- Our Sound Limiters are set to control sound to a MAXIMUM level of 87dB – above that, all amplified sound is cut
- The use of Sound Limiters is a pre-condition of all bookings and is enforced by our Management Team for every event – without exception
- The Event Manager is the only person authorised to make adjustments to the limiters

### Background

For all amplified sound on site, for example where DJs, bands or our corporate clients bring their own sound equipment, our sound limiter controls the mains power ring used for the sound equipment.

Effectively, our Sentry MK2 limiters, which are fitted into both the Garden and Grand Marquees monitor sound levels and control the maximum music levels. They are positioned in accordance with the manufacturer's guidance at Fig.1.

The limiters monitor sound levels and provide a trigger when a pre-set sound level is exceeded. This trigger is used to trip a contactor removing the mains power supply to the music system. When the Sentry trips the contactor there is a short delay before the system can be reset.

Our Sentry Mk2 limiters are used in accordance with the manufacturers' instructions and are mounted opposite the performing area where the DJ or band can see it.

### In Operation

The Sentry Noise Limiters feature a large bar-graph VU meter with 23dB range to give a good visual indication of the noise level. This will assist those managing the sound to control the potential for noise disturbance.

Effectively, whilst the visual display meter is operating in the green section, with even an occasional peak into the red, there is no cause for concern.

As per the factory set, our Sentry Noise Limiters have a 20 seconds delay when limit is just exceeded before power is removed. After the sound level is exceeded and the power cut, those managing the sound will have the opportunity to reduce sound levels by adjusting the amplification equipment.

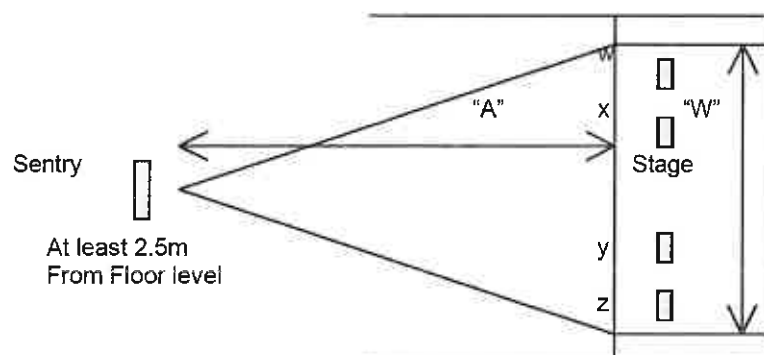
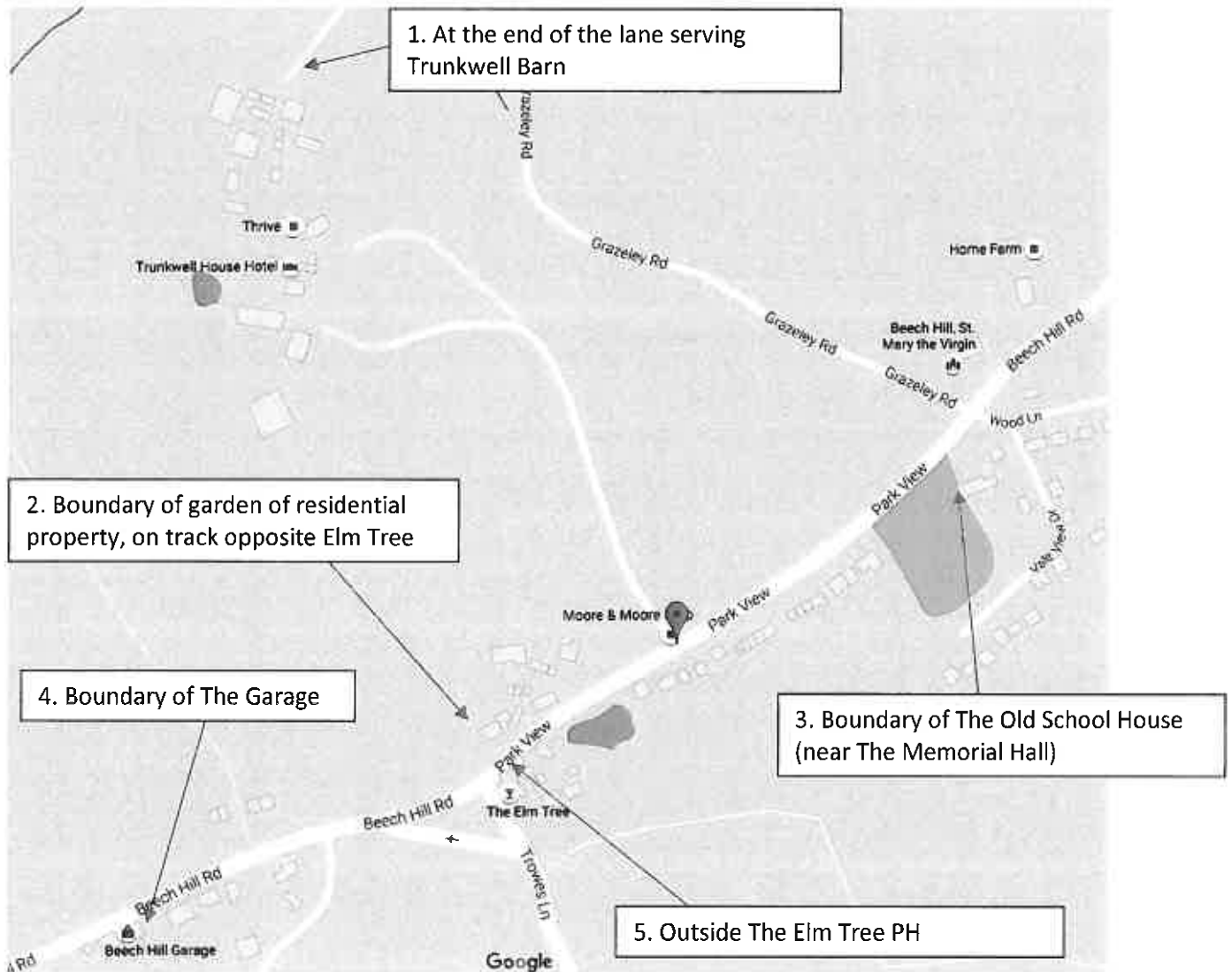


Fig 1  
Distance "A" should never be less than distance "W".

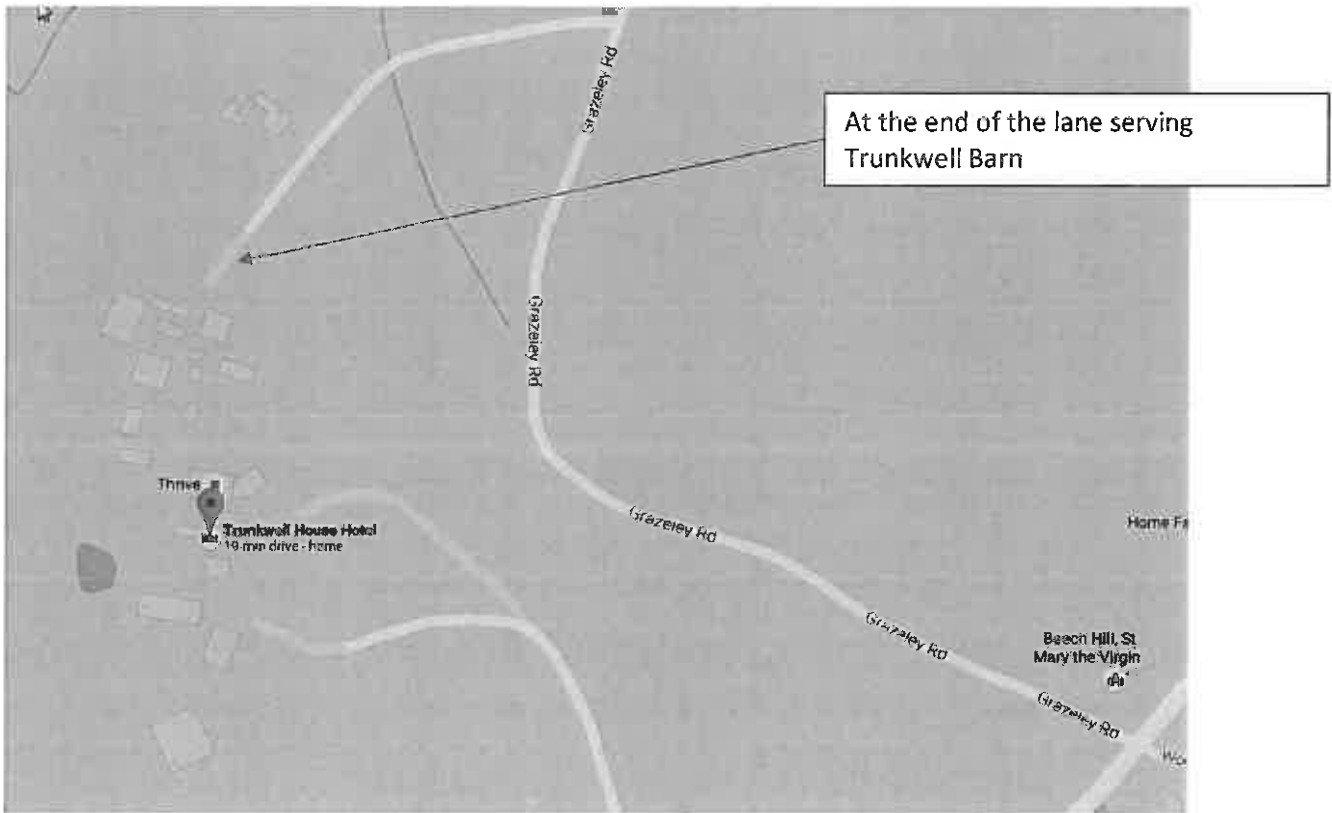
## 9. Noise Monitoring Points

The potential for noise disturbance will be monitored at each of the following points during every event.

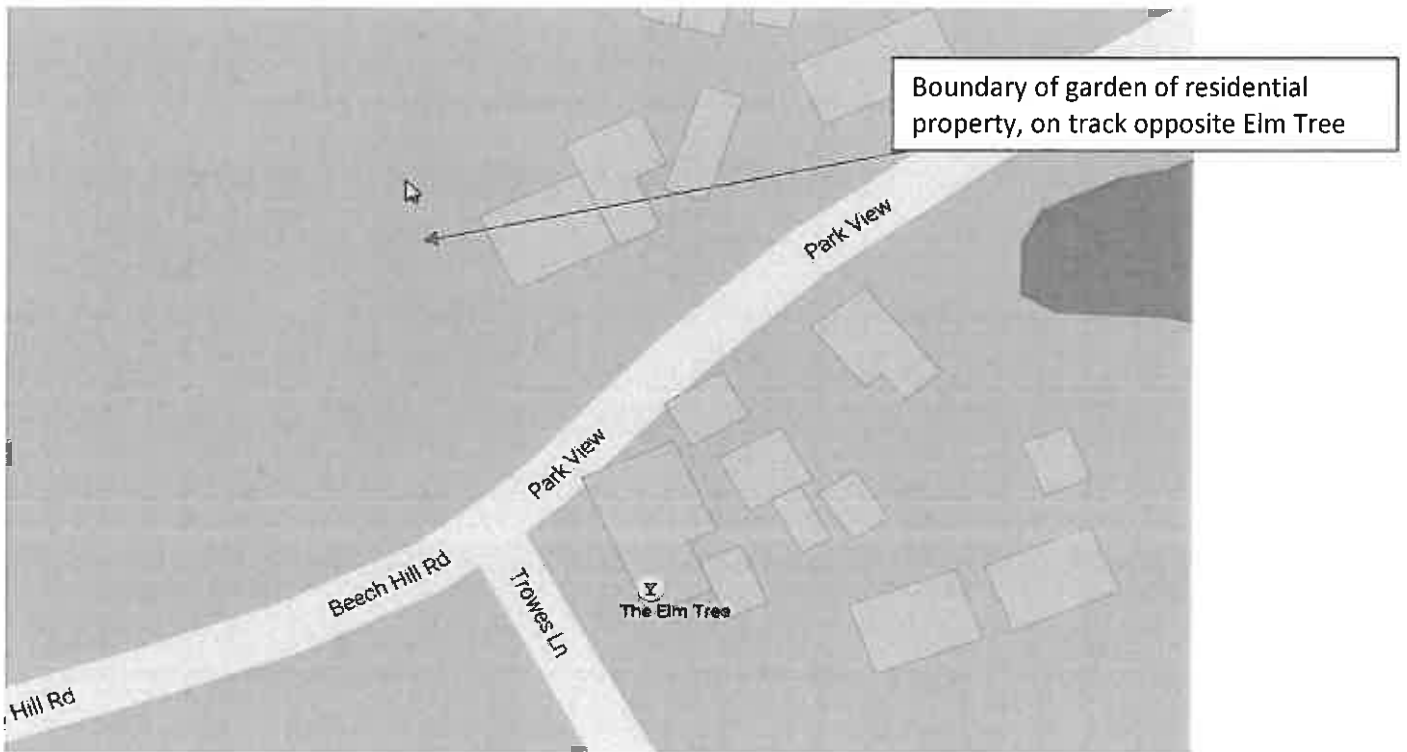




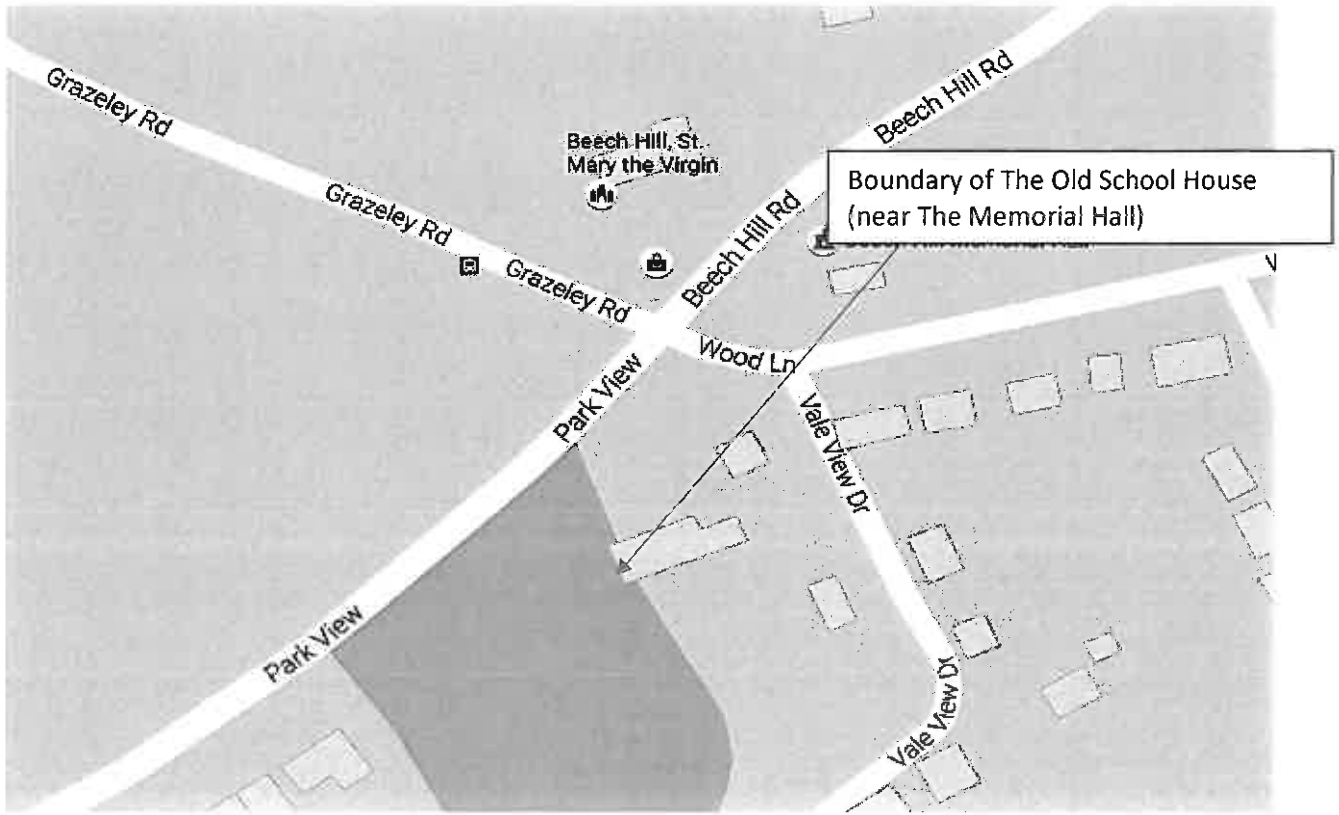
## Noise Monitoring Point 1: The Northern Properties, Lane at Trunkwell Barn



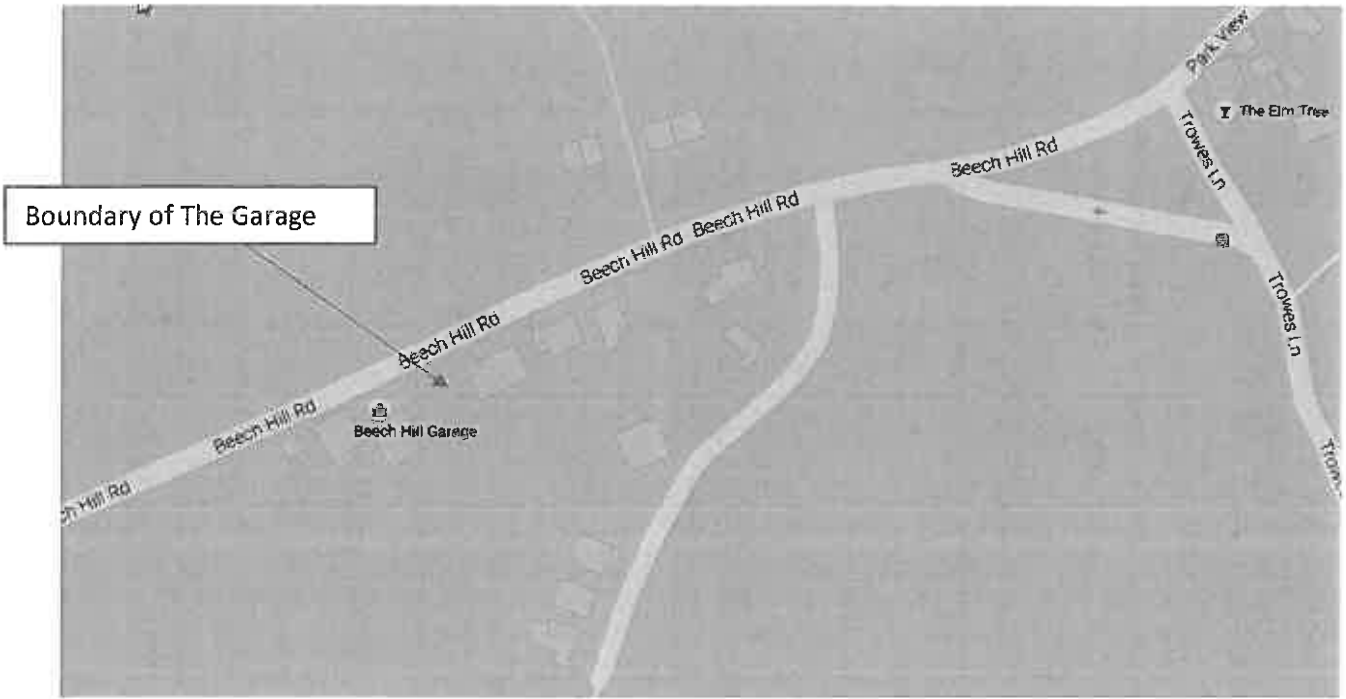
## Noise Monitoring Point 2: On track opposite the Elm Tree PH



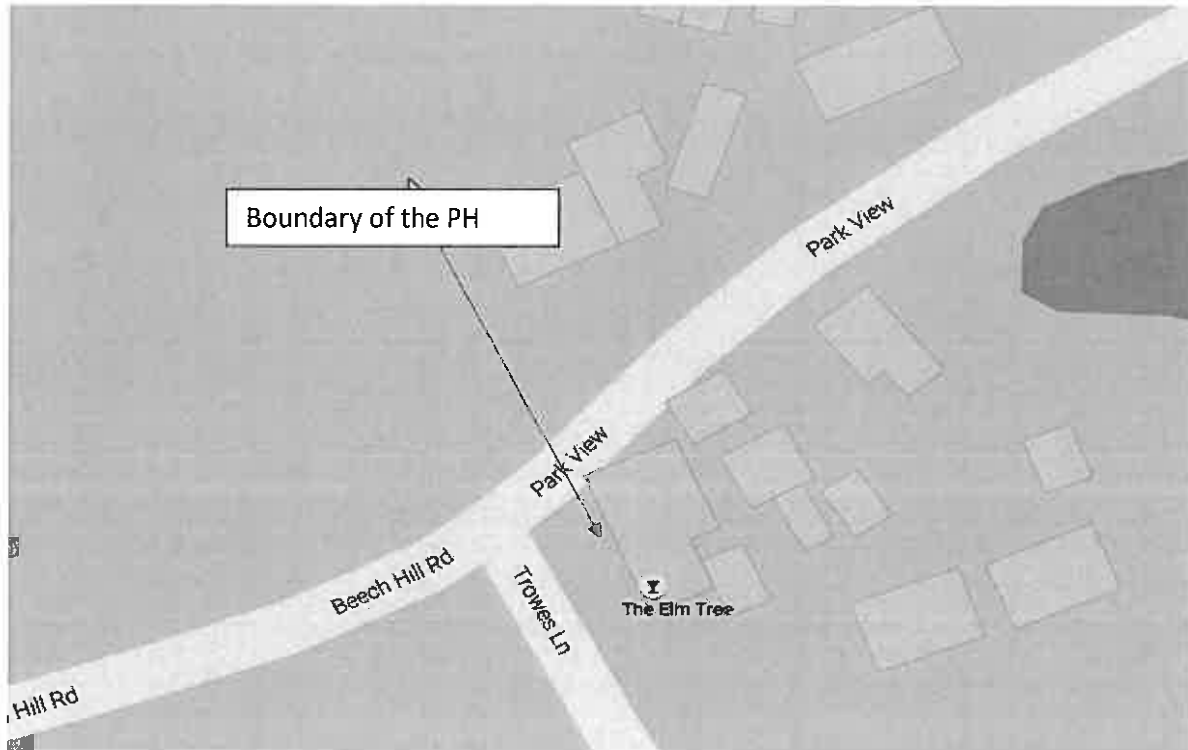
### Noise Monitoring Point 3: Boundary of The Old School House



## Noise Monitoring Point 4: The Garage, Beech Hill Road



## Noise Monitoring Point 5: The Elm Tree PH



## **10. Noise Monitoring Procedure**

With the assistance of WBDC we have designated five monitoring points shown on the plan above to reflect the location of sensitive receptors.

A noise monitoring assessment will be undertaken at each of the five locations identified in the agreed Noise Management Plan to check the noise generated from the premises on every occasion when amplified music is being played in the Marquees at the premises or when there is a reasonable risk of other noise nuisance occurring.

These assessments will take place during every event but will be carried out at the five locations later into the evening as the ambient noise levels fall away. These assessments will take place at regular intervals and, for events where amplified music is played throughout, such as for the Christmas Parties, will be carried as appropriate, but always no less than twice for each event and usually at about 8.30pm and again at about 10.30pm.

The number and frequency of the checks will be determined on an event-by-event basis upon an assessment of the likely noise-risk.

In any case, immediate steps will be taken to reduce the level of noise following any adverse measurement or on receipt of any adverse feedback from the community where noise is likely to cause disturbance to local residents.

A written record will be made of the measurement and assessments made in a logbook kept for this purpose on our Noise Assessment Log Sheet which can be found at Appendix A.

This log includes the dates and times of such measurements and assessments, the person making them, the results and action taken.

These records will be retained for at least 12 months and will be made available for inspection on demand by an authorised officer of the Licensing Authority.

The Event Manager is responsible for managing noise at every event. The Event Manager will take the necessary action to mitigate the problem.

Further formal noise monitoring will be commissioned to check that background levels remain consistent and that noise from events remains under control.

## **11. Communication and Complaint Management**

We actively encourage all members of the village community to contact the Noise Management Team who have control over the event. The Event Manager is the designated person who will be on the premises at all times during events who has sufficient authority to take any steps necessary to control, abate or ameliorate any nuisance caused. They can be contacted at any time day or night to discuss any concerns with any aspect of the events. The following number is a single point of contact for calls or texts:

**07534 981 036**

All complaints will be received positively and acted upon promptly. Complaints will be recorded using the Record of Noise Complaint Form shown at Appendix B.

If a complaint is received, it will be acted on immediately to understand the extent of the problem and to take all necessary action to mitigate the concern.

## Appendix A

### LOG SHEET - NOISE ASSESSMENT

**\*STAFF LEAVING SITE TO WEAR HIGH VISABILITY WEAR\***

DATE	TIME	LOCATION	ASSESSMENT OF NOISE LEVELS	OBSERVATIONS*	WEATHER CONDITIONS	NAME

**\*Audible/ Not Audible/ Road Traffic Noise/ Noise from patrons outside The Elm Tree PH etc**

## Appendix B

### RECORD OF NOISE COMPLAINT

Complaint received by:	
Date/Time of Complaint:	
Name of Complainant:	
Address of Complainant:	
Complainant Contact Details:	
Date(s)/time(s) of incident:	
Ongoing issue or one-off:	
Weather – e.g. hot/cold/windy/raining:	
Where are they when they hear the alleged noise?	
What can they hear?	
How is it affecting them? E.g. sleeping, watching TV, reading a book with a G&T in the garden.....	
For how long has the noise been a problem?	
Anything else?	
<b>Actions Arising (Corrective Action)</b>	
Incident reported to Venue Manager:	
Action Taken:	
Anything else?	