

Notice of Meeting



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Licensing Sub-Committee

Wednesday, 17th March, 2021 at 10.00 am Via Zoom

Members Interests

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Tuesday, 9 March 2021

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Executivecycle@westberks.gov.uk.

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



To: Councillors Jeff Beck, James Cole (Chairman) and Tony Linden

Substitute: Councillor David Marsh

Agenda

Part I

Page No.

1 **Declarations of Interest**

To receive any declarations of interest from Members.

2 **Schedule of Licensing Applications**

(1) **Application No. 21/00135/LKB - Monksmead House, Upper Woolhampton**

3 - 14

Proposal: Application for a Temporary Events Notice

Location: Monksmead House, Woolhampton Hill, Upper Woolhampton, RG7 5TA

Applicant: Mr William Lovell

Sarah Clarke

Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



Licensing Sub-Committee Report

Monksmead House, Upper Woolhampton, (21/00135/LKB)

Type of Application:	Temporary Event Notice
Parish:	Woolhampton
Ward Member:	Councillor Graham Pask (Bucklebury Ward)
Case Officer:	Graham Wren, Licensing Officer, graham.wren@westberks.gov.uk, 01635 503208
Portfolio Holder:	Councillor Hilary Cole
Head of Service:	Paul Anstey

1. Purpose of the Report

- 1.1 To set out the background information pertaining to this Temporary Event Notice (TEN) Application.

2. Recommendation

- 2.1 Members are asked to decide whether to:-
- a)) Grant the notice as made;
 - b) Refuse the notice and issue a counter notice;
 - c) Grant the TEN subject to additional conditions.

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.

3. Background

- 3.1 Under the Licensing Act 2003 the chief officer of police and local authority function team in relation to minimising or preventing the risk of pollution of the environment or of harm to human health (EH) have the opportunity to consider whether they should object to a TEN on the basis it would undermine the relevant licensing objectives. Members of the Licensing Sub-Committee are asked to determine this application as the Licensing Authority has received representations from Russel Davidson on behalf of EH.
- 3.2 The objection states that granting this application would undermine the prevention of public nuisance. The objection makes reference to previous events in 2017 and 2018 following which complaints were received from surrounding neighbours (some over 500m away) alleging noise disturbance and music still continuing past the stipulated times. EH have concerns that no noise control measures have been proposed despite EH officers giving advice on previous events.

- 3.3 The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations. Where representations have been received from a responsible authority and the concerns have not been resolved through mediation between all parties, the Licensing Act 2003 requires that these applications should be determined by the Licensing Authority's Licensing Committee. The Licensing Act 2003 allows for applications such as this one to be delegated to a Sub-Committee. In accordance with those rules, the Scheme of Delegation set out in the Council's Constitution states that the Licensing Sub-Committee has responsibility for dealing with these applications
- 3.4 The Licensing Authority had received an application, from Mr William Lovell, for a Temporary Event Notice in relation to Monksmead House, Woolhampton Hill, Upper Woolhampton, Reading, RG75TA. This application, received on the 03 March 2021 had been recorded under reference number 21/00135/LKB. A copy of the application is attached as Appendix 2.
- 3.5 A plan showing the location of the premises is attached at Appendix 1. The application is for a summer party to be held on the 04th and 05th September from 7pm to 4am. The premises is farmland (known as Big Park) and the woodland (known as Poppys). The application is for the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment for a maximum number of 400 people at any one time on the premises. The sale by retail of alcohol is to be on the premises only and the provision of late night entertainment is to be between 6pm and 2.00am.
- 3.6 The applicant has confirmed that neither he nor any of his associates have been granted a temporary event notice in respect of any premises for events falling in the same calendar year as this event.

4. Consultation

- 4.1 The notification was received on the 03 March 2021 and a representation was received from Environment Health on the 04 March 2021. The objection notice was therefore received within the prescribed three working days following the day on which the TEN application was received. In accordance with the regulations the licensing sub-committee must now consider the objection at a hearing before a counter notice can be issued. A copy of the representations are attached at Appendix 3.

Background Papers:

- (1) The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under section 182 of the Licensing Act 2003 - April 2018
- (2) The Council's Statement of Licensing Policy Licensing Act 2003
- (3) The Council's Constitution

5. Appendices

Appendix 1 – Location Plan
Appendix 2 – Application
Appendix 3 - Representations

From: Will Lovell
Sent: 03/03/2021 15:04:09
To: Licensing
Subject: Re: 37094-ab-4c-a0 - Temporary Events Notice - INVALID - please see below

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Sharon,

Thank you for your call earlier. I have provided more answers below.

1. All licensable activity will take place at Big Park (51.404476022530005, -1.174997361909412), and Poppy's woodland (51.405237095533515, -1.1745267777096218). Sorry for any confusion.

The site is within the red line.



2. Late night refreshment - between 6 pm and 2am.

In the past we have let Sarah Preston - Community Police Officer (sarah.preston@thamesvalley.pnn.police.uk) know the event is taking place, as well as, all of the local neighbours.

Past events have taken place on Saturday 21st July 2018 and Saturday 22nd July 2017.

The amplified music is in a natural bowl which is designed to minimise noise, with speakers pointing away from residential areas.

The security team knows our family and the site well, with the team led on the night by Paul West (Guarding Professionals Ltd) who will be happy to field any questions.

I will now, re-do the form with all corrections.

Many thanks,
 Will

Will Lovell | m: +44 (0) 7917 180950

On 3 Mar 2021, at 12:42, Licensing <Licensing@westberks.gov.uk> wrote:

Hello William

Reference your submission below we are unable to process at this stage for the following reasons

1 – you have stated that licensable activities are to take place at Monksmead House in Section 2 but then go on to refer to farmland and sites known as Big Park and Poppy's. You need to specify precise correct details in Section 2 of where intended licensable activities will take place.

It has no address
Give a detailed description (including the Ordnance Survey references)

For applications of this type – to assist the Police and Environmental Health in reviewing your notification it would be helpful if you could provide a plan of the site you intend to use.

2 – You have provided proposed timings for music and sale of alcohol but not for Late Night Refreshment.

3 – We do not appear to have received payment – did you encounter an issue with the card payment ?

As such the notification as submitted is invalid.

Please re-submit addressing the points highlighted above.

Please be aware that I am currently working from home. If you want to speak with me please email and I will call you back.

Regards

Sharon

Sharon Gavin
Technical Officer - Licensing

Public Protection Partnership
 A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council.


Licensing, Public Protection Partnership, Council Offices, Market Street, Newbury, Berkshire, RG14 5LD
sharon.gavin@westberks.gov.uk

[<image001.png>](#)

From: WebInfo
Sent: 03 March 2021 10:16
To: Licensing <Licensing@westberks.gov.uk>
Cc: [REDACTED]
Subject: 37094-ab-4c-a0 - Temporary Events Notice - Form Submitted

Temporary Event Notice

SECTION 1

NOTE1YESNO	NO
Introduction	
<p>Before completing this notice, please read the guidance notes</p> <p>An individual must be aged 18 or over to give a temporary event notice.</p> <p>The premises user must, no later than 10 working days before the day on which the event is to start, give the TEN to the licensing authority in which the premises is situated, together with the prescribed fee of £21:00</p> <p>Payment can be made online at the end of this form using the following methods of payment:-</p> <p></p>	

The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Section 1. The personal details of premises user

1. Your name

Title	Mr
Other Title	
First Name	William
Last name	Lovell

2. Previous names

I have details of previous names or maiden names to enter

Please enter details of any previous names or maiden names, if applicable

Title	
Other Title	
First Name	
Last Name	
Add further previous names	
Details of additional previous names	

3. Your date of birth

dd/mm/yyyy

4. Your place of birth

Place of birth

5. National Insurance Number

NI number

6. Your current address

We will use this address to correspond with you unless you complete the separate correspondence box below

Current Address Details

Building Number	
Building Name	Monksmead House
Address Line 1	Monksmead House Woolhampton Hill
Address Line 2	Upper Woolhampton
Town / City	Reading
County	Berkshire
Postcode	RG75TA

7. Other contact details

Telephone	<input type="text" value=""/>
Other Telephone (Optional)	
Telephone (Mobile)	
Fax number	
Email	<input type="text" value=""/>

8. Alternative address for correspondence

If you complete the details below, we will use this address to correspond with you

Add alternative address for correspondence?

Alternative Address Details

Building Number	
Building Name	
Address Line 1	
Address Line 2	
Town / City	

County	
Postcode	
9. Alternative contact details	
If you complete the details below, we will use these details to contact you	
Add alternative contact details?	
Telephone (Daytime)	
Telephone (Evening)	
Telephone (Mobile)	
Fax number	
Email	

SECTION 2

NOTE2YESNO	NO
NOTE3YESNO	NO
NOTE4YESNO	NO
NOTE5YESNO	NO
Section 2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities.	
We can only process Permitted Temporary Event Notices within West Berkshire	
Address	
Building Number	
Building Name	Monksmead House
Address Line 1	Monksmead House, Woolhampton Hill
Address Line 2	Upper Woolhampton
Town / City	Reading
County	West Berkshire
Postcode	RG7 5TA
OR	
It has no address	
Give a detailed description (including the Ordnance Survey references)	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?	
	No
If so, please enter the licence or certificate number below	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details	We intend to use the field (known as Big Park) opposite Elstree School and the woodlands next to the field (known as Poppy's).
Please describe the nature of the premises.	Farmland
Please describe the nature of the event.	Summer Party

SECTION 3

NOTE6YESNO	NO
NOTE7YESNO	YES
NOTE8YESNO	NO
NOTE9YESNO	NO
NOTE10YESNO	NO
NOTE11YESNO	NO

NOTE12YESNO	NO
NOTE13YESNO	NO
NOTEFYESNO	NO
Section 3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises. *	
(Please tick all licensable activities you intend to carry on).	The sale by retail of alcohol,The provision of regulated entertainment,The provision of late night refreshment
Are you giving a late temporary event notice? (Please read note 8)	No
Please state the dates on which you intend to use these premises for licensable activities.	4th and 5th September
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock).	Music: 7 pm to 4 am Alcohol: 7 pm to 2 am
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers.	
	400
The licensable activities include the supply of alcohol	Yes
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both.	On the premises only
Please state if the licensable activities will include the provision of relevant entertainment.	No
If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)	
NOTE6YESNO2	NO

SECTION 4

NOTE14YESNO	YES
Section 4. Personal licence holders	
Do you currently hold a valid personal licence?	No
If yes	
Issuing licensing authority	
Licence number	
Date of issue (dd/mm/yyyy)	00/00/0000
Date of expiry	
Any further relevant details	

SECTION 5

NOTE15YESNO	NO
Section 5. Previous temporary event notices you have given	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	
	No
If yes	
Please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	
Please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	0
Have you already given a temporary event notice for the same premises in which the event period either ends 24 hours or less before, or, begins 24 hours or less after the event period proposed in this notice?	
	No

SECTION 6

NOTE16YESNO	NO
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Section 6. Associates and business colleagues	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	
	No
If Yes	
Please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	
	No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	
	No
If Yes	
Please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	
	No

SECTION 7

Section 7. Checklist	
The licensing authority will notify the police and environmental health responsible authorities as soon as possible and no later than the first working day after the notice is given and will acknowledge receipt of the notice by returning a signed copy to the premises user.	
I agree to this	Yes

SECTIONS 8, 9 and Payment

Section 8. Condition	
Section 9. Declarations	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
I agree to the Conditions and Declarations	Yes
I would like a copy of this submitted form emailed to me	Yes
Email	██████████
Would you be interested in advertising your event in the local media?	No
Do you need to find a venue for your event?	No
The two questions above are optional and for our own research only	
Payment Required	

The premises user must, no later than 10 working days before the day on which the event is to start, give the TEN to the licensing authority in which the premises is situated, together with the prescribed fee of **£21.00**

Payment can be made online at the end of this form using the following methods of payment:-



Civica configuration

WEBSERVICEURL	https://www.civicaepay.co.uk/westberkshireESTORE/TransportableBasket/api/BasketApi/CreateImmediatePaymentBasket
CHECKOUTURL	https://www.civicaepay.co.uk/westberkshireESTORE/estore/default/Remote/Fetch
PAYACCCODE	25307T090WTENS
PAYECODE	E0000065
TOTALFEE	21.00

Form Reference Number

Unique Reference Number	37094-ab-4c-a0

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From: Russell Davidson
Sent: 04/03/2021 16:31:20
To: Sharon Gavin
Subject: 37094-e0-48-a0 - Temporary Events Notice - Form Submitted

Dear Sharon,

Re: TENS application submitted by William Lovell

I have reviewed the above TENS application and write to confirm that I would like to raise an objection.

Previous events in 2017 and 2018 raised several complaints from surrounding neighbours (some over 500m away) alleging noise disturbance and music still continuing past the stipulated end-time. Complaints were also received by TVP.

The event takes place in a natural bowl which is supposed to reduce noise levels. Acoustically, this is simply not the case and with low background noise in this area noise will travel hundreds of metres. Live bands and DJs continuing to 4am will inevitably lead to further complaints if this event is permitted to take place. No noise control measures have been proposed despite EH officers giving advice on previous events.

Regards

Russell Davidson
Senior Scientific Officer

Public Protection Partnership

A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council.
01635 503242 | Ex2073 | Russell.Davidson@westberks.gov.uk

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