

# Notice of Meeting

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## Licensing Sub-Committee

**Thursday, 24th August, 2023 at 10.00 am**

in Council Chamber Council Offices  
Market Street Newbury

### 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: Wednesday, 16 August 2023

### 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 Ben Ryan (Democratic Services Officer) ) via email [benjamin.ryan1@westberks.gov.uk](mailto:benjamin.ryan1@westberks.gov.uk).

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



To: Councillors Phil Barnett, Paul Dick and Clive Taylor

Substitute: Councillor Stephanie Steevenson

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# 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. 09/01533/LQN-DPS/77-FV - Watermill Theatre & Restaurant, Bagnor, Speen, Newbury, Berkshire, RG20 8AE**

3 - 90

**Proposal:** Application to Vary a Premise Licence

**Location:** Watermill Theatre & Restaurant, Bagnor, Speen, Newbury,  
Berkshire, RG20 8AE

**Applicant:** Watermill Theatre Ltd

Sarah Clarke

Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact  
Ben Ryan on telephone (01635) 503973



## Licensing Sub-Committee Report

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### Watermill Theatre & Restaurant, Bagnor, Speen, Newbury, Berkshire, RG20 8AE (09/01533/LQN-DPS/77-FV)

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|                             |  |
|-----------------------------|--|
| <b>Type of Application:</b> | Application to Vary a Premise Licence            |
| <b>Parish:</b>              | Speen  |
| <b>Ward:</b>                | Newbury Speen                                    |
| <b>Ward Members:</b>        | Councillors Antony Amirtharaj and Martha Vickers |
| <b>Case Officer:</b>        | Amanda Ward                                      |
| <b>Portfolio Holder:</b>    | Councillor Lee Dillon                            |
| <b>Service Director:</b>    | Eric Owens (Development and Regulation)          |

#### 1. Purpose of the Report

- 1.1 To set out the background information pertaining to this Licensing Application to vary an existing premise licence.

#### 2. Recommendation

- 2.1 Members are asked to decide whether to:-
- Grant the application to vary the premises licence as made, subject to any mandatory conditions;
  - Grant the application to vary the premises licence subject to any additional conditions and any mandatory conditions;
  - Exclude from the licence any of the licensable activities to which the application to vary relates;
  - Refuse the application to vary the premises licence.
- 2.2 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 Members of the Licensing Sub-Committee are asked to determine the Application to vary the premises licence as the Licensing Authority has received representations stating that granting this application would undermine the prevention of crime and disorder, the prevention of public safety, the prevention of public nuisance, and/ or the protection of children from harm licensing objectives.
- 3.2 The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations.

3.3 Where representations have been received from a responsible authority or any other person, 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 this application.

#### 4. Application

4.1 The Licensing Authority has received an application from Watermill Theatre Ltd for a full variation to an existing premise licence in relation to Watermill Theatre & Restaurant, Bagnor, Speen, Newbury, Berkshire, RG20 8AE. This application had been recorded under reference number 09/01533/LQN-DPS/77-FV. The reference for the existing licence is 013678.

4.2 A copy of the original licence is attached at Appendix 1. The application to vary the premise licence is attached at Appendix 2 together with the revised plans outlining the areas to be licensed. Additional information is included in the addendum (Appendix 2a). Additional plans are included at Appendix 3.

#### 5. Consultation

5.1 The 28-day consultation period ran from 06 July 2023 to 02 August 2023. Responsible Authorities, Ward Members and the Parish Council were advised by email on 06 July 2023. The application has been advertised in accordance with the regulations, with the required blue notices being placed at the premises and checked by an officer from the Public Protection Partnership on the 06 July 2023 and an advert was placed in the Newbury Weekly News on the 13 July 2023.

5.2 The Council received 18 objections to the application these are set out in Appendix 4. This includes an objection sent on behalf of a party (Mr and Mrs Frayne) by the owner of their property (Thomas Putter). Mr and Mrs Frayne also submitted their own objection. See Appendix 4(10).

5.3 On the 10<sup>th</sup> of August 2023 the Licensing Team received an email from the applicant stating that in light of the objections that they have received "The only change we would now like to make to our premises license is the ability to sell alcohol outside for the duration of 'The Lord of the Rings' run, so until Sunday 15 October, at which point, our license would then revert back to what it has always been with no other changes'. (See Appendix 5)

5.4 This information was sent to the objectors. To date none of the objectors have agreed to withdraw their objections on the basis of this information.

#### 6. Outline of the Application

6.1 Opening Hours in Application:

##### **Monday to Sunday**

08h00 to 00h00



- 6.2 The application seeks to vary the plans for the premises to include theatre and restaurant buildings front and back lawn and to update the outdated operating schedule.

## 7. Responses Received:

Fire Authority – No objections

The Chief Officer of Police Thames Valley – No objections

Environmental Health – No objections

The Local Enforcement Agency for the Health and Safety at work etc. Act 1974 – No objections

The Weights and Measures Authority/Trading Standards – No objections

Children’s Safeguarding Board – No comments received.

Public Health – No comments received.

Home Office Immigration – No comments received.

Planning – No comments received.

The Licensing Authority – No comments received.

## 8. Options

- 8.1 The Home Office’s Revised Guidance issued under section 182 of the Licensing Act 2003 (July 2023) must be taken into account when determining this Application.
- 8.2 Members are asked to consider, after taking the representations both oral and written into account, having due regard to the licensing objectives and the proposal made by the applicant, whether the application to Vary the Premises Licence should be granted or rejected. Members will need to give reasons for their decision.
- 8.3 If Members are minded to approve the application they need to consider if any additional conditions, other than those contained in the addendum schedule which forms part of the variation application, and any relevant mandatory conditions in ss19-21 of the Licensing Act 2003. Modification of conditions includes adding, omitting or altering a condition.
- 8.4 If Members are minded to include any additional conditions they will need to provide their reasons for doing so in the decision notice.

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### Background Papers:

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

## 9. Appendices

Appendix 1 – Existing Licence

Appendix 2 – Application

Appendix 3 – Plans

Appendix 4 – Objections

Appendix 5 – Modification Proposed by the Applicant

# West Berkshire District Council

Public Protection Partnership, Environmental Health & Licensing, Council Offices, Market Street,  
Newbury, Berkshire RG14 5LD  
Tel: (01635) 519184 Fax (01635) 519172

## Licensing Act 2003 Premises Licence

Uniform Ref: 09/01533/LQN – DPS/77

**Premises licence number 013678**

### Part 1 - Premises details

#### Postal address of premises, or if none, ordnance survey map reference or description

Watermill Theatre  
Bagnor  
Speen  
Newbury, Berkshire  
RG20 8AE

#### Licensable activities authorised by the licence

Performance of Plays  
Performance of Live Music  
Recorded Music  
Performance of Dance  
Other Similar Entertainment  
Late Night Refreshment  
Supply of Alcohol

#### The times the licence authorises the carrying out of licensable activities

##### Performance of Plays

Monday to Sunday: 10:00 - 24:00  
Activity will take place Indoors/Outdoors : **Both**

##### Performance of Live Music

Monday to Sunday: 10:00 - 24:00  
Activity will take place Indoors/Outdoors : **Both**

##### Recorded Music

Monday to Sunday: 10:00 - 24:00  
Activity will take place Indoors/Outdoors : **Indoors**

##### Performance of Dance

Monday to Sunday: 10:00 - 24:00  
Activity will take place Indoors/Outdoors : **Both**

**Other Similar Entertainment**

Monday to Sunday: 10:00 - 24:00

Activity will take place Indoors/Outdoors : **Both**

**Late Night Refreshment**

Monday to Sunday: 23:00 - 24:00

Activity will take place Indoors/Outdoors : **Both**

**Supply of Alcohol**

Monday to Sunday: 10:00 - 23:30

Activity will take place Indoors/Outdoors : **Indoors**

Alcohol On/Off Premises: **ON**

**The opening hours of the premises**

Monday to Sunday: 10:00 - 24:00

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies**

**On Sales**

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Watermill Theatre Ltd  
Watermill Theatre, Bagnor, Newbury, Berkshire, RG20 8AE

01635 46044

**Registered number of holder, for example company number, charity number (where applicable)**

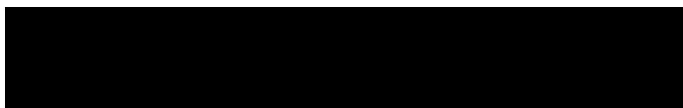
978279

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Paul Leighton Davies  


**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

014756 West Berkshire Council



**Date:** 17 May 2023

**Signed:**

**Authorised Officer**

Licence issued 13/12/2005  
DPS Variation 17/03/2006  
DPS Variation 02/05/2008  
Variation of plans 10/06/2009  
Licence amended 29/10/2009  
DPS Variation 15/03/2023  
DPS change of address 09/05/2023

## **Mandatory conditions**

### **Premises - Supply of Alcohol**

1. 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 (in force 1 October 2014)**

3.
  - 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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  
5.
  - (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.
  
6. 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.”
  
7.
  - (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 rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (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) “valued 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.

### **Premises - Door Supervision**

- 1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- 2. But nothing in subsection (1) requires such a condition to be imposed-
  - a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
  - b) in respect of premises in relation to -
    - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate,



- ii. under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under the Act).

3. For the purposes of this section-

- a) security activity means an activity to which paragraph 2(1)(a) of the Schedule applies, and
- b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of the Schedule.

**Annex 2 - Conditions consistent with the Operating Schedules dated 19.07.2005 and 12.05.2009**

**19.07.2005** RE: Watermill Theatre, Bagnor, Newbury, Berkshire, RG30 8AE

1. The Public Entertainment Licence Conditions dated 1st July 1992, in respect of places of Public Entertainment and Theatres shall be deemed to be incorporated into this schedule and to form part of it, so far as the same are applicable to the licensed premises.

2. Permitted opening hours: 10:00 to 24:00 hrs Monday to Sunday inclusive.

3. Number of Persons on premises not to exceed

|                  |                    |
|------------------|--------------------|
| Theatre (Seated) | <b>216 persons</b> |
| (Standing)       | <b>8 persons</b>   |
| (Wheelchair)     | <b>1 persons</b>   |

In the Round Performance

|                               |                    |
|-------------------------------|--------------------|
| Ground Floor (Seated)         | <b>116 persons</b> |
| Ground Floor (Standing)       | <b>8 persons</b>   |
| 9 Seats removed (Wheelchairs) | <b>4 persons</b>   |
| 3 Seats removed (Wheelchairs) | <b>3 persons</b>   |

(Details in Drawing No. WGP 01 April 1999)

|                    |                    |
|--------------------|--------------------|
| First Floor Seated | <b>128 persons</b> |
|--------------------|--------------------|

Bar and Restaurant (when used by the theatre goes for short period of time to obtain refreshment persons **200 persons**)

|   |                   |
|---|-------------------|
| Rehearsal Room / Studio<br>(Functions with tables and chairs) | <b>50 persons</b> |
|---|-------------------|

4. The two seats of double door giving access to the garden from the bar area to be kept free from fastenings whilst members of the public are on the premises.

5. Where the Licensee uses security / door persons, such persons must be licensed by the SIA (Security Industry Authority).

**12.05.2009**

**General**

All existing provisions currently in place will apply to the two additional licensed areas.

**The prevention of crime and disorder**

Additional security lighting lit throughout the night.

Code locks on doors.

Window bolts.

**Public safety**

Risk assessments completed.

Health and Safety Policy updated.

Call point fire alarm system installed.

Emergency lighting.

Wheelchair access.

**The prevention of public nuisance**

Low level lighting where possible.

Control of noise – levels of music.

Additional parking facilities provided.

The protection of children from harm

Child Protection Policy updated on a regular basis.

Age guidance published in publicity, brochures and website.

Staff training to protect children from patrons who may be under the influence of drink.

CRB checks for all staff working with children and vulnerable adults.

Implement laws regarding underage drinking.

**Annex 3 - Conditions attached after a hearing by the licensing authority – N/A**

**Annex 4 - Plans as submitted 12/05/2009**

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

I/We Watermill Theatre Ltd

*(Insert name(s) of applicant)*

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

|  |
|--|
| <b>Premises licence number</b><br>013678 |
|--|

**Part 1 – Premises Details**

|   |         |          |          |
|---|---------|----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description<br>Watermill Theatre & Restaurant<br>Bagnor<br>Speen<br>West Berkshire |         |          |          |
| Post town   | Newbury | Postcode | RG20 8AE |

|   |             |
|---|-------------|
| Telephone number at premises (if any)   | 01635 46044 |
| Non-domestic rateable value of premises | £ 74,250    |

**Part 2 – Applicant details**

|   |             |          |  |
|---|-------------|----------|--|
| Daytime contact telephone number                          | 01635 45834 |          |  |
| E-mail address (optional)                                 |             |          |  |
| Current postal address if different from premises address |             |          |  |
| Post town   |             | Postcode |  |

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect? 

|    |    |      |
|----|----|------|
| DD | MM | YYYY |
|    |    |      |

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

Theatre and Restaurant with a potential of 200 audience members using the bar and restaurant, pre-show, interval and post-show. During the summer shows, we wish to sell and dispense alcohol and bar drinks from a temporary outside bar on our front or back lawns for pre-show and interval drinks to reduce queueing at the bar. We will also be serving food alongside. Event reception drinks could also be dispensed outside for invite-only booked events.

We would also like to extend our hours the premises is open to the public from 08:00 to 00:00 due to occasional early morning bookings in our restaurant area and outreach groups onsite.

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

#### **Part 4 Operating Schedule**

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

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

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

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

|  |       |        |   |          |                          |  |  |  |
|--|-------|--------|---|----------|--------------------------|--|--|--|
| Plays<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Will the performance of a play take place indoors<br/>or outdoors or both – please tick</u> (please read<br>guidance note 4) | Indoors  | <input type="checkbox"/> |  |  |  |
|  |       |        |   | Outdoors | <input type="checkbox"/> |  |  |  |
|  |       |        |   | Both     | <input type="checkbox"/> |  |  |  |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 5)   |          |                          |  |  |  |
| Mon  |       |        |   |          |                          |  |  |  |
| Tue  |       |        |   |          |                          |  |  |  |
| Wed  |       |        |   |          |                          | <u>State any seasonal variations for performing plays</u> (please read<br>guidance note 6)   |  |  |
| Thur   |       |        |   |          |                          |  |  |  |
| Fri  |       |        |   |          |                          | <u>Non standard timings. Where you intend to use the premises for the<br/>performance of plays at different times to those listed in the column<br/>on the left, please list</u> (please read guidance note 7) |  |  |
| Sat  |       |        |   |          |                          |  |  |  |
| Sun  |       |        |   |          |                          |  |  |  |

B

| Films<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)  | Indoors  | <input type="checkbox"/> |
|--|-------|--------|---|----------|--------------------------|
|  |       |        |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 5)   |          |                          |
| Mon  |       |        |   |          |                          |
| Tue  |       |        | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)  |          |                          |
| Wed  |       |        |   |          |                          |
| Thur   |       |        | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7) |          |                          |
| Fri  |       |        |   |          |                          |
| Sat  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |

C

|   |       |        |  |
|---|-------|--------|--|
| Indoor sporting events<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Please give further details</u> (please read guidance note 5)   |
| Day   | Start | Finish |  |
| Mon   |       |        | <u>State any seasonal variations for indoor sporting events</u> (please read<br>guidance note 6)   |
| Tue   |       |        |  |
| Wed   |       |        |  |
| Thur  |       |        | <u>Non standard timings. Where you intend to use the premises for<br/>indoor sporting events at different times to those listed in the column<br/>on the left, please list</u> (please read guidance note 7) |
| Fri   |       |        |  |
| Sat   |       |        |  |
| Sun   |       |        |  |
|   |       |        |  |



D

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments<br>Standard days and timings (please read guidance note 8) |       |        | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u><br>(please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish |   |          |                          |
| Mon   |       |        | <u>Please give further details here</u> (please read guidance note 5)   |          |                          |
|   |       |        |   |          |                          |
| Tue   |       |        | <u>State any seasonal variations for boxing or wrestling entertainment</u><br>(please read guidance note 6)   |          |                          |
|   |       |        |   |          |                          |
| Wed   |       |        | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7) |          |                          |
|   |       |        |   |          |                          |
| Thur  |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Fri   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
|   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |
|   |       |        |   |          |                          |

E

| Live music<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | Will the performance of live music take place<br><u>indoors or outdoors or both – please tick</u> (please<br>read guidance note 4) | Indoors  | <input type="checkbox"/> |   |  |  |
|---|-------|--------|--|----------|--------------------------|---|--|--|
|   |       |        |  | Outdoors | <input type="checkbox"/> |   |  |  |
|   |       |        |  | Both     | <input type="checkbox"/> |   |  |  |
| Day   | Start | Finish | <u>Please give further details here</u> (please read guidance note 5)  |          |                          |   |  |  |
| Mon   |       |        |  |          |                          |   |  |  |
| Tue   |       |        |  |          |                          |   |  |  |
| Wed   |       |        |  |          |                          | <u>State any seasonal variations for the performance of live music</u> (please<br>read guidance note 6)   |  |  |
| Thur  |       |        |  |          |                          |   |  |  |
| Fri   |       |        |  |          |                          | <u>Non standard timings. Where you intend to use the premises for the<br/>performance of live music at different times to those listed in the<br/>column on the left, please list</u> (please read guidance note 7) |  |  |
| Sat   |       |        |  |          |                          |   |  |  |
| Sun   |       |        |  |          |                          |   |  |  |

F

| Recorded music<br>Standard days and<br>timings (please read<br>guidance note 8) |       |        | <u>Will the playing of recorded music take place<br/>indoors or outdoors or both – please tick</u> (please<br>read guidance note 4)   | Indoors  | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <u>Please give further details here</u> (please read guidance note 5)   |          |                          |
| Mon   |       |        |   |          |                          |
| Tue   |       |        | <u>State any seasonal variations for the playing of recorded music</u> (please<br>read guidance note 6)   |          |                          |
| Wed   |       |        |   |          |                          |
| Thur  |       |        | <u>Non standard timings. Where you intend to use the premises for the<br/>playing of recorded music at different times to those listed in the<br/>column on the left, please list</u> (please read guidance note 7) |          |                          |
| Fri   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |

G

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings (please read guidance note 8) |       |        | <b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b><br>(please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish |   |          |                          |
| Mon   |       |        | <b><u>Please give further details here</u></b> (please read guidance note 5)  |          |                          |
| Tue   |       |        |   |          |                          |
| Wed   |       |        | <b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)  |          |                          |
| Thur  |       |        |   |          |                          |
| Fri   |       |        | <b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7) |          |                          |
| Sat   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |

H

|  |       |        |  |          |                          |
|--|-------|--------|--|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings (please read guidance note 8) |       |        | Please give a description of the type of entertainment you will be providing   |          |                          |
| Day  | Start | Finish | <b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
| Mon  |       |        |  | Outdoors | <input type="checkbox"/> |
|  |       |        |  | Both     | <input type="checkbox"/> |
| Tue  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 5)   |          |                          |
| Wed  |       |        |  |          |                          |
| Thur   |       |        | <b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)  |          |                          |
| Fri  |       |        |  |          |                          |
| Sat  |       |        | <b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7) |          |                          |
| Sun  |       |        |  |          |                          |

I

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| <b>Late night refreshment</b><br>Standard days and timings (please read guidance note 8) |       |        | <b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)   | Indoors  | <input type="checkbox"/> |
|  |       |        |   | Outdoors | <input type="checkbox"/> |
|  |       |        |   | Both     | <input type="checkbox"/> |
| Day  | Start | Finish |   |          |                          |
| Mon  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 5)  |          |                          |
| Tue  |       |        |   |          |                          |
| Wed  |       |        | <b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)   |          |                          |
| Thur   |       |        |   |          |                          |
| Fri  |       |        | <b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7) |          |                          |
| Sat  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |

J

|   |       |        |   |                  |                          |
|---|-------|--------|---|------------------|--------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings (please read guidance note 8) |       |        | <b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)  | On the premises  | <input type="checkbox"/> |
|   |       |        |   | Off the premises | <input type="checkbox"/> |
|   |       |        |   | Both             | <input type="checkbox"/> |
| Day   | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)  |                  |                          |
| Mon   |       |        |   |                  |                          |
| Tue   |       |        |   |                  |                          |
| Wed   |       |        |   |                  |                          |
| Thur  |       |        |   |                  |                          |
| Fri   |       |        |   |                  |                          |
| Sat   |       |        |   |                  |                          |
| Sun   |       |        | <b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7) |                  |                          |

K

|   |
|---|
| <p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 10).</p> <p>N/A</p> |
|---|

L

|   |       |        |   |
|---|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings (please read guidance note 8) |       |        | <b>State any seasonal variations</b> (please read guidance note 6)  |
| Day   | Start | Finish |   |
| Mon   | 08:00 | 00:00  |   |
| Tue   | 08:00 | 00:00  |   |
| Wed   | 08:00 | 00:00  |   |
| Thur  | 08:00 | 00:00  |   |
| Fri   | 08:00 | 00:00  |   |
| Sat   | 08:00 | 00:00  | <b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7) |
| Sun   | 08:00 | 00:00  |   |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.



Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Type text here

Please see attached addendum.

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

Please see attached addendum.

**c) Public safety**

Please see attached addendum.

**d) The prevention of public nuisance**

Please see attached addendum.

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

Please see attached addendum.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.


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

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

|           |   |
|-----------|---|
| Signature |  |
| Date      | 05.07.2023  |
| Capacity  | Premise License Supervisor  |

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

|           |   |
|-----------|---|
| Signature |  |
| Date      | 05.07.2023  |
| Capacity  | Company Secretary of Watermill Theatre Ltd  |

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

Charley Hart  
 Watermill Theatre & Restaurant  
 Bagnor  
 Speen  
 West Berkshire

|                                  |             |                  |          |
|----------------------------------|-------------|------------------|----------|
| <b>Post town</b>                 | Newbury     | <b>Post code</b> | RG20 8AE |
| <b>Telephone number (if any)</b> | 01635 45834 |                  |          |

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

## Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - 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.
    - 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.
    - 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.
    - 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:
    - 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.
    - 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.
    - 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.
  - 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:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - 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;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - 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.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please 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.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please 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 or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

30.06.2023

### **a) General**

Any incidents on the premises relating to the four licensing objectives are recorded in an online incident log by the appropriate manager and include details of who, when, where and what incident took place and if any actions were taken in response to it.

The theatre has a set capacity for each show and tickets are prebooked and traceable using our online booking system Spektrix.

Risk management processes in place to ensure all risks are mitigated and managed appropriately.

The company is fully insured with public liability insurance.

The company have a Health and Safety Policy that is reviewed in full on an annual basis. Procedure for Health and safety issues to be raised ad hoc and formally through regular meetings. Risk assessments and revisions to policies made as required.

Staff training programme in place to cover issues including First Aid, Fire evacuation, Challenge 25, safeguarding.

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

Private events are invite only and are monitored by staff for any intruders.

At their induction, staff that sell alcohol on the premises are trained to identify underage drinker using Challenge 25 to ask anyone that looks under 25 from purchasing alcohol without providing an acceptable proof of age, such as a driving license or passport. Signs are on display by the bar indicating that this is enforced. Training is refreshed on a 6 monthly basis.

A refusal log is kept whereby a customer has been refused alcohol sale which will include when the incident occurred, who was there and the reason for refusal. Staff will be trained in how to deal with these occurrences.

Management live on sight and there are security lights on overnight to deter intruders from breaking and entering.

There are 3 CCTV cameras than run 24 hours a day and cover the entrances and exits to the site. The recording are kept for 30 days and the system is checked on a weekly basis.

### **c) Public safety**

Fire evacuation procedure in place. Weekly fire alarm tests are carried out and fire evacuations are practised at regular intervals and recorded.

Procedure in place for all health and safety checks to be undertaken by the duty manager prior to every performance. This ensures any issues are managed appropriately in advance of public arriving on site. Weekly general checks of full site and buildings undertaken by Housekeeping and Maintenance team.

Servicing of the fire alarm happens on a bi-annual basis, emergency lights are checked monthly and fire extinguishers are serviced annually.

Staff with responsibilities in the event of a fire or emergency are given training at induction and fire marshal training is established and refreshed.

Water safety notices and equipment is in place based on recommendations from an independent risk assessment with staff trained to deal with any incidents

There are clear access routes for emergency vehicles.

A number of staff are trained in first aid and there are first aid kits in multiple places around the site and a defibrillator by the theatre entrance in case of emergencies.

All our electrical equipment is PAT tested annual to ensure they are safe.

Water is available in the theatre and bar area for any customers using the premises.

All pathways and exits are maintained and kept clear and sufficient bins shall be provided for customers which are checked daily and emptied as necessary.

#### **d) The prevention of public nuisance**

All external events have a noise management plan and management inform Environmental Health of these events at least one month in advance. Noise levels are monitored and recorded on the premises, but also on the boundaries nearest neighbours in every direction in order to ensure levels are kept at a respectable level in consultation with Environmental Health.

Alcohol is not sold outside after 9:30pm.

Communication to audience via preshow email and theatre programme to ask them to leave the premises quietly out of respect of our neighbours.

Bins are located inside and outside the premises for the disposal of all rubbish prior to leaving the site and staff direct customers off the premises

Customers are advised that the serving of alcohol will cease half an hour before closing time.

The premises has parking on site as well as having an overspill car park a 50 metre walk from the main gate so that theatre customers do not park in the village.

No glass bottles are disposed of after 10.30pm.

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

At their induction, staff that sell alcohol on the premises are trained to identify underage drinker using Challenge 25 to ask anyone that looks under 25 from purchasing alcohol without providing an acceptable proof of age, such as a driving license or passport. Signs are also up by the bar indicating that this is enforced.

Trained safeguarding officers oversee all policies and procedures, make recommendations and consult with the West Berkshire Safeguarding Children Board if necessary. All staff are aware alert to potential risks and report any behaviour of concern immediately with a procedure in place to act accordingly.

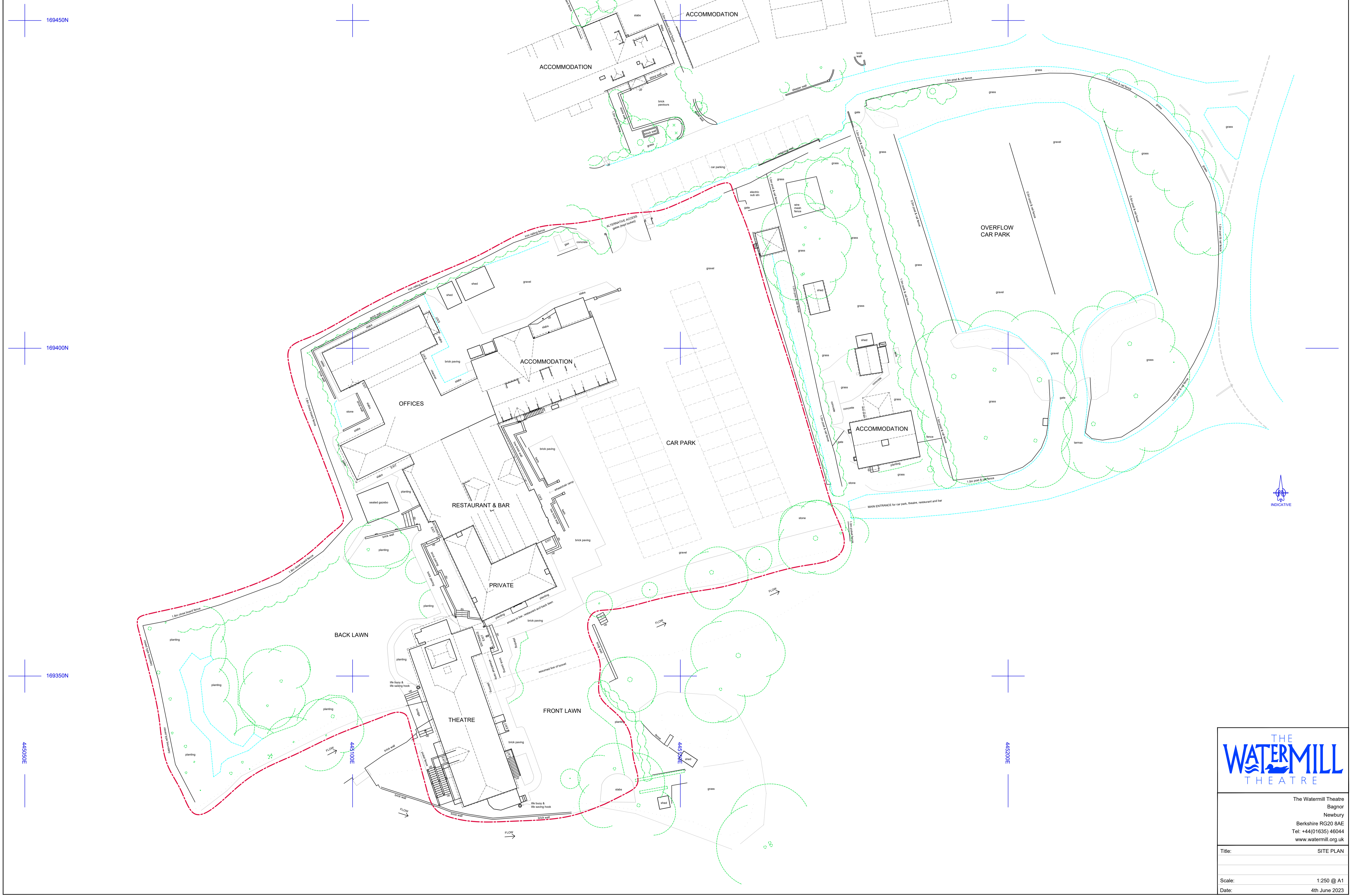
At induction, all staff are spoken to about safeguarding and read the safeguarding policy.



All staff that work with children or vulnerable adults are DBS checked.

Age guidance for relevant events published in publicity, brochures and on the website.

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# THE WATERMILL THEATRE

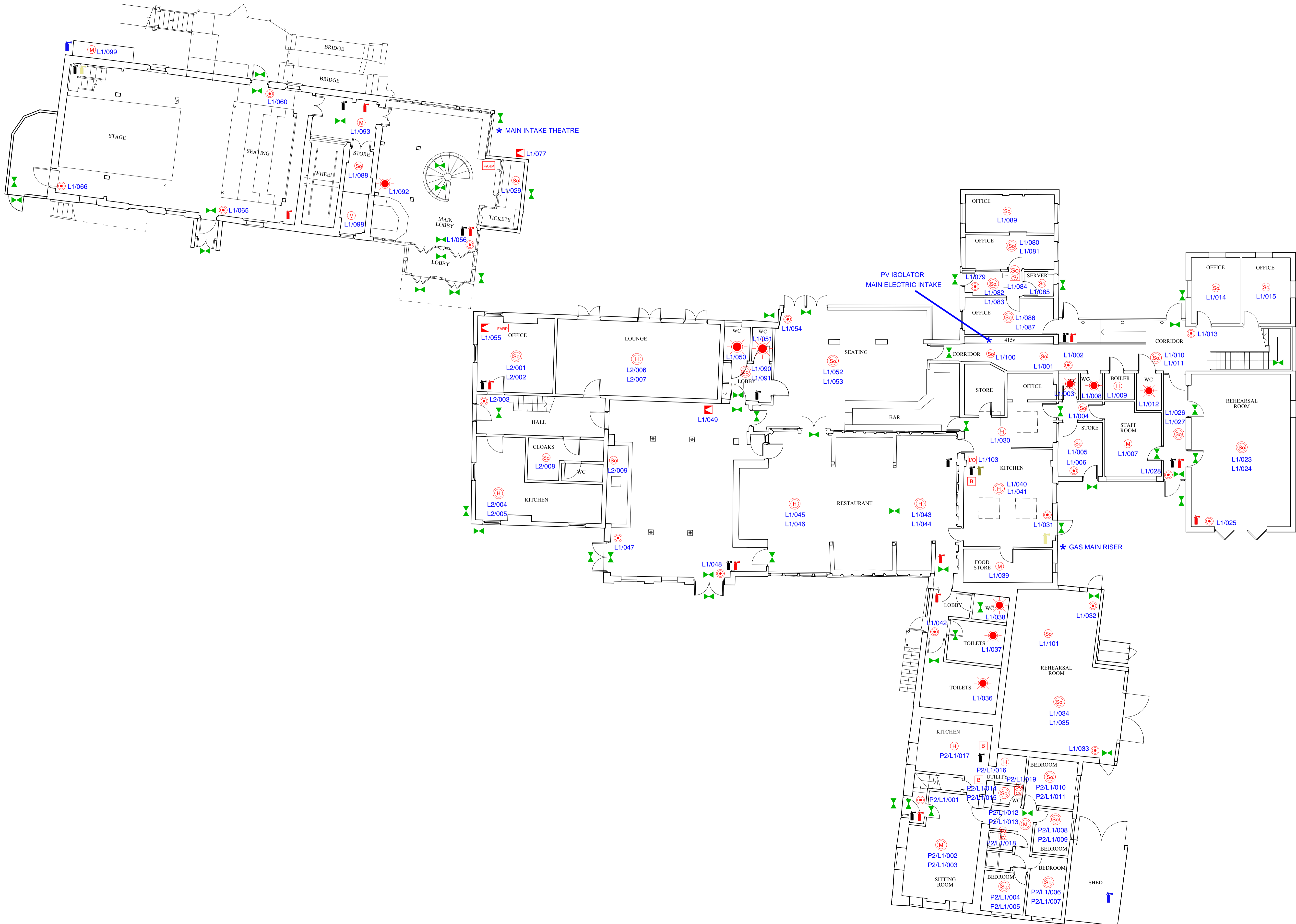
The Watermill Theatre  
Bagnor  
Newbury  
Berkshire RG20 8AE  
Tel: +44(0)1635 46044  
www.watermill.org.uk

Title: SITE PLAN

Scale: 1:250 @ A1

Date: 4th June 2023





- LEGEND
- FACP FIRE ALARM CONTROL PANEL
  - FARPP FIRE ALARM REPEATER PANEL
  - MCP MANUAL CALLPOINT
  - SD SMOKE DETECTOR
  - SDS SMOKE DETECTOR c/w SOUNDER
  - SDSB SMOKE DETECTOR c/w SOUNDER BEACON
  - SDCV SMOKE DETECTOR IN CEILING VOID
  - H HEAT DETECTOR
  - HS HEAT DETECTOR c/w SOUNDER
  - HSB HEAT DETECTOR c/w SOUNDER BEACON
  - M MULTI SENSOR
  - MS MULTI SENSOR c/w SOUNDER
  - IO INPUT / OUTPUT UNIT
  - CSB CEILING MOUNTED SOUNDER BEACON
  - CS CEILING MOUNTED SOUNDER
  - WS WALL MOUNTED SOUNDER
  - E CO2 FIRE EXTINGUISHER
  - F WATER FIRE EXTINGUISHER
  - F FOAM FIRE EXTINGUISHER
  - P POWDER FIRE EXTINGUISHER
  - W WET CHEM FIRE EXTINGUISHER
  - B FIRE BLANKET
  - EL EMERGENCY LIGHT

NOTES

**Mill Cottage Workshop**  
 1 x CO2 Fire Extinguisher  
 1 x Foam Fire Extinguisher

| Rev.       | Date | Description |
|------------|------|-------------|
| 28/03/2023 |      | First Issue |

ISSUE **AS INSTALLED**



CLIENT  
WATERMILL THEATRE

SITE  
WATERMILL THEATRE

PROJECT

DRAWING TITLE  
GROUND FLOOR

| DATE       | DRAWN | CHECKED |
|------------|-------|---------|
| 28/03/2023 | SP    |         |

SCALE @ A1  
NTS

DRAWING REF.  
OSF/1703/03/001



- LEGEND
- FIRE ALARM CONTROL PANEL
  - FIRE ALARM REPEATER PANEL
  - MANUAL CALLPOINT
  - SMOKE DETECTOR
  - SMOKE DETECTOR c/w SOUNDER
  - SMOKE DETECTOR c/w SOUNDER BEACON
  - SMOKE DETECTOR IN CEILING VOID
  - HEAT DETECTOR
  - HEAT DETECTOR c/w SOUNDER
  - HEAT DETECTOR c/w SOUNDER BEACON
  - MULTI SENSOR
  - MULTI SENSOR c/w SOUNDER
  - INPUT / OUTPUT UNIT
  - CEILING MOUNTED SOUNDER BEACON
  - CEILING MOUNTED SOUNDER
  - WALL MOUNTED SOUNDER
  - CO2 FIRE EXTINGUISHER
  - WATER FIRE EXTINGUISHER
  - FOAM FIRE EXTINGUISHER
  - POWDER FIRE EXTINGUISHER
  - WET CHEM FIRE EXTINGUISHER
  - FIRE BLANKET
  - EMERGENCY LIGHT

NOTES

| Rev.       | Date | Description |
|------------|------|-------------|
| 28/03/2023 |      | First Issue |

ISSUE AS INSTALLED



CLIENT WATERMILL THEATRE

SITE WATERMILL THEATRE

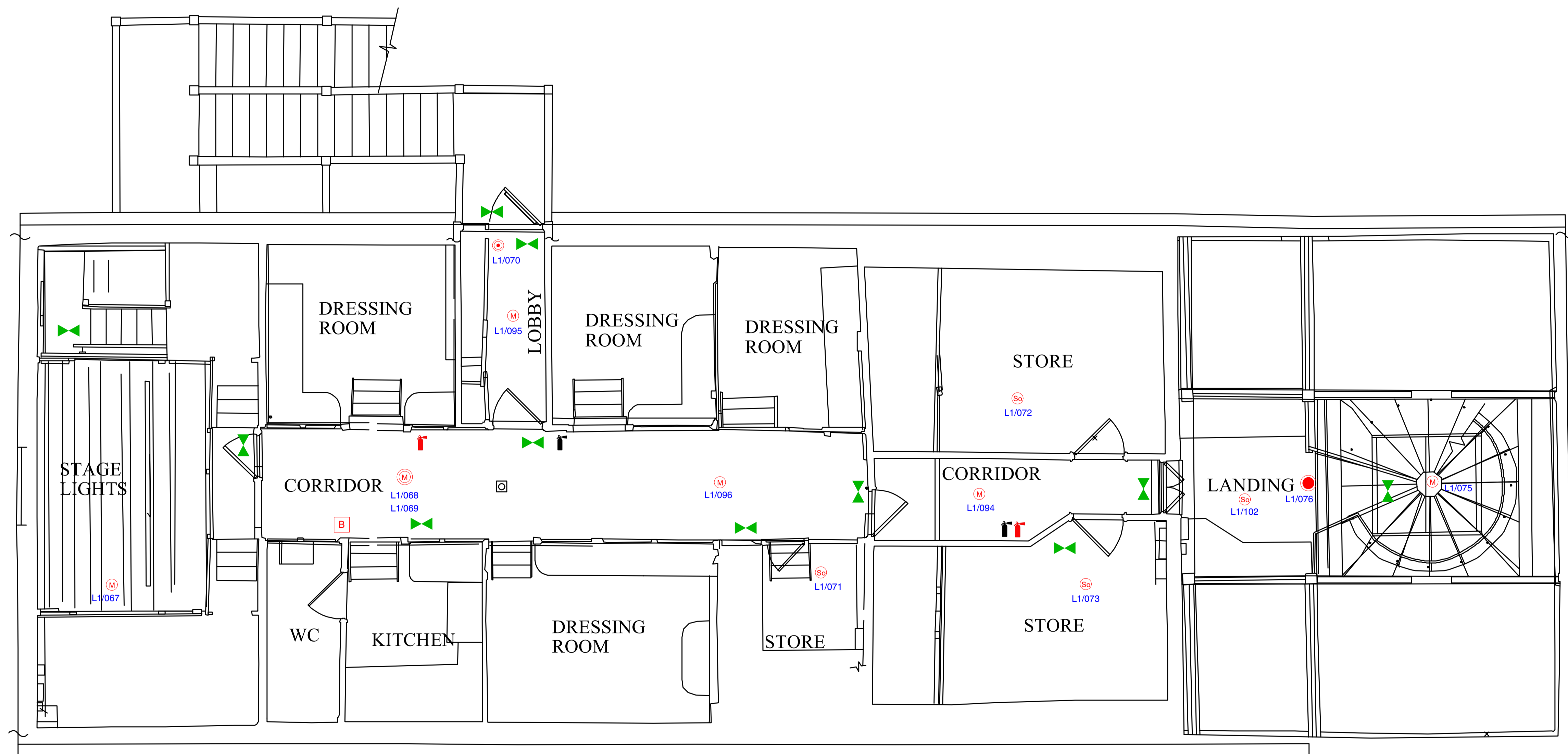
PROJECT

DRAWING TITLE  
FIRST FLOOR

| DATE       | DRAWN | CHECKED |
|------------|-------|---------|
| 28/03/2023 | SP    |         |

SCALE @ A1 NTS DRAWING REF. OSF/1703/03/002





- LEGEND
- FAP FIRE ALARM CONTROL PANEL
  - FARP FIRE ALARM REPEATER PANEL
  - MANUAL CALLPOINT
  - So SMOKE DETECTOR
  - So SMOKE DETECTOR c/w SOUNDER
  - So SMOKE DETECTOR c/w SOUNDER BEACON
  - So SMOKE DETECTOR IN CEILING VOID
  - H HEAT DETECTOR
  - H HEAT DETECTOR c/w SOUNDER
  - H HEAT DETECTOR c/w SOUNDER BEACON
  - M MULTI SENSOR
  - M MULTI SENSOR c/w SOUNDER
  - IO INPUT / OUTPUT UNIT
  - CEILING MOUNTED SOUNDER BEACON
  - CEILING MOUNTED SOUNDER
  - WALL MOUNTED SOUNDER
  - CO2 FIRE EXTINGUISHER
  - WATER FIRE EXTINGUISHER
  - FOAM FIRE EXTINGUISHER
  - POWDER FIRE EXTINGUISHER
  - WET CHEM FIRE EXTINGUISHER
  - FIRE BLANKET
  - EMERGENCY LIGHT

NOTES

| Rev. | Date       | Description |
|------|------------|-------------|
|      | 28/03/2023 | First Issue |

ISSUE AS INSTALLED



CLIENT WATERMILL THEATRE

SITE WATERMILL THEATRE

PROJECT

DRAWING TITLE  
SECOND FLOOR

|                    |                                 |         |
|--------------------|---------------------------------|---------|
| DATE<br>28/03/2023 | DRAWN<br>SP                     | CHECKED |
| SCALE @ A1<br>NTS  | DRAWING REF.<br>OSF/1703/03/003 |         |

**From:** Christopher Sharples  
**Sent:** Monday, July 31, 2023 12:15 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Subject:** Planning application by Watermill Theatre

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**Watermill Theatre, Bagnor, Speen, Newbury Berkshire RG20 8AE (“the Premises”) – Premises Licence Variation Application (ref: 09/01533QN-DPS/77-FV) (“the Application”)**

Dear Sir/Madam,

I write in respect of the above application to register my objection as I fear that this opens the door for the Watermill to become much more than a theatre by evolving into a venue for all sorts of outside entertainment. Inevitably, this will include various forms of amplified music that will disturb the peace of our very small hamlet that is mostly in close proximity to the Watermill.

This application should not be approved until there are clear limitations imposed on the Watermill to prevent them from adding outside entertainment events that go beyond their original remit as a theatre. This is not intended to prevent them from performing some scenes in the garden but most definitely should not permit the Watermill to facilitate other outdoor musical events that are not integral to a theatre production as otherwise this will inevitably cause increasing and intolerable noise pollution.

Yours sincerely,

*Christopher Sharples  
Jannaways  
Bagnor  
Newbury  
Berkshire RG20 8AH*

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Our Ref: AX  
Email:

West Berkshire District Council  
Public Protection Partnership  
Environmental Health and Licensing  
Council Offices  
Market Street  
Newbury  
Berkshire RG14 5LD

CONTACT  
ANDREW COCHRANE

FAX NUMBER

DIRECT DIAL

By email on [licensing@westberks.gov.uk](mailto:licensing@westberks.gov.uk)

27th July 2023

Dear Sir/Madam

**Application for variation of a Premises Licence  
Watermill Theatre and Restaurant, Bagnor, Speen West Berkshire  
OBJECTION**

We represent Gerard Smith and Helene Whitmey-Smith of The Benhams Bagnor, Newbury, Berkshire RG20 8AQ.

Mr Smith and Mrs Whitmey-Smith are neighbours of the applicant premises.

Our clients wish to oppose the grant of the variation of the Premises Licence for the Watermill Theatre and Restaurant (The Theatre) on the grounds of public nuisance.

The applicant proposes the addition of a new and very substantial external area to the premises which will allow the area to be used both for the consumption and sale of alcohol. The area is so substantial that it appears to encompass the entire site owned and occupied by the theatre.

The application indicates that it is the intention of the theatre to use this new additional external area during the summer to allow the sale of "alcohol and bar drinks from a temporary outside bar on our front or back

lawns for pre-show and interval drinks". The theatre also indicates that "reception drinks could also be dispensed outside for invite only booked events".

This is a substantial area that is proposed be licensed. It would allow the erection of a bar or multiple bars at any point, as we understand it, within the red lined area.

Furthermore, whilst it is said within the introduction to the application for variation that it is the intention that the external area would only be used in connection with pre and interval drinks for theatre events during the summer the Licence is not conditioned in any way that would ensure that that is the case. Importantly and alarmingly, from our clients' perspective it would allow the use of the external area for any event (invite only or otherwise) because there is no condition to prevent it. For the avoidance of doubt our clients would be opposed to the use of the outside area on any basis for the sale of alcohol be it in conjunction with theatre events, invite only booked events or otherwise.

Whilst our clients do not believe that any area of the premise is currently authorised for use in conjunction with the consumption of alcohol purchased from the inside bar at the theatre our clients would not be opposed to such use in conjunction with theatre events which take place, indeed despite what we believe is the lack of authorisation, that use already appears to be taking place.

Whilst we note that concerns are raised about capacity at the premises and that the external area is required to assist with crowding at the bar there are surely other internal areas where a bar could be erected.

It is our clients' concern that the application as proposed could lead to a substantial increase in the use and therefore noise volumes arising from the new external area which will adversely impact on their quality of life.

The committee will be familiar with the fact that external drinking areas can be a significant source of nuisance to neighbours.

The application for variation also suggests that the opening hours of the premises be extended to 08.00 (we do not believe that it is the intention to carry out any licensable activities during the extended hours) and our clients would have no objection to that aspect of the variation.

We hope that you will take this objection into account. If you have any further queries please do not hesitate to contact us.

We look forward to hearing from you with a date and time of the hearing in due course.

Yours faithfully

**Flint Bishop LLP**

**From:** Gabrielle & Tom  
**Sent:** Friday, July 28, 2023 2:35 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Subject:** Objection to Ref 09/01533QN-DPS/77-FV

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Dear West Berkshire District Council,

I am writing to object to the application for The Watermill Theatre Bagnor, Speen Ref 09/01533QN-DPS/77-FV.

For many years I have enjoyed the rural village of Bagnor for walks as a peaceful area of natural beauty. I saw the application and am writing to object to any form of alternation to Watermill Theatre license, which is already considerably broad and substantial.

Bagnor village is a location of serene beauty and tranquility, where the environment and nature are at the forefront of the community with local walks for villagers and visitors alike. The Watermill Theatre already has had a negative impact on this conservation area due to their outdoor performances causing noise pollution, increased traffic of visitors blocking the village for residents, increased large-vehicle transportation through the village (providing goods etc), which will all be exacerbated by this application.

Extending their hours will further disrupt the tranquility of the area, increase pollution and is not necessary as the theatre has plenty of space and commercial operating capability already. Similarly, serving alcohol and allowing all food and drink to be served outside, will cause further disruption and is not necessary with the facilities already in place inside.

I strongly urge the council to reject this proposal to protect the environment and local village.

Yours Sincerely,  
Gabrielle Meakin

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**From:** Georgia Willan  
**Sent:** Monday, July 31, 2023 4:47 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Subject:** REF 09/01533/LQN-DPS/77-FV

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Dear West Berkshire District Council,

I am writing to **object to the application made by The Watermill Theatre** in Bagnor, Speen, Reference Number: **09/01533/LQN-DPS/77-FV**.

The existing Watermill Theatre license is sufficiently broad for the theatre to operate, the proposal will bring further nuisance to the resident community and harm to the environment rare biodiversity.

Bagnor is a rural hamlet of outstanding beauty and important biodiversity and rare nature. I have enjoyed this village for walks and stays with local residents, which I continue to do.

The Watermill Theatre already has means to entertain its guests within its current permit license. They do not require a broader scope. The existing license already has a negative impact on the conservation area and the new application would make this far worse.

Outdoor performances and large numbers of visitors cause noise issues which impact the birdlife, feeding and mating of animals and the river life, not least the wild brown trout spawn, one of the most important of the chalk streams (the Lambourne) in this country. The area around the theatre is also suspected home/home to protected animals such as Water Voles, Otters and Hedgehogs, all of which are endangered, further threatened by this licence application. The river already noticeably suffers from litter and cigarette pollution.

Beyond the environmental impact, the traffic in the village blocks residents and inhibits them accessing their homes. The increased HGV transportation through the village has deteriorated the roads (requiring tax funding to repair them in parts but more required).

All of these will be exacerbated by this application.

The environment and nature are at the forefront of the community with many public footpaths allowing the important and rare wildlife to be seen – this cannot be compromised.

Extending The Watermill Theatre's hours will further disrupt the tranquillity of the area, increase pollution, and brings no value-add given the theatre has plenty of space and commercial operating capability to run their business already.

Similarly, the hamlet community does not need further alcohol and food licensing. The hamlet has a Pub which has an active license (albeit look for new ownership). This should be sufficient.

Bagnor is hamlet and not a town. A hamlet must be protected for its residents and natural environment.

I strongly urge the council to reject this proposal to protect the environment and local village.

Yours Sincerely,  
Georgia Willan

**From:** Amanda Miles  
**Sent:** Sunday, July 30, 2023 1:37 PM  
**To:** Licensing <licensing@westberks.gov.uk>  
**Subject:** Licence proposal 09/01533/LQN-DPS/77-FV - Watermill Theatre

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Evergreen  
Manor Road  
Bagnor  
Berkshire RG20 8AF

30<sup>th</sup> July 2023

Dear Sirs

With reference to the above licence proposal made by The Watermill Theatre in Bagnor we would like to register our objection.

As residents of the village with our property being immediately opposite the car parks and close to all access and public areas, the suggested amendments have not considered the impact on neighbours. In particular we are concerned about the following aspects:

- Light pollution - additional lighting would be needed in access and parking areas, this would mean bright lighting immediately opposite Manor Road properties to the early hours of the morning 7 days a week
- Noise - whilst we are fully supportive, regular visitors to the theatre we are already seeing an increase in late night noise due to the duration of the current production. Short term this is less of an issue but as the potential future norm this would be a problem especially for those of us with young children and day time employment
- Additional events - the proposal confirms there may be times that conferences will start at 8am, and that refreshments may be served outside to invited guests - this suggests the theatre will be redefining their use to include weddings and other private functions. This causes great concern for unsociable activity and once again late night transport noise. As a resident we already occasionally struggle to enter and exit the village at certain times with 200 guests leaving at the same time

Bagnor is a small hamlet and we feel the potential increase in activities is out of character and not sustainable. Please accept this as formal notice of our objection, and a request to be informed of any planned public meetings on the matter.

Yours faithfully

Ian & Amanda Miles







**JMW Solicitors LLP**

Kings House  
36-37 King Street  
London EC2V 8BB

DX: 42624 Cheapside  
T: 0203 675 7575  
W: [jmw.co.uk](http://jmw.co.uk)

Our Ref: BAR/763343C.1

27 July 2023

West Berkshire District Council  
Public Protection Partnership  
Environmental Health and Licensing,  
Council Offices,  
Market Street,  
Newbury,  
Berkshire RG14 5LD

By email: [licensing@westberks.gov.uk](mailto:licensing@westberks.gov.uk)

Dear Sirs

**Watermill Theatre, Bagnor, Speen, Newbury Berkshire RG20 8AE (“the Premises”) –  
Premises Licence Variation Application (ref: 09/01533QN-DPS/77-FV) (“the Application”)**

We act for clients Mr and Mrs Putter (“our clients”) that live next to the Premises who wish to object to the Application.

According to the Council’s licensing authority, the consultation period finishes on 2 August. Consequently, this representation (objection) has been made within time. Our clients’ objection must be considered a “relevant representation” for the purposes of section 18(3) and (6) of the *Licensing Act 2003* (“LA 2003”).

The Application (which should be refused):

- Is extreme and inconsiderate as it demonstrates a lack of awareness of the impact that it would cause for the local residents of a small hamlet village that currently does not (apart from the Premises) include a venue licensed to sell alcohol;
- Clearly undermines two of the four licensing objectives;
- Does not include proposed and sufficiently specific and effective conditions that would deal with the adverse licensing impact that a varied PL would cause.

In summary, the Application in the words of the current PL holder is for a:

*“Theatre and restaurant with a potential of 200 audience members using the bar and restaurant, pre-show, interval and post-show. During the summer shows, we wish to sell and dispense alcohol and bar drinks from a temporary outside bar on our front or back lawns for pre-show and interval drinks to reduce queuing at the bar. Also be serving food alongside. Event reception drinks could also be dispensed outside for invite-only booked events. We would also like to extend our hours the premises is open to the public from 08.00 to 24.00 due to occasional early morning bookings in our restaurant area and outreach groups onsite.”*

The Application seeks consent to increase the licensed area and to sell alcohol outdoors for fourteen hours a day, seven days per week from 10.00 until 23.30.

Our clients’ objection is focused entirely on the Variation Application and does not extend to what has already been granted on the current Premises Licence (“PL”) which cannot as a matter of law be disturbed. We would argue that if the Application was granted the combination of that along with the overly permissive effect of the current licence would create an intolerable cumulative impact for residents that live in a quiet hamlet. There would be an increase in noise nuisance and potentially an increase in traffic volume as the only access to the Premises is through the village. People entering and leaving the car park at the Premises and the overspill area 50 metres away would also create noise nuisance.

We share the view (along with our clients) that the Application does not promote the licensing objectives under the LA 2003 <sup>1</sup>, specifically i) the prevention of public nuisance and ii) public safety. The new operation proposed within the Application adversely changes the character of the Premises in licensing (and arguably in planning) terms.

Our clients are supportive of the aims of the Premises as a theatre with the sale of alcohol ancillary to that function. However, the Application’s broad intent fundamentally alters the character of the current use of the Premises as a theatre venue. With the grant of the Application, the Premises

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<sup>1</sup> See section 4(2) of the Act, “The licensing objectives” a) to d) as well as section 1.7 of the Council’s Statement of Licensing Policy.

could increase its capacity indoors and outdoors and become more akin to a festival or events venue, rather than a small theatre.

The Local Planning Authority are a responsible authority for the purposes of the LA 2003 and we would suggest that it should make a representation against the Application as its grant would affect a material change of use at the Premises and would consequently require planning permission.

In order to access the Premises, patrons must travel through the village. Given that there are no proposed conditions that would prevent a capacity increase at the Premises as a result of the indoors of the Premises being used along with the outdoors, any current impact (which is already noticeable) would be exacerbated and intolerable.

The current PL allows for the same hours for the sale of alcohol, but only inside and for consumption on the Premises. That restriction contains the impact of noise nuisance within an enclosed space. It also prevents the sale and consumption of alcohol outside the theatre building. That prohibition must remain and should not be removed via the grant of the Application.

The fact that an outside bar is proposed with no limitations as to dates or times means that the adverse impact from public nuisance will occur directly from the outside area to the detriment of local residents, including our clients.

The Application includes a large area when referencing the PL plan. That has the effect of increasing the potential capacity at the venue. Although it is stated within the Application that the intention is for outdoor alcohol sales during summer shows, with a temporary outside bar, before and post show with queuing inside and outside to reduce queuing at the bar with drinks outside for invite-only booked events, there are no proposed conditions which limit the outdoor sale of alcohol to any of that.

Consequently, the outdoor sale of alcohol could occur from any number of bars from any part of the outdoor area without a capacity limit, meaning that additional patrons could attend the venue in excess of and contradicting, what has been limited within condition 3 of Annex 2 which are

meant to be conditions consistent with the operating schedule that seem to relate to the theatre building only.

No effective noise mitigation conditions are proposed within the Application. There is no detail that is included in the proposed noise management plan that would be agreed with the Council. It implies that it relates to the volume of music. That means that there is nothing preventing severe and incessant noise nuisance from occurring and being heard by residents when alcohol is being sold outdoors. Intolerable noise will be generated from conversations, glass bottles which could be combined with music and other entertainment such as plays.

No conditions are proposed outlining what the security and safety arrangements might be for events taking place outdoors along with the sale of alcohol. This omission has led to the guidance within paragraph 6.3 of the Council's Statement of Licensing Policy not being followed.

A lack of problems stemming from the existing PL does not indicate that the proposed Application relating to the outdoor area will not have a substantial adverse impact if approved. Most of the impact from licensable activities is currently contained within the theatre building.

Our clients instruct that during the COVID pandemic, licensable activities (including the supply of alcohol) temporarily held outside the Premises as a result of temporary legislation caused significant public nuisance which the relevant Council officers subsequently investigated. We are of the view that outcome demonstrates the lack of suitability for the Premises to be selling alcohol permanently outdoors.

The licensing authority should be aware that the Application is arguably not in accordance with the *West Berkshire – Statement of Licensing Policy* (Ref: C3431, published on 13 March 2018 and valid until December 2024). Our comments follow in square brackets. Specifically, via paraphrasing and extracts in italics in paragraph:

- 1.3 – *controlling any negative impacts such as increases in noise nuisance;*

[As mentioned above, the potential conditions relating to noise nuisance are ineffective.]

- 1.5 – *“By regulating activities under this legislation the Council acknowledges that a balance must be struck between the legitimate objectives of applicants and the desires of the population as a whole, and in particular those members of the public living, working or engaged in normal activity in the area concerned. Consideration will be given to these, often conflicting, positions and all views will be taken into account when making licensing decisions or determining a course of action”;*

[We are of the view that the Council when making its decision needs to accept that the Application does not and cannot strike a balance between the objectives of the applicant and the members of the public living in the surrounding area. The conflict cannot adequately be resolved and as a result the Application should be refused.]

- 2.3 – *“This policy sets out the process the Council will adopt in dealing with licence applications and will be used as a basis in coming to consistent and transparent decisions in respect of licence applications. The overriding principle adopted by the Council will be that each application is determined on its merits. Every application will be treated fairly and objectively, taking into account the four licensing objectives, the policy and the statutory guidance issued under section 182 of the Act.”;*

[Given the lack of merit within the Application for the reasons set out above and the failure to promote the licensing objectives, it should be refused and can be on a fair and objective basis.]

- 2.4 - *“Each of the four licensing objectives is of equal importance and will be considered in relation to matters centred on the premises or within the control of the licensee and the effect which the operation of that business has on the vicinity. The Licensing Authority will primarily focus on the direct impact of the activities taking*

*place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.”;*

[The sale of alcohol outdoors to the extent outlined in the Application, will cause a direct impact on those living, working and engaging in the area surrounding the Premises. For example, there are a number of workers employed in agriculture who go to sleep early in the evening in order to start work early in the morning.]

- 2.6 - *“When determining applications, the Licensing Authority must be satisfied that the applicant’s operating schedule (please see section 4) seeks to promote the four licensing objectives. When determining applications, the Licensing Authority must be satisfied that the applicant’s operating schedule (please see section 4) seeks to promote the four licensing objectives.”*

[The applicant’s operating schedule is deficient and provides no detail as to how the impact on public safety and nuisance will be effectively mitigated.]

- 7.1 - *“The Licensing Authority interprets ‘public nuisance’ in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour. Public nuisance could include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community.”*

[The Application will cause major disturbance that will affect the whole community that surrounds the Premises.]

- 7.3 - *“The Licensing Authority, whilst recognising the need to treat every application on its own merits, should be satisfied that the type of licensable activities proposed and hours of operation will be suitable for the location in which the premises are situated (e.g., areas of dense residential accommodation). Playing of music can cause nuisance both through noise breakout and by its effect on patrons, who become accustomed to high sound levels and to shouting to make themselves heard, which can lead to them being noisier when leaving premises. Other major*

*sources of noise nuisance are vehicles collecting customers, the slamming of car doors and the sounding of horns. These noises can be particularly intrusive at night when ambient noise levels are lower.”*

[The Application if granted will result in all of the examples mentioned above occurring in an area of dense residential accommodation.]

- 7.4 - *“Where premises are located near to noise-sensitive areas, e.g., residential premises, nursing homes, hospitals or places of worship, the licensee should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to adversely affect the promotion of the objective to prevent public nuisance. Such steps as are required to deal with these identified issues should be included within the applicant’s operating schedule.”*

[As mentioned above the proposals within the operating schedule are ineffective and deficient.]

- 7.5 – *“In considering applications, the Licensing Authority will expect to see, where appropriate, evidence that the following matters have been addressed in the operating schedule:*
  - *Measures to reduce noise and vibration escaping from the premises; including noise from music and voices whether or not amplified*
  - *Consideration of the licensed hours and restrictions on when licensable activities can take place both indoors and outdoors*
  - *Measures to control nuisance that might be associated with the use of the external areas, particularly late at night, including supervision of the areas and specified times during which food and drink will not be permitted to be consumed in the external areas.*

[As mentioned above the proposals within the operating schedule are ineffective and deficient and consequently do not address this requirement within the Policy.]

The licensing authority should be aware that the Application is arguably not in accordance with the (Secretary of State's) *Revised Guidance issued under section 182 of the Licensing Act 2003 (updated 12 January 2023)*. The licensing authority must have regard to this Guidance in accordance with section 4 of the LA 2003. Our comments follow in square brackets. Specifically, via paraphrasing and extracts at paragraph:

- 1.4 – *...the promotion of four licensing objectives is paramount at all times;*

[Two of the four licensing objectives are not being promoted.]

- 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.”*

[The sale of alcohol outdoors to the extent outlined in the Application, will cause a direct impact on those living, working and engaging in the area surrounding the Premises. For example, there are a number of workers employed in agriculture who go to sleep early in the evening in order to start work early in the morning.]

- 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.”*

[Quite clearly, if the Application was granted, the living and working amenity of other persons (including our clients) would be severely reduced.]

- 2.17 – *“Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises.”*

[Putting aside the deficient noise management conditions proposed within the operating schedule included in the Application, there are no steps that could be taken that could deal with noise emanating from an outdoor event where people are consuming alcohol.]

- 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.”*

[No appropriate conditions have been proposed that focus on the most sensitive periods – e.g., when workers retire early for their agricultural work.]

- 8.36 - *“In such cases it will not be necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e., the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).”*

[The applicant within the Application has failed to fulfil the requirements of this part of the Guidance.]

- 8.42 – *“Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:*
  - *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
  - *any risk posed to the local area by the applicants’ proposed licensable activities;*

[The applicant within the Application has failed to fulfil the requirements of this part of the Guidance.]

We maintain that for the reasons outlined in this letter, the Application is unacceptable and should be refused by the Council or withdrawn by the Applicant. We understand that in the event that the Application is not withdrawn, the objection made by our client which is a relevant representation will trigger a hearing where the Application will be determined by Councillors. If that occurs, our clients are prepared to instruct our attendance or attend the hearing in person and speak to the detail of their objection.

Please contact Bernard Ralph in the event of any queries.

Yours sincerely

**JMW SOLICITORS LLP**

**From:** Marieta Brandusesc  
**Sent:** Monday, July 31, 2023 9:57 AM  
**To:** Licensing <licensing@westberks.gov.uk>  
**Cc:** Iulius Gelu <iuliusgelu@yahoo.com>  
**Subject:** Strong objection to the proposal to amend the licence Ref 09/01533/LQN/77-FV

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Strong objection to the proposal to amend the licence Ref 09/01533/LQN/77-FV

Dear Sirs.

My name is Marieta Brandusesc and I am leaving at Oak Cottage, Bagnor, Berkshire, RG208AG opposite the Watermill Theatre on Magnor Road.

We are already severely affected by the current activities of the theatre. Noise from outdoor performances prevent us from getting sleep early. We are early risers by nature of our work and like to be in bed before ten. On performance nights this is not possible. Added to this comes the extreme noise from the bottle clearance after events and general cleaning up (most of the time early morning around 6 am).

Traffic on event days has become problematic for the narrow access roads to the theatre and parking can spill over into the village, blocking houses and narrowing what is already a narrow road. For any emergency vehicles access this could become an issue.

We suspect that the purpose of this licence alteration is a cynical attempt to benefit from the rural idyll of Bagnor and fill a gap left by the closure of pubs in Bagnor and surrounding villages. Such a granting would be to the detriment of all residents in Bagnor, many of whom have lived there for a long time.

We are happy that the theatre appears to be through its financial difficulties and is continuing to attract sponsorship, according to the press. The expansion of the cultural activities into more outdoor events impacting the neighbourhood and increased outdoor drinking and festivities is not what the Theatre about. It is blatant expansion of commercial gastronomy exploiting the beautiful nature of Bagnor, but not giving anything back to the village or its residents. Increased noise, reduction in the quality of our lives and greater congestion is all the Hamlet gets.

We strongly oppose the application.

Kindest regards,  
Marieta Brandusesc

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From: Martin Bailiss  
Sent: Monday, July 31, 2023 7:23 PM  
To: Licensing <licensing@westberks.gov.uk>  
Subject: Watermill Theatre - 09/01533/LQN-DPS/77-FV

Good afternoon,

We are writing to express some concerns over the application for the Watermill theatre to change its current licensing.

Our primary concern regarding the application is that such a change could potentially bring a greater amount of noise and other uses for the venue long term, that could impact on the quiet nature of this hamlet.

Should the Watermill decide to maximise the use of any new license then the other concern is the increase in traffic this could cause. The road through Bagnor would be utilised more frequently and for longer periods of the day if approved.

Fundamentally the Watermill tell us the reason for the proposed change is predominantly for an additional outside bar, for use during theatre performances and then secondly to enable conferences to start earlier. I meet this with a degree of scepticism and if this is the case then any license should set out clear conditions around this purpose.

Kind regards,

Martin Bailiss  
Bagnor resident

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**From:** Matthew Conington  
**Sent:** Tuesday, August 1, 2023 12:11 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Cc:** Lynne <lynnejperry@yahoo.com>  
**Subject:** Premises Licence Variation Application ref: 09/01533QN-DPS/77-FV),  
Watermill Theatre.

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Watermill Theatre, Bagnor, Speen, Newbury Berkshire RG20 8AE ("the Premises") -  
Premises Licence Variation Application (ref: 09/01533QN-DPS/77-FV) ("the  
Application")

Dear Sir/Madam,

We write in respect of the above application to object.

The Watermill is by it's own valition a regional producing Theatre. The current substantive Premises licence has allowed the Watermill to carry out its stated aim very successfully for which they should be congratulated.

Allowing the supply of alcohol outdoors across the Premises does not forward the aim of a regional producing theatre. It does however forward the ambition of a public events venue, taking the Watermill away from its stated aim. A hamlet of 26 houses in close proximity to a public events location licenced for the supply of alcohol outdoors for several hundred people will result in conflict.

Revising the licencing hours to 8am (from 10am) is far outside of required producing theatre licencing hours and would allow for the travel of vehicles transporting several hundred people into and out of a small hamlet from 8am every day of the week (irrespective of the Watermills stated aims). This would have a material, negative impact to living in Bagnor.

Regards

Matthew Conington & Lynne Perry  
16, Bagnor  
Newbury  
Berks.

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**From:** simon and emma frayne  
**Sent:** Wednesday, July 19, 2023 7:00 AM  
**To:** Licensing <licensing@westberks.gov.uk>  
**Subject:** LA2003 09/01533LQN – DPS/77 - FV- Newbury - Watermill Theatre  
Premises License variation application

To whom it may concern

Re watermill theatre Bagnor Newbury extension to license

We live directly opposite /behind the above theatre. Whilst we are very supportive and feel it a great privilege to live so close to this wonderful institution, we feel that we have to challenge this application.

On occasions there have been weddings and outdoor events/shows which have caused us a disturbance but we have been accepting and understanding. The music from out door performances can be heard inside our house and most noticeable in our back garden

We would be happy to accept occasion use of this license however once granted we would not be able to appeal should they decided to use the premises seven days a week for outdoor music or events running right up to midnight. This new license if granted feels unnecessarily extensive and we would like to register our opposition to it

Kindest regards Simon and Emma Frayne  
Elm Cottage Bagnor RG20 8AG

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**LICENSING ACT 2003**

**Representations**

Details of the representee:

Name .....Mr and Mrs Simon and Emma Frayne.....

Address.... Elm Cottage, Bagnor,

Postcode..... RG20 8AG.....

Telephone Number .....supplied

Email address .....supplied

**Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.**

Details of the application to make representation(s) on:

Application Reference Number...LA2003 09/01533LQN – DPS/77 -  
FV- Newbury - License variation application

Name of Premises **Watermill Theatre Premises**

Premises Address.....**Bagnor, Newbury**

Postcode **RG20 8AE**

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

**The Prevention of Crime and Disorder:**

.....  
.....

**Public Safety:**

.....  
.....

**The Prevention of Public Nuisance:**

The extension to the license as requested would enable the premises on going unchallengeable rights to hold events in the outside of their property which is directly opposite our own home. Noise from events, even those such as indoor wedding receptions etc can be heard in our home. As these have been indoor events and infrequent we have never sought to challenge this, however this new license could enable such events to be more frequent and, as there would be a bar outside, it can only be assumed that there would be more noise also. This license if granted allows late night events which we would feel could become disruptive to our lives/ sleep.

.....

We understand that the Watermill Theatre has given some reassurances that the application is to enable them to hold limited events, we do not feel reassured by this as the permit once granted would be difficult to challenge in the future should such events become more frequent.

.....

**The Protection of Children from Harm:**

.....  
.....

Signed:.....Simon and Emma Frayne

Date: 1<sup>st</sup> August 2023

Please send completed form to Licensing, Public Protection Partnership, Theale Library, Church Street, Theale, Berkshire, RG7 5BZ

**From:** Thomas Putter <thomas@putterfamily.com>  
**Sent:** Monday, July 31, 2023 5:47 PM  
**To:** Licensing <licensing@westberks.gov.uk>  
**Subject:** ref.nbr: 09/01533/LQN-DPS/77-FV

Dear Sirs

I am writing in my capacity as owner of Elm Cottage, let to the Head Gardener at Bagnor Manor. Mr Simon Frayne and his family reside at the property. Emma Frayne, Simon's wife is a nurse by profession. In particular she counsels bereaved parents of deceased pre-natal and natal children. Both, by nature of their activities are early risers.

It is unfortunate that the holiday period has been chosen to consult on the proposed amendments to the licence for Watermill Theatre. The Frayne family is away and cannot comment.

Whilst the theatre in the past has been considered a cultural asset, its increasing commercialisation over the last years has led to increasing criticism in the village. During Covid the attempts to host outside events were tolerated, but caused significant inconvenience in terms of noise. The new plans will exacerbate this inconvenience and run the risk of seriously undermining the ability of neighbouring residents to enjoy the tranquillity and rural peace that all came to Bagnor for. Increased outdoor activity, just when everyone wants to enjoy their own gardens is not acceptable. The possibility of loud congregations around the consumption of alcohol outdoors, does not fit into the rural idyll that Bagnor is. This possibility is real given the fact that the pub has closed down . But the pub had no late night outdoor events or drinking, strict closing hours and then became a restaurant with much less traffic ,until it closed down. The closure of the pub/restaurant has generally been welcomed by the community. The evident possibility that the Watermill becomes more than a local theatre, but instead a venue for outdoor functions will be highly detrimental to the neighbourhood, even to the extent of impacting the values of the houses nearby. It is very surprising that a charity would wish to take such a blatant and inconsiderate approach.

The residents of Bagnor, consisting largely of middle-aged people and retirees, have a right to a peaceful nights sleep, not interrupted by late performances or the aftermath of bottle disposals and cleaning up. This is not to speak of the traffic congestion and increase in road risks potentially late at night, especially where alcohol is involved.

Please note my very strong objection to the proposed plan.

Your sincerely  
Thomas Putter

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From: S Kent  
Sent: Thursday, July 27, 2023 9:30 PM  
To: Licensing <Licensing@westberks.gov.uk>  
Subject: Watermill Theatre Licence Extension LA2023

Dear Sir/Madam

We are sending this email of objection to the extension of the Watermill Theatre Licence.

The thought of live music in the garden late at night seven days a week is horrific. At the moment we enjoy a completely peaceful nights sleep and I am sure this will be disrupted if a licence is granted.

When the Theatre has a show in the garden during the afternoon now, we can hear the music and singing across our garden area. If this was every single day and night of the week, when will be able to enjoy the peace and quiet sitting in our garden? People leaving the car park at that time in the evening would also disturb people's sleep who live in the hamlet with doors closing and engines running, queuing up to leave the small car park areas.

People drinking and talking loudly in the garden are heard even now, what will that be like late into the night.

This area is deemed an SSSI site where we enjoy seeing many different species of birds, deer and other important animals, I can imagine these animals and birds being considerably disturbed by the increased activity by the Watermill Theatre.

We hope that you will not allow this to go ahead and change this beautiful area forever.

Your faithfully  
Mr & Mrs G Kent  
Chestnut Cottage  
RG20 8AG

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**Mr & Mrs G May**

**Clumber Cottage, Manor Road, Bagnor, Newbury RG20 8AF**

West Berkshire District Council  
Public Protection Partnership  
Environmental Health and Licensing  
Council Offices  
Market Street  
Newbury  
RG14 5LD

By email: [licensing@westberks.gov.uk](mailto:licensing@westberks.gov.uk)

28<sup>th</sup> July 2023

Dear Sirs

**WATERMILL THEATRE, BAGNOR, NEWBURY, RG20 8AE**  
**PREMISES LICENCE VARIATION APPLICATION (ref 09/01533QN-DPS77-FV)**

Firstly, we would like to state that we do not have any problem with the current premises licence. However, we would like to raise the following objections to the Licence Variation Application.

The above application to extend the Watermill Theatre's opening hours to the public from 08.00-24.00, seven days a week will have the following detrimental impact.

- increase the level of noise
- potentially increase the volume of traffic through the village as the only access to the premises is through the village
- cause disturbance to residents late at night due to people leaving the premises
- unreasonable traffic noise late at night whilst people exit the village
- increase in light pollution – due to lighting in overflow car park being on for longer hours.

As you will be aware Bagnor does not have any street lighting the lighting from the car park until the early hours of the morning will have a detrimental affect and both the villagers and surrounding wildlife

We request that you take this letter of objection into consideration when deciding the outcome of the premises licence variation application.

Yours faithfully

*Geoff & Helen May*

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**From:** Paul Havel  
**Sent:** Monday, July 31, 2023 11:23 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Subject:** Reference Number: 09/01533/LQN-DPS/77-FV.

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Dear West Berkshire District Council,

I am writing to **object to the application made by The Watermill Theatre** in Bagnor, Speen, Reference Number: **09/01533/LQN-DPS/77-FV**.

The current Watermill Theatre license is sufficiently broad for the theatre to run as a business, the proposal they have brought forward will bring nothing but distress to the residents that call Bagnor Home.

Bagnor is a small countryside hamlet of outstanding natural beauty and should be protected. It plays a vital role in the biodiversity chain of West Berkshire and is home to many exceptional wildlife species. I have enjoyed this village for walks and stays with local residents over the years and will continue to do so.

Over previous summers I have been lucky enough to be staying in the village and encountered the unprecedented noise and disturbance that the theatre's outdoor performances caused.

The Watermill Theatre already has plentiful means to entertain the guests it has and an extension of this would only bring misery to the hamlet's residents and wildlife.

The traffic that an extension of hours would bring to the area would be unbearable and cause not only unprecedented levels of pollution but also such levels of disturbance to the people living in the hamlet they would not be able to enjoy their homes.

The roads of Bagnor are not built to transport such levels of guests constantly which the suggested longer hours would bring.

I strongly urge the council to reject this proposal and to allow Bagnor to thrive as the small hamlet it was designed to be.

Yours Sincerely,  
Paul Havel

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**From:** Sebastian Fisher  
**Sent:** Monday, July 31, 2023 10:29 AM  
**To:** Licensing <licensing@westberks.gov.uk>  
**Subject:** Watermill Theatre Licence Extension LA2023

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To whom it may concern.

I am writing this email in objection to the Watermill Theatre's application to extend their licence. As someone that spends considerable time in the grounds of Bagnor Manor I feel that the granting of such an extension would be detrimental to the area.

The peace and tranquility of the site and its surroundings would be under considerable threat from noise and potentially light pollution on a scale previously unseen. I am concerned that the residents of Bagnor Manor and Manor Road will suffer considerable disruption to sleep and leisure-time with the expected increase in outdoor activities and alcohol consumption at The Watermill Theatre. These include loud music, noise from performances, public disorder, and vehicular noise (particularly following the end of performances or the closure of drinking facilities). One would also presume the potential for expansion of their activities could reach far beyond this.

Further to this, as an environmental scientist I can personally verify the diversity of wildlife present around Bagnor Manor in close proximity to The Watermill Theatre. I have monitored the site using camera traps there for some time. It is my opinion that the potential noise (and light) pollution caused by activities associated with such an extension, particularly given the increased frequency and longevity of said outdoor events, would have a deleterious effect on terrestrial and aquatic faunal abundance and diversity. It should also be of high consideration that Bagnor Manor, The River Lambourn, and Rack Marsh, are all SSSI sites and home to many such sensitive species, some deemed to have protectable status. Commuting bats using the riparian corridors of Bagnor, for example, may be particularly sensitive to anthropogenic disturbance.

Given the information presented here I hope that all factors will be considered before the granting of an extension that will result in imminent and lasting changes for the worst on both a human and environmental level. A decision that would, on balance, result in greater overall costs than benefits.

Yours faithfully

Seb Fisher

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West Berkshire District Council  
Environmental Health & Licensing  
Council Offices  
Market Street  
Newbury  
RG14 5LD  
31<sup>st</sup> July 23  
REF 09/01533/LQN-DPS/77

Beech Cottage  
Bagnor  
Newbury  
Berkshire  
RG20 8AG

Subject LA2003-Newbury -Watermill Theatre Premises

License Variation (013678)

For the attention of Sharon Gavin

Following the recent application to extend the opening hours and events at the Watermill Theatre in Bagnor, as residents of Bagnor Village, we would like to formally file our objection to the change of licensing at the above premises and would like our objections to be considered based upon the following:

We feel that the extended opening times from 2200 hours to potentially 2400 hours will have a significant impact on the health and wellbeing of our family and the village as a whole as the disruption and noise from the traffic and visitors to the theatre has a direct effect on our lives.

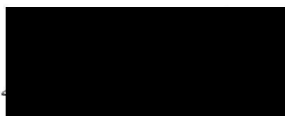
We are already feeling the effect of traffic leaving at 11pm due to the current production. Car park lights from two car parks illuminating the area near our home. We are a village with no street lights and extending the hours to 2400 would mean even more light pollution.

From a personal perspective one member of the household leaves for work in the summer between 0410 and 0430 and other members work unsociable hours and are on call 24 hours. Extending the licensing hours to 2400 to include an outside bar/late leaving cars would impact on our quality of life.

Living in a village our local wildlife is very important to us.

We would like the authority to consider the environmental impact on the wildlife in this area of natural beauty which is also near to a conservation area. The increase of vehicles polluting the air/noise will potentially have a negative impact on the environment.

B E Woodjetts



N Carter



S N Woodjetts



S A Carter



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**From:** Speen Parish Clerk <clerk@speenpc.org.uk>  
**Sent:** Sunday, July 30, 2023 7:53 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Subject:** RE: LA2003 - Newbury - Watermill Theatre Premises Licence variation application

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Dear Sharon

Speen Parish Council has reviewed the Watermill Theatre Premises Licence variation application as follows:

1/ Temporary outside bar to sell and dispense alcohol and bar drinks during the summer months

- The Council has no objections subject to this facility being restricted to theatre goers only.

2/ Extension of Licencing hours

- The Council objects to this variation. The Council does not consider the sale of alcohol should be encouraged prior to 10am and no reasonable justification for this has been provided. In addition there is again no justifiable reason for the licence to be extended from 23.30 to 24.00 and the owners have a responsibility to their neighbours and this extension would not be in the interests of local residents.

Kind regards  
Jean

Jean Lindsell  
Clerk to Speen Parish Council  
P O Box 6221  
Newbury  
RG14 9JS

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**From:** Peggy-ann Mills  
**Sent:** Friday, July 28, 2023 2:29 PM  
**To:** Licensing <Licensing@westberks.gov.uk>  
**Subject:** Water mill theatre.

Dear Sir or Madam,

As a village we have always embraced the water mill theatre and supported them even though at times it makes our village very congested, especially at Christmas with all the coaches.

Recently they have started having more outside performances which are becoming very loud with both the music and the audience participation becoming unbearable for the residents of Bagnor. Not only the noise from the performances which have changed recently but also the the people staying for drinks and chatting in the car park until late. We have people who work and leave early in the mornings who are having their lives disrupted and would be more so with the updated licence. Please consider the people who live with this daily.

This email is the opinion of both my husband and myself.

Yours sincerely

Steve and Peggy-Ann Mills

Spring Cottage, 6, Bagnor.

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**Appendix 5**

**From:** Charley Hart  
**Sent:** 10 August 2023 14:13  
**To:** Licensing <[Licensing@westberks.gov.uk](mailto:Licensing@westberks.gov.uk)>  
**Subject:** Watermill Theatre - response to objections

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Dear Vikki,

Following on from our phone call and in light of the objections that we have received in relation to the Watermill Theatre's application to vary our premises license, we would like to propose a change in how we would like to vary the license.

The only change we would now like to make to our premises license is the ability to sell alcohol outside for the duration of 'The Lord of the Rings' run, so until Sunday 15 October, at which point, our license would then revert back to what it has always been with no other changes.

We wanted to write to acknowledge the concerns laid out and hope our offer might allay your concerns.

The main stimulus to apply for a variation was to have an outdoor bar for 'The Lord of The Rings'. We wanted to have this in place for the show to make the experience for audiences more immersive – introducing them to the Shire and allowing them to enjoy the atmosphere in the garden. The indoor bar is of course available, but this sits slightly outside of the 'world' of the show.

We understand the concern that having the ability to sell alcohol outside could mean that we would do more outside events in the future which weren't related to the theatre. This is why to alleviate this concern, we would like to propose that the only change we make to our premises license is the ability to sell alcohol outside for the duration of 'The Lord of the Rings' run, so until Sunday 15 October, at which point, our license would then revert back to what it has always been. Our hours will remain the same.

We would be most grateful if you would take the time to consider this proposal in light of this being a limited period.

All the best,  
Charley

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